

AGREEMENT FOR SECOND AMENDMENT TO THE SECOND RESTATEMENT OF  
DECLARATION OF DOVENANTS, CONDITIONS AND RESTRICTIONS OF LONG  
CREEK SUBDIVISION BETWEEN GOLF ASSOCIATES, LTD AS DECLARANT FOR  
LONG CREEK SUBDIVISION AND BANDIT CONDOMINIUMS, LLP AS DECLARANT  
FOR THE LODGES AT THE BANDIT GOLF CLUB CONDOMINIUMS

STATE OF TEXAS                    §  
COUNTY OF GUADALUPE        §

The Second Restatement of Declaration of Covenants, Conditions, and Restrictions of Long Creek Subdivision division is recorded in Volume 2047, Page 521, Official Public Records of Guadalupe County, Texas (“Declaration”);

The First Amendment To The Second Restatement Of Declaration of Covenants, Conditions and Restrictions Of Long Creek Subdivision is recorded in Volume 2452, Page 136, Official Public Records of Guadalupe County, Texas (“First Amendment”)

Article XVI of the Declaration specifically authorizes Declarant, GOLF ASSOCIATES, LTD., to amend the Declaration for any reason, without the necessity of joinder by any other Owner of Lots, or any interest therein, for so long as Declarant still owns property described therein;

BANDIT CONDOMINIUMS, LLP, a Texas Limited Partnership is Owner of the Bandit Condominium Subdivision described in plat duly recorded on August 31, 2007 in Volume 7, Page 378, of the Map and Plat Records of Guadalupe County and the Declarant of the condominium project established by the Condominium Declaration Of The Lodges At The Bandit Golf Club Condominiums (“Condominiums”);

BANDIT CONDOMINIUMS, LLP and GOLF ASSOCIATES, LTD. desire to provide for a means of allowing the participation of the condominium owners in the Long Creek Owners Association, Inc. without annexing into the Long Creek Subdivision the real property comprising The Bandit Condominium Subdivision;

To effect this purpose, the following amendments to the Declaration are agreed to by GOLF ASSOCIATES, LTD, (“Declarant”) and BANDIT CONDOMINIUMS, LLP (“Condominium Declarant”)

- A. The following is added to Article II: Definitions
  - (u) “Condominium Unit” means and refers to each Condominium Unit of The Lodges At The Bandit Golf Club Condominiums as established by Condominium Declaration recorded in Volume \_\_\_ Page \_\_\_\_\_ of the Official Public Records of Guadalupe County, Texas, and any amendments thereto.

- (v) "Condominium Unit Owner" means and refers to the record Owner, whether one or more persons or entities of the fee simple title to any Unit but not including those having an interest merely as security for the performance of an obligation, of a Condominium Unit Of The Lodges At The Bandit Golf Course Condominiums
- (w) "Condominium Declarant" means and refers to BANDIT CONDOMINIUMS, LLP, and any successor to whom Condominium Declarant transfers its Special Declarant Rights and Development Rights as established in the Condominium Declaration.

B.. The following is added and all existing Articles following are renumbered accordingly:

#### ARTICLE XII:

#### THE LODGES AT THE BANDIT GOLF CLUB CONDOMINIUMS

##### (A) Membership In Long Creek Owner's Association

Each Condominium Unit Owner is a Class A Member of the Association and has the same voting rights accorded to Owners of property in Long Creek Subdivision. Multiple owners of a Unit shall be collectively entitled to one vote. Each Condominium Unit Owner has an affirmative duty and obligation to provide, and thereafter revise and update the full name and address of each Condominium Unit Owner.

##### (B) Property Rights

The Property Rights set forth in Article III are granted to each Condominium Unit Owner.

##### (C) Covenants For Maintenance Assessments

Each Condominium Unit Owner covenants and agrees to pay to the Association annual assessments and special assessments in the same amount as that assessed against improved and unimproved Lots in the Long Creek Subdivision. The obligation to pay the assessment commences on each Condominium Unit as it is conveyed by Condominium Declarant to a purchaser. The amount of the first annual assessment is the prorated amount for the remaining portion of the fiscal year of the Long Creek Owner's Association. The Association will have the same rights and powers to collect the assessments against the Condominium Unit Owners as it has against the Owners of Lots in Long Creek Subdivision.

##### (D) Long Creek Owner's Association Board Acts For Benefit of Condominium Unit Owners

The powers and duties of the Board are for the benefit of the Condominium Unit Owners in addition to the benefit of the Owners.

(D) Limit On Applicability of Covenants, Conditions, and Restrictions of Long Creek Subdivision

(1) The Covenants, Conditions, and Restrictions of Long Creek Subdivision do not govern and are not applicable to The Lodges At The Bandit Golf Course Condominiums or any property added to the condominium project, except where expressly stated in this Article.

(2) The Lodges At The Bandit Golf Club Condominiums are not annexed into the Long Creek Subdivision and do not constitute a portion of the "Properties" as defined in Article II.

(E) This Article cannot be amended or modified except by a majority vote of the Condominium Unit Owners.

DECLARANT OF LONG CREEK SUBDIVISION

GOLF ASSOCIATES, LTD.  
A Texas Limited Partnership

BY: The L.M. Warner Co., L.L.C., General Partner

By: \_\_\_\_\_  
DANIEL A. PEDROTTI, JR., President

DECLARANT OF THE LODGES AT THE  
BANDIT GOLF COURSE CONDOMINIUMS

BANDIT CONDOMINIUMS, L.L.P.,  
A Texas limited partnership,

BY: FORESIGHT CONDOMINIUM PARTNERS,  
LTD., a Texas limited partnership,  
Managing Joint Venturer

By: PEDMILL, L.L.C., General Partner

By: \_\_\_\_\_  
DANIEL A. PEDROTTI, JR., Member

ACKNOWLEDGMENTS

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_, 2008 by DANIEL A. PEDROTTI, JR., as President of the L.M. Warner Co., L.L.C., General Partner of GOLF ASSOCIATES, LTD, a Texas Limited Partnership on behalf of said partnership.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_, 2008 by DANIEL A. PEDROTTI, JR., as Member of PedMill, L.L.C., a Texas limited liability corporation, the General Partner of Foresight Condominium Partners, Ltd., a Texas limited partnership and Managing Joint Venturer of Bandit Condominiums, L.L.P, a Texas limited partnership on behalf of said entities.

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NOTARY PUBLIC, STATE OF TEXAS