SCANNED

2001- 0078416

NOTICE OF CHANGE OF MEMBERSHIP OF THE ARCHITECTURAL CONTROL COMMITTEE FOR SHAVANO PARK PLANNED UNIT DEVELOPMENT (WITH LIMITED RIGHTS RESERVED TO DECLARANT)

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BEXAR §

WHEREAS, an Architectural Control Committee for the Subdivision(s) known as SHAVANO PARK, UNIT 16D, PLANNED UNIT DEVELOPMENT ("the Subdivisions", whether one or more), as shown on the below referenced plats, have been established by the below referenced instruments ("Declarations", whether one or more) recorded in the Real Property Records of Bexar County, Texas, which said Declarations have been recorded by SHAVANO CREEK UNIT 16D, LTD. (the Declarant); and

WHEREAS, the Declarations each provide that upon one or more continuing vacancies in the membership of the Committee, the Declarant shall have the right to fill such vacancies and/or to receive notice of any new appointments to the Committee; and

WHEREAS, the below named present members of the Architectural Control Committee (such present members and any and all future members to be referred to herein as "Members") desire to resign and have elected not to appoint their successor Members to such Committee - instead they desire to assign any and all of their rights in such regard to the SHAVANO CREEK HOMEOWNERS ASSOCIATION (the "Association"), and Declarant desires to assign to the Association any and all of its rights to appoint Members of the Committee, and to waive, now and forever more, the right to fill any vacancies now or hereafter existing on the Committee and/or any requirement for notice regarding the appointment of new or successor Members to the Committee for the Subdivisions;

NOW, THEREFORE, in consideration of the premises, the Undersigned through the execution and recordation of this instrument, give notice to all persons who may be affected hereby or may take interest herein of the following actions;

1. TODD P. HELMER, BARBARANN I. KANUTE, and TERESA A. NAGY, being the sole current Members of the Architectural Control Committee for the Subdivisions, hereby resign such membership, assign all rights (if any) they may have to appoint successor Members of the Committee to the Association, acting by and through its Board of Directors, and hereafter waive any right they may have to appoint or remove successor Members of the Committee.

2. Declarant hereby transfers and assigns to the Association, acting by and through its Board of Directors, any and all rights it has or may have under the terms of the Declarations, to hereinafter appoint and/or remove successor Members of the Committee and waives any requirements to be notified regarding future appointments or removals.

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3. The Subdivisions and Declarations referred to herein are described and referenced as follows:

SUBDIVISION NAME	PLAT RECORDING*	DECLARATION RECORDING**
SHAVANO PARK, UNIT 16D AMENDMENT	VOL. 9531, PAGE 155	VOL. 6415, PAGES 553-577 VOL. 6433, PAGES 1540-1541

* Deed and Plat Records of Bexar County, Texas
** Real Property Records of Bexar County, Texas

Declarant and the Association do hereby jointly declare and agree that from and after the date hereof, the Association shall hereafter have the sole right to determine the number of Members of the Committee and the right to appoint the Members thereof, subject to the reservation by the Board of Directors of the Association, in its sole discretion, of the right to remove any and all of said Members from time to time without any necessity of cause, together with the right to fill any vacancies and/or appoint successors or additional Members from time to time. Any Members of the Committee shall be deemed, upon their appointment, to have agreed and acknowledged that their power is limited to the scope of the Subdivisions and that they are subject to being removed and replaced from time to time at the pleasure of the Board of Directors of the Association.

The undersigned officer of the Association, hereby declares that it is duly authorized to make this certification on behalf of the Association, and certifies that the Board of Directors of the Association has, at a meeting duly called, approved this instrument on behalf of the Association and has named certain persons to act in the future as Members of the Committee, subject, however, to a reservation by said Board of Directors of the full and absolute right to remove any or all of said Members from time to time, without necessity of cause, and the right to fill any vacancies and appoint successors or additional Members to the Committee, without necessity of notice to Declarant, based on the above-recited assignment and waiver of same by Declarant.

The Association further declares that the business address of the Committee, and the address to which all plans and application required under the Declarations to be submitted to the Committee shall be delivered, is currently as follows:

c/o Association Management Services
Attn: Barbara Lowry
1600 N.E. Loop 410, Suite 202
San Antonio, Texas 78209

All inquiries concerning the Committee, or its composition should be directed to such business address.

Notwithstanding any provisions to the contrary otherwise set forth herein, Declarant reserves the express right to continue to act exclusively as and for the Committee (and the Committee shall have no power or jurisdiction) as to each of those vacant Lots situated within the Subdivisions that are owned by Declarant and listed on Exhibit A attached hereto and incorporated herein by reference until completion of construction of the residence has occurred on such affected Lot, whereupon the Committee shall thereafter have power and jurisdiction over such affected Lot for all purposes.

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DECLARANT:

SHAVANO CREEK UNIT 16D, LTD.
By: Bitterblue, Inc. Managing General Partner

By: _____
WM. EUGENE POWELL
Chief Executive Officer

RESIGNING ARCHITECTURAL CONTROL COMMITTEE MEMBERS

_____
TODD P. HELMER

_____
BARBARANN I. KANUTE

_____
TERESA A. NAGY

ASSOCIATION:

SHAVANO CREEK HOMEOWNERS ASSOCIATION

By: _____
KEN KOCH
Its President

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STATE OF TEXAS

COUNTY OF BEXAR

The foregoing instrument was acknowledged before me on the 18th day of April, 2001, by WM. EUGENE POWELL, Bitterblue, Inc., a Texas corporation, General Partner of SHAVANO CREEK UNIT 16D, LTD, a Texas limited partnership, on behalf of said corporation and partnerships.

Elizabeth Jane Crooks
Notary Public, State of Texas

ELIZABETH JANE CROOKS
MY COMMISSION EXPIRES
April 18, 2005

STATE OF TEXAS

COUNTY OF BEXAR

The foregoing instrument was acknowledged before me on the 18th day of April, 2001, by TODD P. HELMER.

Elizabeth Jane Crooks
Notary Public, State of Texas

ELIZABETH JANE CROOKS
MY COMMISSION EXPIRES
April 18, 2005

STATE OF TEXAS

COUNTY OF BEXAR

The foregoing instrument was acknowledged before me on the 18th day of April, 2001, by BARBARANN I. KANUTE.

Elizabeth Jane Crooks
Notary Public, State of Texas

ELIZABETH JANE CROOKS
MY COMMISSION EXPIRES
April 18, 2005

STATE OF TEXAS

COUNTY OF BEXAR

The foregoing instrument was acknowledged before me on the 18th day of April, 2001, by TERESA A. NAGY.

ELIZABETH JANE CROOKS
MY COMMISSION EXPIRES
April 18, 2005

Elizabeth Jane Crooks
Notary Public, State of Texas

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STATE OF TEXAS

COUNTY OF BEXAR

The foregoing instrument was acknowledged before me on the 24TH day of April, 2001, by KEN KOCH, President of SHAVANO CREEK HOMEOWNERS ASSOCIATION.

Steven H. Brown
Notary Public, State of Texas

OFFICIAL SEAL
Steven H. Brown
State of Texas
My Commission Expires
October 02, 2004

AFTER RECORDING RETURN TO:

Denton Communities
11 Lynn Batts Lane, Suite 100
San Antonio, Texas 78218
Attn: Barbarann I. Kanute

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EXHIBIT "A"

Unit 16D, Lot 1549 - 315 POST OAK WAY

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on

MAY 11 2001

COUNTY CLERK BEXAR COUNTY, TEXAS

Filed for Record in:
BEXAR COUNTY, TX
GERRY RICKHOFF, COUNTY CLERK

On May 11 2001
At 12:18pm

Receipt #: 436057
Recording: 13.00
Doc/Mgmt : 6.00
Doc/Num : 2001- 0078416
Deputy -Rose E. Bazan

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