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15.00  
# 4336

AFTER RECORDING, RETURN TO:  
Hills of Westwood Property Owners' Assoc.  
P. O. Box 1344  
Temple, Texas 76503

**FIRST AMENDMENT AND MODIFICATION TO THE  
DECLARATION OF RESTRICTIVE COVENANTS  
OF HILLS OF WESTWOOD, PHASE II,  
a subdivision in Temple, Bell County, Texas**

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

KIELLA DEVELOPMENT, INC., a Texas corporation ("Declarant") is the developer of the subdivision known as Hills of Westwood, Phase II (the "Subdivision"), a subdivision in the City of Temple, Bell County, Texas, according to the map or plat of record in Cabinet C, Slide 398-A, Plat Records of Bell County, Texas (the "Plat").

As a part of the platting process, Declarant also created certain covenants, conditions and restrictions that would affect the lots and the land that comprise the Subdivision, and executed and filed the "Declaration of Restrictive Covenants of Hills of Westwood, Phase II, a subdivision in Temple, Bell County, Texas" (the "Restrictive Covenants") in Volume 6153, Page 487, in the Official Public Records of Real Property of Bell County, Texas.

**I. AMENDMENT AND MODIFICATION**

This "First Amendment and Modification to the Declaration of Restrictive Covenants of Hills of Westwood, Phase II, a subdivision in Temple, Bell County, Texas" (the "Amendment") amends and supplements the Restrictive Covenants as follows, to-wit:

- (1) The fourth paragraph of Paragraph 17, located on pages 4 and 5, of the Restrictive Covenants is hereby deleted in its entirety. Effective with the execution and filing of this Amendment, no Third Party Lawn and Landscaping Maintenance Agreement will be offered or provided by Declarant or Hills of Westwood Property Owners' Association, Inc. to the residents or Owners of Lots within the Subdivision for the maintenance or upkeep of their respective Lot(s). Each Owner will be responsible for the lawn maintenance and upkeep of his/her respective Lot in accordance with the Restrictive Covenants, and specifically Paragraph 17 as amended by this Amendment.
- (2) All other covenants, conditions, and restrictions set forth in the Restrictive Covenants will remain in full force and affect.

**II. SUMMARY**

This Amendment is executed and accepted by Declarant pursuant to the right and authority granted and bestowed Declarant under Paragraph 44, located on page 9, of the Restrictive Covenants,

- a. to **AMEND AND MODIFY** the covenants, conditions, and restrictions of the Restrictive Covenants as set out above;

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HILLS OF WESTWOOD, PHASE II, A SUBDIVISION IN  
TEMPLE, BELL COUNTY, TEXAS**

b. to **CONFIRM** that this Amendment does not affect any of the remaining covenants, conditions, and restrictions set forth in the Restrictive Covenants, and that such remaining covenants, conditions, and restrictions will remain and continue in full force and effect; and

c. this Amendment will be **EFFECTIVE** as of July 1st, 2010. However, in the event of any conflict in the terms and provisions of the Restrictive Covenants, and of this Amendment, the Restrictive Covenants, as revised by this Amendment, will control.”

KIELLA DEVELOPMENT, INC., a Texas corporation

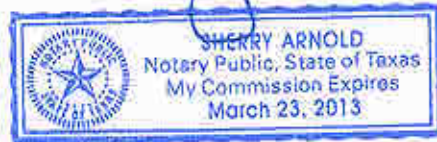
By: [Signature]  
JOHN R. KIELLA, President

(ACKNOWLEDGMENT)

STATE OF TEXAS §  
COUNTY OF BELL §

This instrument was acknowledged before me on July 1st, 2010, by JOHN R. KIELLA, in his capacity as President of KIELLA DEVELOPMENT, INC., a Texas corporation, on behalf of said corporation.

[Signature]  
NOTARY PUBLIC



PREPARED IN THE LAW OFFICE OF:  
crm  
BAIRD, CREWS, SCHILLER & WHITAKER, P.C.  
ATTN: THOMAS C. BAIRD  
15 North Main Street  
Temple, Texas 76501  
[www.bcswwlaw.com](http://www.bcswwlaw.com)

**FIRST AMENDMENT AND MODIFICATION TO THE  
DECLARATION OF RESTRICTIVE COVENANTS OF  
HILLS OF WESTWOOD, PHASE II, A SUBDIVISION IN  
TEMPLE, BELL COUNTY, TEXAS**

Bell County  
Shelley Coston  
County Clerk  
Belton, Texas 76513

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Instrument Number: 2010-00024064

Recorded On: July 06, 2010

As  
Recordings

Parties: KIELLA DEVELOPMENT INC  
To HILLS OF WESTWOOD PHASE II

Billable Pages: 2  
Number of Pages: 3

**Comment:**

( Parties listed above are for Clerks reference only )

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**\*\* Examined and Charged as Follows: \*\***

Recordings	15.00
<b>Total Recording:</b>	<b>15.00</b>

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\*\*\*\*\* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 2010-00024064  
Receipt Number: 81940  
Recorded Date/Time: July 06, 2010 12:04:54P

**Record and Return To:**

HILLS OF WESTWOOD PROPERTY OWNERS  
PO BOX 1344  
TEMPLE TX 76503

User / Station: N Mitchell - Cash Station 2

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I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas



Shelley Coston  
Bell County Clerk

A handwritten signature in cursive script that reads "Shelley Coston".