

AMENDMENT TO RESTRICTIONS FOR
APACHE HILLS SUBDIVISION

Being an amendment of said Restrictions filed of
record in an instrument recorded in Volume 232,
Page 208, Deed Records, Burleson County, Texas.

STATE OF TEXAS ¶
 ¶
COUNTY OF BURLESON ¶

WHEREAS, on the 16th day of May, 1981, a
meeting was held by the Apache Hills Community Association and
pursuant to the Restrictions for the Apache Hills Subdivision
recorded in Volume 232, Page 208, Deed Records, Burleson County,
Texas, at least 51% of the lots in said subdivision voted,
either in person or by proxy, to amend the restrictions as here-
inafter provided:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that
the Restrictions currently applicable to Apache Hills Subdivision
recorded in Volume 232, Page 208, Deed Records, Burleson County,
Texas, dated April 14, 1976, are hereby altered and amended by
adding thereto the following paragraph:

Article XXII

Notwithstanding anything to the contrary contained
in these Restrictions concerning the commercial use of
the lots in the Apache Hills Subdivision, WCS Petroleum,
Inc. shall be entitled to drill a well in search for oil
and gas within the boundaries of the Apache Hills Sub-
division in accordance with the following provisions:

1. The well to be drilled will be located on
Lot 10, Block F of the Subdivision.
2. WCS shall be entitled to use Lots 9, 10,
11, 12 and 18, in Block F for its wellsite
location.
3. WCS shall be entitled to drill only one
well within the boundaries of the Sub-
division and if such well is a dry hole,
this amendment shall automatically ter-
minate. If such well is completed as
a producer then this amendment shall re-
main in effect as long as oil or gas is
produced in paying quantities. Upon
cessation of such production this amend-
ment shall automatically terminate.

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4. WCS shall agree to repair and replace all roads damaged by its operations and to restore all lots and other surface areas which it may damage immediately after completion of its drilling activities, whether the well is a dry hole or a producer.
5. If such well is a dry hole WCS agrees to plug and abandon same and remove all equipment within 30 days after the well is plugged and to restore the surface of all area used by WCS for its location to the same condition as it was in prior to drilling as is possible and practical under the circumstances.
6. If such well is completed as a producer WCS shall run all pipelines and gathering lines underground and under roads at least four feet below the surface to connection points outside the boundaries of the Apache Hills Subdivision. WCS shall not be entitled to install any storage tanks, metering equipment, separators or other types of production equipment within the boundaries of the Subdivision and after completion of such well as a producer shall not be entitled to drive any heavy-duty trucks on any roads within the boundaries of the Subdivision unless absolutely necessary to work on the wellbore or hole.
7. If the well is completed as a producer WCS shall agree to put a fence of suitable character, at least five feet tall, surrounding the wellbore of the well and to keep the lot and fence properly maintained and to keep all debris and rubbish removed therefrom.
8. The well to be drilled by WCS shall be entitled the James Frierson No. 2 well and WCS shall agree to create by Declaration of Unit filed for record in Burleson County, Texas, an 80 acre unit and to include therein all of the remaining Apache Hills lots which WCS has oil and gas leases covering which have not been previously included in the James Frierson No. 1 80 acre unit.
9. WCS shall execute this amendment as provided below and by its execution WCS hereby agrees and accepts all the terms and conditions of this amendment as set forth above and acknowledges that time is of the essence with respect to any time periods stated above.

The undersigned, the duly elected and acting officers of the Apache Hills Community Association, execute this instrument to evidence the approval of the foregoing amendment to the Restrictions by owners of at least 51% of the lots in the Apache Hills Subdivision at a meeting of the Apache Hills Community Association held on May 16, 1981.

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IN WITNESS WHEREOF, this instrument is executed the

16 day of May, 1981.

APACHE HILLS COMMUNITY ASSOCIATION

By William G. Smyre
William Smyre, Director

By Clive R. Harston
Clive Harston, Director

By Frankie Frey
Frankie Frey, Director

By ~~Charles Jozwiak, Director~~

By Logan Garrett
Logan Garrett, Director

By Harold W. Schulz
Harold Schulz, Director Secretary-Treasurer

ACCEPTED AND AGREED TO this
16 day of May, 1981.

WCS PETROLEUM, INC.

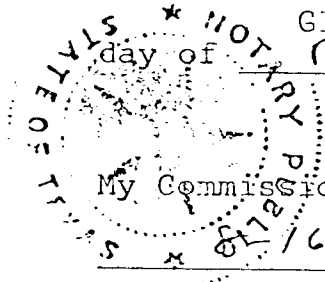
By Wm. C. Shuford
Officer

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STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared WILLIAM SMYRES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 16 day of May, 1981.



My Commission Expires: 5-16-81

Bruce Stensrud
Notary Public in and for Dallas County, Texas
Bruce Stensrud

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared CLIVE HARSTON, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 16 day of May, 1981.



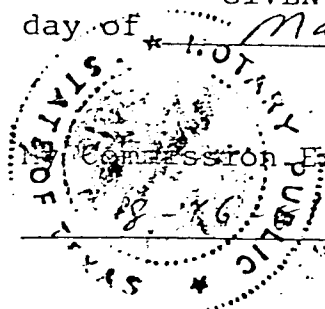
My Commission Expires: 5-16-81

Bruce Stensrud
Notary Public in and for Dallas County, Texas
Bruce Stensrud

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared FRANKIE FREY, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 16 day of May, 1981.



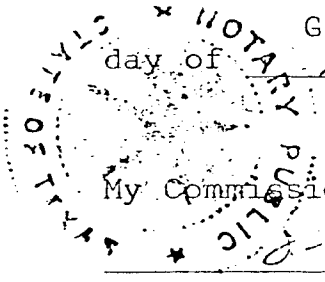
My Commission Expires: 5-16-81

Bruce Stensrud
Notary Public in and for Dallas County, Texas
Bruce Stensrud

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared HAROLD SCHULZ, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 16 day of May, 1981.



My Commission Expires: 8-16-81

Bruce Steensrud
Notary Public in and for Dallas County, Texas

Bruce Steensrud
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Amendment to Restrictions for Apache Hills Subdivision - Page Five

THE STATE OF TEXAS
COUNTY OF BURLESON

I, JOHN J. TOUPAL, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 29 DAY OF May, 19 81, AT 3:00 O'CLOCK P. M., AND DULY RECORDED ON 8 DAY OF June, 19 81, AT 2:00 O'CLOCK P. M., IN THE Deed RECORD OF SAID COUNTY, IN VOL. 285, PAGE 870-875

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, AT MY OFFICE IN CALDWELL, TEXAS, THE DAY AND DATE ABOVE WRITTEN.

BY Susan Ginzler DEPUTY

JOHN J. TOUPAL
COUNTY CLERK, BURLESON COUNTY, TEXAS