

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER. *See* TEX. PROP. CODE 11.008

SIXTH AMENDED MANAGEMENT CERTIFICATE
DAVIS MOUNTAINS PROPERTY OWNERS ASSOCIATION, INC.
DAVIS MOUNTAINS RESORT
JEFF DAVIS COUNTY, TEXAS

This instrument shall constitute a management certificate mandated by Section 209.004 of the Texas Property Code and amends prior management certificates.

- (1) the name of the subdivision: Davis Mountains Resort
- (2) the name of the association: Davis Mountains Property Owners Association, Inc.
- (3) the recording data for the subdivision:

Davis Mountains Resort is a Subdivision in Jeff Davis County, Texas, as declared, confirmed and additionally described in the Judgment and Decree dated 18 January 2001 of the 394th State Judicial District Court of Jeff Davis County, Texas in Cause No. 1572, styled "Concerned Property Owners Association vs. Davis Mountains Property Owners Association, Inc." and the liens, conditions, rights, restrictions, covenants, duties and encumbrances affirmed and declared therein, hereby incorporated by reference, said Subdivision being all the land out of a Correction Deed from J. W. Friend and wife Bernice W. Friend to Global Land Corporation and also naming as grantee Global Land Corporation of Texas, filed on May 12, 1972, in the Official Public Records of Real Property of Jeff Davis County, Texas, at Volume 70, Page 577, and another Warranty Deed from J. W. Friend and wife Bernice W. Friend to Global Land Corporation, filed on May 12, 1972, in the Official Public Records of Real Property of Jeff Davis County, Texas, at Volume 70, Page 580; the original survey of the property constituting the Subdivision being the WJG-1 and Block 224, as applicable; the locality of the property being within the Subdivision and in a westerly direction from Fort Davis, Texas, the County Seat of Jeff Davis County, State of Texas and in the south central part of Jeff Davis County, State of Texas and the lots in the Subdivision are described as lots in blocks of the Subdivision in the maps and plats in the Official Public Map or Plat Records of Jeff Davis County, Texas, with the acreage of each lot being at least 5 acres, the exact dimensions of which being more particularly described in the maps and plats thereof, all hereby incorporated by reference, and the Maps and Plats thereof being:

the plat dated June 24, 1971, which was filed on June 25, 1971, in the Map Records of Jeff Davis County, Texas at Volume 23, Pages 57-66, later revised as Pages 77-86;

the plat dated August 20, 1971, which was filed on September 13, 1971, in the Map Records of Jeff Davis County, Texas at Volume 23, Pages 67-76;

the revised plat dated November 6, 1971, which was filed on November 8, 1971, in the Map Records of Jeff Davis County, Texas at Volume 23, Pages 77-86;

the plat dated November 6, 1971, which was filed on November 8, 1971, in the Map Records of Jeff Davis County, Texas at Volume 23, Pages 87-96;

the second revision of a plat referred to above, dated November 6, 1971, which was filed on March 17, 1972, in the Map Records of Jeff Davis County, Texas at Volume 24, Pages 1-10;

the revision of a plat referred to above, dated March 9, 1972, which was filed on March 17, 1972, in the Map Records of Jeff Davis County, Texas at Volume 24, Pages 11-20 and renumbered as Volume 24, Pages 10A-18;

the plat dated April 8, 1972, which was filed on April 10, 1972, in the Map Records of Jeff Davis County, Texas at Volume 24, Pages 21-28 and renumbered as Volume 24, Pages 19-26;

the plat dated July 8, 1972, which was filed on July 10, 1972, in the Map Records of Jeff Davis County, Texas at Volume 24, Pages 29-34 and renumbered as Volume 24, Pages 27-28;

the replat dated July 8, 1972, which was filed on February 12, 1973, in the Map Records of Jeff Davis County, Texas at Volume 24, Pages 61-66 and renumbered as Volume 24, Pages 29-30;

the replat dated July 8, 1972, which was filed November 13, 1972, in the Map Records of Jeff Davis County, Texas at Volume 24, Pages 51-56 and renumbered as Volume 24, Pages 31-44; and

the plat dated August 11, 1972, which was filed August 13, 1972, in the Map Records of Jeff Davis County, Texas at Volume 24, Pages 35-40 and renumbered as Volume 24, Pages 45-50.

(4) the recording data for the declaration or declarations, as applicable:

- the Judgment and Decree dated 18 January 2001 of the 394th State Judicial District Court of Jeff Davis County, Texas in Cause No. 1572, styled “Concerned Property Owners Association vs. Davis Mountains Property Owners Association, Inc.” and the

liens, conditions, rights, restrictions, covenants, duties and encumbrances affirmed and declared therein, recorded in Volume 168 at Pages 733, *et seq.*, of the Official Public Records of Jeff Davis County, Texas, hereby incorporated by reference;

- the Declaration of Covenants, Conditions and Restrictions Davis Mountain Property Owners Association, recorded in Volume 73 at Pages 13, *et seq.*, of the Deed Records of Jeff Davis County, Texas, hereby incorporated by reference;
- the Amended and Restated Declaration of Covenants, Conditions, and Restrictions, Davis Mountains Property Owners Association, Inc., recorded in Volume 174 at Pages 5, *et seq.*, of the Official Public Records of Jeff Davis County, Texas, hereby incorporated by reference;
- the Revised By-laws of The Davis Mountains Property Owners Association, Inc., recorded in Volume 175 at Pages 369, *et seq.*, of the Official Public Records of Jeff Davis County, Texas, hereby incorporated by reference;
- the Second Revised By-laws of The Davis Mountains Property Owners Association, Inc., recorded in Volume 178 at Pages 666, *et seq.*, of the Official Public Records of Jeff Davis County, Texas, hereby incorporated by reference; and
- the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions, Davis Mountains Property Owners Association, Inc., recorded in Volume 178 at Pages 680, *et seq.*, of the Official Public Records of Jeff Davis County, Texas, hereby incorporated by reference; and
- the Third Revised By-laws of The Davis Mountains Property Owners Association, Inc., recorded in Volume 182 at Pages 744, *et seq.*, of the Official Public Records of Jeff Davis County, Texas, hereby incorporated by reference.

(5) the mailing address of the association or the name and mailing address of the person managing the association:

Davis Mountains Property Owners Association, Inc.
HCR 74 Box 94-A
Fort Davis, Texas 79734

(6) other information the association considers appropriate:

- by approval of the property owners at the duly called and noticed annual meeting of the Davis Mountains Property Owners Association, Inc. held 25 June 2005, by 2/3rds of the eligible votes cast on the matter at said Annual Meeting, in accordance with the current restrictions and bylaws applicable to said Association, said residential subdivision and the ownership of property in said residential subdivision, the Association increased the maximum annual assessments to \$120 per lot, effective 01 January 2006.
- by approval of the property owners at the duly called and noticed annual meeting of the Davis Mountains Property Owners Association, Inc. held 28 June 2008, by 2/3rds of the eligible votes cast on the matter at said Annual Meeting, in accordance with the current restrictions and bylaws applicable to said Association, said residential subdivision and the ownership of property in said residential subdivision, the Association increased the maximum annual assessments to \$156 per lot, effective 01 January 2009.

Prior Management Certificates filed and recorded in the Official Public Records of Jeff Davis County, Texas, are as follows:

Management Certificate - Vol. 175 at Page 63 - August 15, 2002;
Second Amended Management Certificate - Vol. 175 at Page 903 - November 14, 2002;
Third Amended Management Certificate - Vol. 178 at Page 695 - August 25, 2003;
Fourth Amended Management Certificate - Vol. 182 at Page 758 - November 17, 2004; and
Fifth Amended Management Certificate - Vol. 190 at Page 320 - May 15, 2006.

Incorporating the preceding by reference, this management certificate is made by and on behalf of Davis Mountains Property Owners Association, Inc. by the undersigned officer or managing agent of said association.

Signature: _____
Printed Name: Phyllis Arp
Capacity: as the Vice-President of Davis Mountains
Property Owners Association, Inc., a Texas
Non-Profit Corporation.
Date Signed: ____ August 2008.

ACKNOWLEDGMENT

THE STATE OF TEXAS §
COUNTY OF JEFF DAVIS §

Before me the undersigned notary public personally appeared Phyllis Arp, as Vice-President of the Association (title) and authorized representative of Davis Mountains Property Owners Association, Inc., a Texas Non-Profit Corporation, a person well-known to me and/or who was identified through a Texas Department of Public Safety Driver's License or Texas Department of Public Safety Identification Card, who further acknowledged that he or she executed the same in this capacity and as the said corporation's act and deed and for the purposes and consideration therein expressed. Given under my hand and seal of office this _____ day of August, 2008.

Notary Public in and for the State of Texas
Printed Name: _____
My Commission Expires: _____

Disclaimer: The preparer and scrivener of this instrument does not make any representation as to the validity of any restrictions, covenants, liens and the status of title to the property involved.

Notice to Clerk: Upon filing and recording, return this instrument to Davis Mountains Property Owners Association, Inc., HCR 74 Box 94-A, Fort Davis, Texas 79734.

Filed in the OPR, Jeff Davis Co, Vol. 200, P. 266, 29 August 2008