

**FIRST AMENDMENT TO THE AGREEMENT**  
*between*  
**PROPERTY OWNERS ASSOCIATION OF TERLINGUA RANCH, INC. and**  
**TERLINGUA LAND SALES, INC. and**  
**RAY TRAMMELL, individually**

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THE STATE OF TEXAS     §  
                                          §  
COUNTY OF BREWSTER   §

This First Amendment to the Agreement between Property Owners Association of Terlingua Ranch, Inc. (POATRI), Terlingua Land Sales Inc. (TLS) and Ray Trammell, individually (Trammell) (POATRI, TLS, and Trammell shall hereinafter be referred to collectively as the "Parties") (the "First Amendment") is considered to be effective on the latest date of execution by any of the Parties.

**RECITALS**

1. The Parties entered into the original Agreement on April 29, 2006, it being recorded in Book 198, Page 411 of the Public Records of Brewster County, Texas (Original Agreement).

2. Barbara Trammell, as the independent executrix of the estate of Ray Trammell, deceased, executes this First Amendment under the authority granted to her in the Order Probating Will and Authorizing Letters Testamentary regarding the Last Will and Testament of Rayford Horace Trammell.

3. Terramar Holdings Corporation, successor in interest to Terramar Corporation, (Terramar) filed of record the following deeds as the grantor:

- a. Terramar as the grantor conveyed interests to the POATRI recorded December 7, 1976, Volume 198, Page 714 in the public records of Brewster County, Texas (POATRI Deed).
- b. Terramar conveyed interests to Boundary Oil Company in a Deed recorded November 6, 1986, Volume 263, Page 665 in the public records of Brewster County, Texas (Boundary Oil Company Deed).
- c. Terramar as the grantor conveyed interests to Boundary Oil Company in a Correction Deed filed in relation to the Boundary Oil Company Deed, with the Correction Deed being recorded January 26, 1995, Volume 49, Page 708 in the public records of Brewster County, Texas (Corrected Boundary Oil Company Deed).
- d. The POATRI Deed, Boundary Oil Company Deed, and Corrected Boundary Oil Company Deed, and are hereinafter collectively referred to as the "Deeds."

4. Terramar executed the Clarification of Interests Conveyed recorded on November 1, 2016 in Book 0329, Page 0116 of the Public Records of Brewster County, Texas (Clarification) clarifying its intent to convey to Boundary Oil Company, POATRI, and their heirs, successors, and assigns forever, developer rights through the Deeds.

5. Terramar intended to convey to Boundary Oil Company, POATRI, and their heirs, successors, and assigns forever, developer rights, including but not limited to (i) non-exclusive ingress and egress rights to, through, and across the existing roads and roadways on the property referenced within the Deeds and (ii) the right to dedicate such roads and roadways on the property referenced within the Deeds to the public at any time without the joinder of Boundary Oil Company and/or POATRI, the grantees in the Deeds.

6. The Parties understand that TLS, through a series of conveyances beginning with the Boundary Oil Company Deed and Corrected Boundary Oil Company Deed, is an heir, successor, and assign of Terramar. TLS became a successor and end developer to Terramar and is a filed and registered developer with the Consumer Financial Protection Bureau for the Terlingua Ranch subdivision effective June 27, 1990, ISLR # 27566.

7. The Original Agreement permits modification by written instrument signed by the Parties.

8. The Parties seek to amend the Original Agreement through this First Amendment to clarify developer rights including but not limited to ingress/egress rights of members of POATRI.

NOW THEREFORE, pursuant to the authority recited above, this First Amendment is hereby adopted. Except as expressly modified by this First Amendment, the terms and provisions of the Original Agreement are hereby ratified and remain unchanged and in full force and effect.

Paragraph 4 of the Original Agreement is amended and restated as follows:

TLS as a heir, successor, and assign of Terramar has certain rights as Developer and/or successor Developer including but not limited to (i) the exemption from Fees (ii) non-exclusive ingress and egress rights to, through, and across the existing roads and roadways on the property referenced within the Deeds and (iii) the right to dedicate such roads and roadways on the property referenced within the Deeds to the public at any time without the joinder of Boundary Oil Company and/or POATRI, the grantees in the Deeds.



**TERLINGUA LAND SALES, INC.**  
a Texas corporation

Date: May 2, 2017

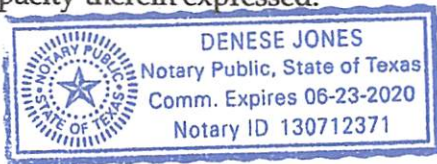
By: [Signature]

Printed: Barbara Trammell

Its: President

THE STATE OF TEXAS §  
§  
COUNTY OF BREWSTER §

BEFORE ME, the undersigned notary public, on this 2<sup>nd</sup> day of May, 2017 personally appeared Barbara Trammell, President of Terlingua Land Sales, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.



[Signature]  
Notary Public in and for the State of Texas

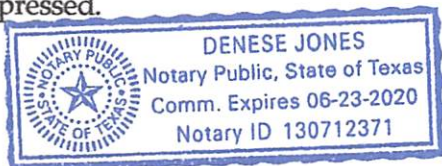
**BARBARA TRAMMELL, AS THE  
INDEPENDENT EXECUTRIX OF THE ESTATE  
OF RAY TRAMMELL**

Date: May 2, 2017

By: [Signature]

THE STATE OF TEXAS §  
§  
COUNTY OF BREWSTER §

BEFORE ME, the undersigned notary public, on this 2<sup>nd</sup> day of May, 2017 personally appeared Barbara Trammell, as the Independent Executrix of the Estate of Ray Trammell, 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 purpose and in the capacity therein expressed.



[Signature]  
Notary Public in and for the State of Texas

**Doc#: 102657**

**# Pages: 5**

**05/08/2017 02:14PM**

**Filed & Recorded in**

**Official Records of**

**BREWSTER COUNTY**

**BERTA RIOS-MARTINEZ**

**COUNTY CLERK**

**Fees: \$38.00**

**STATE OF TEXAS**

**COUNTY OF BREWSTER**

I hereby certify that this Instrument was  
FILED on the date and at the time stamped  
hereon by me and was duly RECORDED in the  
Volume and Page of the Official Public  
Records of Brewster County, Texas  
**VOL: 0337 PAGE: 0310**

*Berta Rios-Martinez*

**County Clerk, Brewster County, Texas**