

THE STATE OF TEXAS            §  
  §  
COUNTY OF FAYETTE           §

**FIRST AMENDMENT TO THE  
DECLARATION OF COVENANTS  
CONDITIONS, EASEMENTS AND RESTRICTIONS**

————— **HOSTYN HILLS** —————

---

Reference is made to the **Declaration of Covenants, Conditions, Easements and Restrictions** (the "Declaration") executed by **Clay Morgan** as "Declarant," recorded on March 8, 2018, Instrument No. 18-01379, Volume 1850, Page 488, Official Records of Fayette County, Texas, wherein Declarant imposed certain covenants, conditions, easements and restrictions, liens and charges hereinafter set forth in order to protect and enhance the value, attractiveness and desirability of the real property more particularly described therein. Terms used herein which are defined in the Declaration shall be given the same meaning herein as is ascribed to them in the Declaration.

Section 2.05 of the Declaration provides that the Declaration may be amended by Declarant at any time, and from time to time, in its sole discretion, and Declarant has determined that it now wishes to amend the Declaration as hereafter provided.

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS**, that the Declaration is hereby amended as follows:

1. **Size and Specifications.** Paragraph 1.02 of the Declaration defines the size and specifications of structures. The Declarant wishes to delete the first sentence of this section and thereby removing the requirement of Declarant's approval of any and all improvements prior to commencement of construction.
2. **Rubbish and Debris.** The last two sentences of Paragraph 1.06 are deleted and thereby removing grass height restriction and Declarant's right to have the grass mowed and bill the property owner.

3. **Easements.** The first sentence in Paragraph 1.07 shall be changed to read as follows:

*Easements are hereby reserved and dedicated over and across a 16-foot strip along Highway 77, 15 feet along each side tract line, and 15 feet along the rear tract line, for the purpose of installing, maintaining and repairing, electric power and telephone.*

4. **Draining Structures, Ditches, and Stock Tanks.** The last two sentences of Paragraph 1.10 are removed.

5. **Trash Disposal.** The fourth sentence of Paragraph 1.11 is deleted removing time restriction on disposal of cut or trimmed brush.

6. **Unused Vehicles.** The following is added to the final sentence of Paragraph 1.13:

*unless stored in a garage.*

7. **Fences.** The following is added to Paragraph 1.18 to define "privacy fences":

*"A privacy fence is defined as a fence that blocks view into the property."*

8. **Rights of Declarant.** Paragraph 1.22 is removed in its entirety.

9. **Parking.** Paragraph 1.23 is removed in its entirety.

10. **Uses.** Use item (vii) *as a shooting range of any nature*, in Paragraph 1.25 is deleted.

11. **Amendment.** The following is added to the end of Paragraph 2.05:

*A majority of the property owners must approve any change.*

12. **Assignment of Declarant.** The following is added to Paragraph 2.06, following the second sentence.

*The majority of property owners must approve the assignment.*

13. **Exemption of Declarant; Utility Easements.** Paragraph 2.09 is removed in its entirety.

