

**FIRST AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
APPLICABLE TO 276.05 ACRES OF LAND
LOCATED IN WALLER COUNTY, TEXAS**

THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS APPLICABLE TO 276.05 ACRES OF LAND LOCATED IN WALLER COUNTY, TEXAS ("Amendment") is made this 20 day of February 2019, by CHURCH ROAD, LP, a Texas limited partnership ("Declarant").

WITNESSETH:

WHEREAS, Declarant recorded a Declaration of Covenants, Conditions and Restrictions on February 15, 2019 in the Official Public Records of Waller County, Texas, at Clerk's File No. 1901327 ("Declaration"); and

WHEREAS, Article III, Section 3 provides that the Declarant may amend the Declaration, in Declarant's sole discretion, until such time as one hundred percent (100%) of the Tracts are owned by Owners other than Declarant; and

WHEREAS, the Declarant currently owns all Tracts; and

WHEREAS, the Declarant desires to amend the Declaration to revise certain provisions pertaining to Tract reconfiguration by Declarant and amendment of the Declaration; and

WHEREAS, all capitalized terms used herein that are not otherwise defined shall have the meaning given those words in the Declaration;

NOW, THEREFORE, Declarant hereby amends the Declaration as set forth below:

- 1. Article II, Section 1.07 of the Declaration shall be replaced in its entirety as follows:

"1.07 Subdivision and Reconfiguration by Declarant. Notwithstanding anything to the contrary herein, when Declarant is the Owner thereof, Declarant may divide, subdivide, change the boundary lines of, or reconfigure any Lot or Tract and convey an easement or other interest less than the whole, all without the approval of the other Owners."

- 2. The title of Article III, Section 2 of the Declaration is amended to read "Term".

- 3. Article III, Section 3 of the Declaration shall be replaced in its entirety as follows:

"Amendment. This Declaration may be amended by Declarant, in Declarant's sole discretion, until such time as an aggregate of at least twenty-five percent (25%) of the total acreage of the Property is owned by Owners other than Declarant. Unless otherwise provided for in this Declaration and expressly subject to Article II Section 1.07 and Article III Section 4, after such time this Declaration may be amended by an instrument signed by those Owners of not less than an aggregate of at least seventy-five percent (75%) of the total acreage of the Property."

- 4. **No Other Changes**. Except as amended herein, the Declaration remains in full force and effect.

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820 13th STREET
HEMPSTEAD, TX 77445

13-191614 | K1

IN WITNESS WHEREOF, duly authorized officers of the undersigned Declarant have executed this Declaration under seal, this 20 day of February 2019.

DECLARANT:

CHURCH ROAD, LP, a Texas limited partnership

By: KMP Ventures, LLC, a Texas limited liability company, its general partner

By: 
Kirk M. Pfeffer, President

STATE OF TEXAS

COUNTY OF Waller

This instrument was acknowledged before me on the 20 day of February 2019, by Kirk M. Pfeffer, President of KMP Ventures, LLC, a Texas limited liability company, general partner of Church Road, LP, a Texas limited partnership.


Notary Public, State of Texas



FILED AND RECORDED

Instrument Number: 1901424

Filing and Recording Date: 02/20/2019 02:31:59 PM Pages: 3 Recording Fee: \$20.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



Debbie Hollan

Debbie Hollan, County Clerk
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

simplifile, Deputy

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HTC HEMPSTEAD
820 13TH STREET
HEMPSTEAD, TX 77445