

**SECOND AMENDMENT TO THE DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS**
for
CROCKETT TRACE HOMEOWNERS ASSOCIATION, INC.

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Crockett Trace Homeowners Association, Inc. (the “Association”) is recorded in the Official Records of Real Property of Montgomery County, Texas under County Clerk's File No. 2001-044378, (hereinafter referred to as the “Declaration”);

WHEREAS, the Association’s Declaration was subsequently amended in the Amendment to Declaration of Covenants, Conditions and Restrictions on the 23rd of January, 2002 and is recorded in the Official Records of Real Property of Montgomery County, Texas under County Clerk’s File No. 2002-006749, (hereinafter referred to as the “Amended Declaration”, and collectively referred to as the “Declarations”).

WHEREAS, the Association’s Plat is filed in the Official Records of Real Property of Montgomery County, Texas under County Clerk’s File No. 2000-082981 (hereinafter referred to as the “Subdivision Plat”);

WHEREAS, pursuant to Section 204.010(a)(6) of the Texas Property Code, the Association has the authority to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision;

WHEREAS, pursuant to Section 204.010(a)(8) of the Texas Property Code, the Association has the authority to grant easements, leases, licenses, and concessions through or over the common area;

WHEREAS, pursuant to Section 204.010(a)(9) of the Texas Property Code, the Association has the authority to impose and receive payments, fees, or charges for the use, rental, or operation of the common area and for services provided to property owners;

WHEREAS, pursuant to Article X of the Association’s Declaration, terms and provisions of the Declaration may be amended by Owners representing two-thirds (2/3rds) of the total votes in the Association;

WHEREAS, the Declaration has been amended at a Meeting of the Members held on _____, 2019 by a vote of at least two thirds (2/3) of the total votes allocated to property owners entitled to vote, voting either in person or by proxy, thereby approving this Second Amendment to the Declarations as attested to by the President of the Association below;

NOW THEREFORE, the following provisions of the Declarations shall be and hereby are AMENDED to read as follows:

1. Article VIII, Section 3 is hereby ADDED to the Declaration to read as follows:

SECTION 3. SURFACE USE OF RESERVES. The Association’s Reserves, as indicated in the Association’s Subdivision Plat, are qualified as Association Common Area. The surface use of any Reserve, as determined by the Association’s Board of Directors from time to time, shall in no event prevent the use of any such Reserve for the purpose(s) stated on the Association’s Subdivision Plat.

Nothing herein is intended to alter, modify or amend the Declarations, except as specifically provided hereinabove.

CERTIFICATION

I, the undersigned, duly elected and acting President of the Crockett Trace Homeowner Association, Inc, a non-profit corporation, do hereby certify:

That the within and foregoing SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CROCKETT TRACE HOMEOWNER ASSOCIATION, INC., was approved and adopted at a Meeting of the Members on the _____ day of _____, 2019, by a vote of at least two thirds (2/3) of the total votes allocated to property owners, voting either in person or by proxy.

IN WITNESS WHEREOF, we have executed this Second Amendment to the Declaration to be effective as of the _____ day of _____, 2019.

(Signature)

(Print Name)
President, Crockett Trace
Homeowner Association, Inc.

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

This instrument was **acknowledged** before me, on the _____ day of _____, 2019, by _____, President of Crockett Trace Homeowners Association, Inc., a Texas Non-Profit Corporation.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS