

AFTER RECORDING RETURN TO:

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Winstead PC
401 Congress Ave., Suite 2100
Austin, Texas 78701

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

**DEER TRAIL TWO
SECTION 3**

Cross-reference to Declaration of Covenants, Conditions and Restrictions for Deer Trail Two, Section 3, recorded under Document No. 2016042422, Official Public Records of Montgomery County, Texas, as the same may be amended from time to time.

FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
DEER TRAIL TWO, SECTION 3

This First Amendment to Declaration of Covenants, Conditions and Restrictions for Deer Trail Two, Section 3 (this "**Amendment**") is made by **DUANE T. CORLEY**, Trustee, ("**Declarant**"), and is as follows:

RECITALS:

A. Deer Trail Two, Section 3 a residential community located in Montgomery County, Texas, was established pursuant to that certain Declaration of Covenants, Conditions and Restrictions for Deer Trail Two, Section 3, recorded under Document No. 2016042422, Official Public Records of Montgomery County, Texas, as the same may be amended from time to time (the "**Declaration**").

B. Pursuant to *Article XI, Section 2* of the Declaration, the Declaration may be amended or modified at any time during the Declarant Control Period by the Class B Member without the vote, joinder or consent of any Owners or other Members of the Association. The Declarant Control Period has not expired.

C. Declarant is the Class B Member pursuant to the Declaration.

D. Declarant now desires to amend the Declaration as set forth hereinbelow.

NOW THEREFORE, Declarant hereby amends and modifies the Declaration as follows:

1. **Location of Residence on Lot.** *Article VII, Section 4* of the Declaration is hereby deleted in its entirety and replaced with the following:

SECTION 4. LOCATION OF RESIDENCE ON LOT. The location of each residence on a Lot will be approved by the Committee with its approval of the site plan and the final working plans and specifications. No residence or other building shall be located on any Lot nearer to the front or rear boundary lines or nearer to the side boundary lines than the minimum building setback lines as shown or referenced on the Subdivision Plat. Notwithstanding any contrary building setback lines depicted on the Subdivision Plat, the applicable minimum building setback requirement for the front property line shall be sixty-five (65') feet from the front boundary line of each Lot. If not otherwise depicted or referenced on the Subdivision Plat, the applicable minimum side and rear building setback lines on each Lot shall be five feet (5') and twenty-five feet (25'), respectively. The Committee, in its discretion and for good cause, may grant

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variances in minimum setback requirements for particular Lots.

2. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

Executed to be effective on the date this instrument is recorded in the Official Public Records of Montgomery County, Texas.

DECLARANT:

By: 

DUANE T. CORLEY, Trustee

THE STATE OF TEXAS

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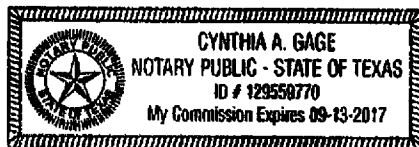
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COUNTY OF MONTGOMERY

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This instrument was acknowledged before me on this 8th day of MARCH, 2017, by DUANE T. CORLEY, Trustee.

(SEAL)




Notary Public, State of Texas

FIRST AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
DEER TRAIL TWO, SECTION 3

E-FILED FOR RECORD

03/09/2017 11:43AM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number
sequence on the date and time stamped herein
by me and was duly e-RECORDED in the Official Public
Records of Montgomery County, Texas.

03/09/2017



County Clerk
Montgomery County, Texas