



**First Amendment to Declaration of Covenants, Conditions, and Restrictions of
Section 1 of Santa Fe**

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: February 14, 2018

Declarant: Colony Ridge Development, LLC, a Texas limited liability company
P.O. Box 279
Fresno, Texas 77545

Association: Houston El Norte Property Owners Association, Inc.,
a Texas nonprofit corporation
P.O. Box 3670
Conroe, Texas 77305

The Restrictive Covenants to be amended are described in the following documents:

1. a Declaration of Covenants, Conditions and Restrictions of Sections 1 of Santa Fe Subdivision, filed for record under Clerk's File No. 2017005690 of the Official Public Records of Liberty County, Texas (the "Prior Declaration").

Property: Lot 412 and Lot 413, Block 2, Lot 474 thru Lot 486, Block 3, Lot 583 thru Lot 590, Block 4, Lot 688 thru Lot 693, Lot 695 and Lot 696, Block 6, Lot 758 thru Lot 765, Lot 769 and Lot 770, Lot 773 thru Lot 779, Lot 782 thru Lot 784, Block 7, Lot 1199 thru Lot 1210, Lot 1212 thru Lot 1217, Lot 1219 thru Lot 1221, Block 8, Lot 1410 thru Lot 1425, Lot 1432 thru Lot 1444, Lot 1447 thru Lot 1458, Lot 1460 thru Lot 1462, Block 9, Lot 1596 thru Lot 1605, Lots 1612 thru Lot 1626, Lot 1631 thru Lot 1638, Lot 1640 thru Lot 1649, Block 10, Lot 1652 thru Lot 1701, Lot 1713 and Lot 1716, Lot 1730 thru Lot 1783, Block 11, all of Section 1 of Santa Fe subdivision, according to the map or plat thereof, recorded in County Clerk's File No. 2017005075 and amended in Clerk's File No. 2018003494, of the Official Public Records of Liberty County, Texas (the "Non-Mobile Home Lots").

Recitals

WHEREAS, this Amendment to Declaration of Covenants, Conditions and Restrictions of Section 1 of Santa Fe Subdivision is made on the date hereinafter set forth by the Declarant in compliance with all voting requirements of Prior Declaration and Texas law;

WHEREAS, Pursuant to Section J (4) of the Prior Declaration, Declarant may unilaterally amend the Declaration at any time prior to the Control Transfer Date. The Control Transfer Date, as defined in the Prior Declaration, has not yet occurred. The Declarant desires to amend the Declaration as more particularly set forth below.;

WHEREAS, this Amendment is executed pursuant to and in compliance with the amendment requirements of the Prior Declaration;

WHEREAS, the Declarant desires to amend the Prior Declaration to provide specific restrictions for the Non-Mobile Home Lots; and

WHEREAS, the restrictions will prohibit mobile homes on the Non-Mobile Home Lots and allow the Non-Mobile Home Lots to have its own custom set of restrictions that apply only to said Non-Mobile Home Lots.

Amendment

The Prior Declaration is amended as follows:

1. Lot 412 and Lot 413, Block 2, Lot 474 thru Lot 486, Block 3, Lot 583 thru Lot 590, Block 4, Lot 688 thru Lot 693, Lot 695 and Lot 696, Block 6, Lot 758 thru Lot 765, Lot 769 and Lot 770, Lot 773 thru Lot 779, Lot 782 thru Lot 784, Block 7, Lot 1199 thru Lot 1210, Lot 1212 thru Lot 1217, Lot 1219 thru Lot 1221, Block 8, Lot 1410 thru Lot 1425, Lot 1432 thru Lot 1444, Lot 1447 thru Lot 1458, Lot 1460 thru Lot 1462, Block 9, Lot 1596 thru Lot 1605, Lots 1612 thru Lot 1626, Lot 1631 thru Lot 1638, Lot 1640 thru Lot 1649, Block 10, Lot 1652 thru Lot 1701, Lot 1713 and Lot 1716, Lot 1730 thru Lot 1783, Block 11, all of Section 1 of Santa Fe subdivision, according to the map or plat thereof, recorded in County Clerk's File No. 2017005075 and amended in Clerk's File No. 2018003494, of the Official Public Records of Liberty County, Texas (the "Non-Mobile Home Lots");
2. The Non-Mobile Home Lots will be restricted as follows:
 - a. No mobile homes, manufactured homes or modular homes will be permitted;

- b. Earth tone and/or muted color (no neon or bright colors) on exterior of Residence and the exterior must be a uniform color. The predominant exterior materials of the main residential structure, garage, ancillary buildings or other structures, whether attached or detached, shall be masonry, brick, stucco, stone, wood or fiber-cement siding. No single-family construction, private garage or any other structure located on the Property shall be permitted to have a heating or cooling device located in a window or any other opening which can be viewed from any portion of the Property;
- c. Residence can be placed on beams, but the beams must be covered with brick, stone, vinyl skirting, faux rock or stone panels;
- d. All non mobile home residences shall contain not less than one thousand two hundred (1,200) square feet unless otherwise approved by the Committee. Any Residence or Structure requires approval of the Board before construction begins. All residences must be kept in good repair and must be painted when necessary to preserve their attractiveness;
- e. Submittal of building plans should include exterior materials, site plan, layout of structure on the Lot, roofing materials, fence, outbuilding, builder name, and exterior colors. Plans should be submitted to the Management Company at the following address: CH&P Management, LLC, P.O. Box 1920, Conroe, Texas 77305 or other designated management company or address;
- f. Any structure prior to being placed on these lots must meet all requirements and must be approved by the Board;
- g. The Board may adopt policies and procedures for reviewing and approving structures;
- h. Each Lot shall be used only for single-family residence purposes. No building shall be erected, altered or permitted to remain on any Lot other than one single-family detached residential dwelling not to exceed two (2) stories in height, and a private garage for not more than three (3) cars, which structure shall not exceed the main dwelling in height or number of stories;
- i. Outbuildings, whether temporary or permanent, used for accessory, storage or other purposes must be approved by the Architectural Control Committee. The standard, type, quality and color of materials used in the construction of gazebos, storage structures, shade and other structures shall be harmonious with those of the main residence. Outbuildings may not be placed nearer than the rear and side setback lines specified on the plat;
- j. Detached garage and any outbuildings must match the exterior of the Residence;

- k. Satellite dish antennas which are forty inches or smaller in diameter and antennas designed to receive television broadcast signals may be installed, provided that they are installed in conformance with the Architectural Guidelines adopted by the Board. Satellite dish antennas which are greater than forty inches in diameter and other antennas are prohibited;
- l. All clothesline, equipment, garbage cans, service yards, woodpiles, refuse containers, or storage piles and household projects such as equipment repair and construction projects shall be screened by adequate planting or fencing so as to conceal them from view of neighboring lots, streets, parks and public areas. All rubbish, trash, and garbage shall be kept in sanitary refuse containers with tightly fitting lids and shall be regularly removed from the lots and not allowed to accumulate thereon;
- m. Driveways must be paved and no pervious material may be used for a driveway;
- n. Boats, campers, RVs, trailers, large trucks, or ATVs must be in rear or side of property as required by the Prior Declaration;
- o. Fences cannot be located within the front setback requirement (25 foot or larger as shown on the Plat). Fences must be of new materials and be made of wood, masonry, stucco, iron ore or other professional material. The construction of installation of walls, fences and/or hedges must meet Architectural Control Committee guidelines and be in accordance with the provisions of the Prior Declaration. The Owner shall be responsible for maintaining and repairing all walls, fences and hedges located on the Owner's Lot. No fence shall be within the drainage easement or utility easement;
- p. Free-standing play structures such as playhouses, play forts, and swing sets shall be permitted in the back yard. Basketball goals shall be permitted on the driveway but not allowed on streets;
- q. All Lots shall be kept at all times in a sanitary, healthful and attractive condition, and the Owner or occupant of all Lots shall eradicate all weeds and keep all grass thereon cut, neatly maintained, and regularly fertilized. Owner, at all times, shall be responsible for prompt removal and replacement of dead or dying trees, bushes and bedding plants. In no event shall owner use, or allow any Lot be used, for storage of material and equipment except for normal residential purposes or incident to construction of improvements thereon as herein permitted, or permit the accumulation of garbage, trash or rubbish of any kind thereon, and shall not burn any garbage, trash or rubbish;
- r. Advertisements and Billboards. No sign, advertisement, billboard or advertising structure of any kind shall be displayed to the public view on any portion of a Lot or Common Areas except for one sign for each Lot of not more than twenty-eight

(28) inches by thirty-eight (38) inches solely advertising the Lot for sale or rent, and except signs used by Declarant or a Builder to advertise the Lot during the construction and sales period. The Architectural Guidelines approved by the Board may permit school spirit or security signs subject to the conditions relating to size and period of display as contained in the guidelines and subject to obtaining the Architectural Committee's prior written approval;

- s. The digging of soil or the removal of soil from any Lot is expressly prohibited except as necessary in conjunction with the landscaping of or construction on said Lot;
 - t. Roofing materials may include composition shingles having a minimum warranty period of 25 years. Composition shingle roofs shall be comparable in color to weathered wood shingles and comparable in surface textural appearance to wood shingles. Colors for slate, clay or concrete tile roofs shall be approved individually by the Declarant or its assignee. Any other type or classification roofing material shall be permitted only at the sole discretion of the Declarant or its assigns upon written request. Roofs must be in good repair and have a proper pitch;
 - u. All front and side yards of each Lot must be covered with grass within 120 days of completion of the construction;
 - v. No hedge or shrubbery planting which obstructs sight-lines of streets and roadways shall be placed or permitted to remain on any Lot where such hedge or shrubbery interferes with traffic sight-lines for roadways within the subdivision. The determination of whether any such obstruction exists shall be made by the Architectural Control Committee, whose determination shall be final, conclusive and binding on all Owners;
 - w. No vegetable, herb or similar gardens or plants shall be planted or maintained in the front or side yards of any Lot or in the rear (back) yard of any Lot if visible from any street;
 - x. The Architectural Control Committee may from time to time promulgate rules and regulations adopting an approved list of plant life which may be utilized on any Lot, which rules and regulations may prescribe that a minimum dollar amount be established and utilized as the landscaping budget for each Lot;
3. The Non-Mobile Home Lots are subject to the Prior Declaration except to the extent that the Prior Declaration is amended by this document.

Except as written in this Amendment, the Prior Declaration is in all respects ratified and confirmed, and the Prior Declaration and this Amendment shall be read and construed as one and the same instrument. All terms and conditions in the Prior Declaration which is not modified by

this Amendment shall remain in full force and effect and shall be interpreted to coincide with the terms and provisions of this Amendment. In the event any terms or conditions in this Amendment conflict with the terms and conditions of the Prior Declaration, the terms and conditions of this Amendment shall prevail.

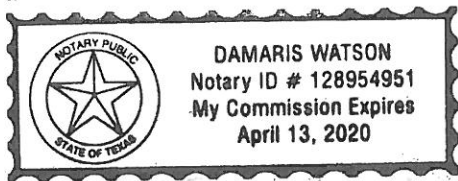
DECLARANT:

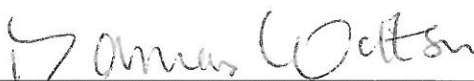
COLONY RIDGE DEVELOPMENT, LLC, a Texas limited liability company, by its Manager T-REX MANAGEMENT, INC., a Texas corporation

By:  _____
John Harris, President

THE STATE OF TEXAS)
)
COUNTY OF Montgomery)

This instrument was acknowledged before me on the 14th day of February, 2018, by John Harris, President of T-REX MANAGEMENT, INC., a Texas corporation, as Manager of COLONY RIDGE DEVELOPMENT, LLC, a Texas limited liability company, on behalf of said company.



 _____
Notary Public in and for the
State of Texas

AFTER RECORDING RETURN TO:
Law Office of Beard & Lane, P.C.
12841 Jones Road, Suite 100
Houston, Texas 77070

**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**



Paulette Williams, County Clerk
Liberty County, Texas

February 14, 2018 02:54:30 PM

FEE: \$36.00 MCESSNA
AMD

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