Hood County Clerk
201 W Bridge Street
PO BOX 339
Granbury, Texas 76048
Phone: 817-579-3222

Document Number: 2024-0005566 -
Filed and Recorded - Real Records

RESTRICTION

Grantor: ORCHARDS ON THE BRAZOS

Pages: 5

Recorded On: 05/02/2024 09:19 AM

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Document Number:	2024-0005566	
Receipt Number:	R246366	
Amount:	$27.00	
Recorded By:	Jessica Galarza	

Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

I hereby certify that this instrument was filed and duly recorded in the Official Records of Hood County, Texas

Katie Lang
County Clerk
Hood County, Texas

Return To: In Office

STEPHANIE MATHEWS

AFTER RECORDING RETURN TO:
Kathleen M. Kilanowski
CAGLE PUGH, LTD. LLP
4301 Westbank Drive, Suite A-150
Austin, Texas 78746

THIRD AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ORCHARDS ON THE BRAZOS

Cross reference to that certain Declaration of Covenants, Conditions and Restrictions for Orchards on the Brazos recorded at Document Number 2013-0008080 in the Official Public Records of Hood County, Texas, and as amended by First Amendment to Declaration of Covenants, Conditions and Restrictions for Orchards on the Brazos, recorded at Document Number 2013-0009648 in the Official Public Records of Hood County, Texas, and as amended by the Second Amendment to Declaration of Covenants, Conditions and Restrictions for Orchards on the Brazos recorded at Document Number 2013-0010002 Official Public Records of Hood County, Texas.

THIRD AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ORCHARDS ON THE BRAZOS AND NOTICE OF ANNEXATION OF ADDITIONAL COMMON AREA

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HOOD §

WHEREAS, the Orchards on the Brazos, a Residential Community in Hood County, Texas (the "**Subdivision**") is subject to and governed by that certain Declaration of Covenants, Conditions and Restrictions for Orchards on the Brazos, recorded at Document No. 2013-0008080 in the Official Public Records of Hood County, Texas; First Amendment to Declaration of Covenants, Conditions and Restrictions for Orchards on the Brazos, recorded at Document No. 2013-0009648 in the Official Public Records of Hood County, Texas; Second Amendment to Declaration of Covenants, Conditions and Restrictions for Orchards on the Brazos, recorded at Document No. 2013-0010002 in the Official Public Records of Hood County, Texas (collectively referred to as the "**Declaration**"); and

WHEREAS, the Declaration established The Orchards Property Owners Association, Inc., a Texas nonprofit corporation (the "**Association**") as the property owners' association established for the owners of the Lots within the Subdivision and makes the owners of the Lots mandatory members of such property owners' association, and, as such, the Association is subject to and governed by Chapter 209 of the Texas Property Code; and

WHEREAS, members of the Association desire to amend the Declaration; and

WHEREAS, the members of the Association also desire to add additional common area to the Subdivision; and

WHEREAS, Article XI, Section 11.02 of the Declaration provides that the Declaration may be amended or changed, in whole or in part, at any time by a Vote of the Members; and

WHEREAS, the Declaration defines Vote of the Members as the affirmative vote of two-thirds (2/3) of the Members entitled to vote who are present at a meeting of the Members, either in person or by proxy; and

WHEREAS, Members of the Association representing an affirmative vote of two-thirds (2/3) of the Members entitled to vote who are present at a meeting of the Members voted and approved to amend the Declaration as set out herein; and

NOW, THEREFORE, the Declaration shall be and is hereby amended as follows:

1. Article I, Section 1.10 of the Declaration entitled "Common Area" is hereby deleted in its entirety and replaced with the following:

1.10 Common Area. "Common Area" means the portions of the Subdivision, including the private park located on Lot 12 and Lot 13R1* of the Subdivision and any applicable easements, owned by the Association or Developer for the common use and enjoyment of the Owners, which includes all real property in the Subdivision except the Tracts and the Improvements constructed thereon. ***Lot 13R1, THE ORCHARDS ON THE BRAZOS, an addition to Hood County, Texas, according to the Replat thereof recorded in Slide P-767 of the Plat Records of Hood County, Texas.**

Effective Date. This amendment shall be effective upon its recording in the Official Public Records of Hood County, Texas.

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

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK]

SECRETARY'S CERTIFICATE

The undersigned Secretary of The Orchards Property Owners Association, Inc., a Texas nonprofit corporation (the "**Association**") hereby certifies that this Third Amendment to the Declaration of Covenants, Conditions and Restrictions for the Orchards on the Brazos (the "**Third Amendment**") was approved by the affirmative vote of a sufficient number of Members or Owners as would be necessary to take that action at a meeting on April 27th, 2024 at which the required number of owners or members were present and voted.

THE ORCHARDS PROPERTY OWNERS ASSOCIATION, INC.,
a Texas nonprofit corporation

Lisa Lackey

STATE OF TEXAS §
§
COUNTY OF Hood §

THIS INSTRUMENT was acknowledged before me on this 29th day of April, 2024 by Lisa Lackey, Secretary of The Orchards Property Owners Association, Inc., a Texas nonprofit corporation.

STEFANIE MATHEWS
Notary Public
State of Texas
ID # 1657424
Comm. Expires 07/20/2024

Stefanie Mathews

Notary Public of Texas