AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF LAKEVIEW HILLS SUBDIVISION

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF SAN JACINTO §

This Amendment to Declaration of Covenants, Conditions and Restrictions of Lakeview Hills Subdivision, is executed on the date hereinafter set forth by LAKEVIEW HILLS PROPERTY OWNERS ASSOCIATION.

WITNESSETH:

WHEREAS, LAKEVIEW HILLS PROPERTY OWNERS ASSOCIATION (the "Association") is the property owners association (as that term is used and defined in Section 202.001 of the Texas Property Code) for LAKEVIEW HILLS SUBDIVISION, an original 45.0215 acre tract or development in the Matthew Hubert Survey, Abstract 22, San Jacinto County, Texas, which was subdivided and platted into a residential subdivision and recorded in Volume 109, Page 431, Map Records, San Jacinto County, Texas (hereinafter referred to as the "Subdivision"); and

WHEREAS, the Subdivision is subject to certain covenants, conditions and restrictions as set out in that certain Declaration of Covenants, Conditions and Restrictions of Lakeview Hills Subdivision, recorded under Volume 256, Page 164, and amended under Clerk's File No. 04-6783, Clerk's File No. 07-402 and Clerk's File No. 2014-001160, Official Public Records of Real Property of San Jacinto County, Texas (collectively the "Declaration"); and

WHEREAS, Section 209.0041 of the Texas Property Code provides that unless the restrictive covenants applicable to a subdivision provides for a lower percentage, restrictive covenants may be amended only by a vote of sixty-seven percent (67%) of the total votes allocated to the property owners entitled to vote on the amendment; and

WHEREAS, the prior Declaration of Covenants, Conditions and Restrictions of Lakeview Hills Subdivision, recorded on September 22, 2004 under Clerk's File No. 04-6783 in the Official Records of Real Property of San Jacinto County, Texas, together with all amendments thereto, provides that the restrictive covenants may be amended by an instrument signed by a majority of the then property owners returning notarized ballots and having said amendment properly recorded; and

WHEREAS, the property owners, having the requisite number of votes in the Association, desire to amend the Declaration and have approved this Amendment and voted to amend the Declaration as herein provided;

NOW THEREFORE, in consideration of the premises and pursuant to the authority of Section 209.0041 of the Texas Property Code, the Association adopts, reaffirms and ratifies the following amendment and modification to the Declaration and declares that such amendment shall become effective when this instrument, accompanied by the attached Certificate, is filed for record in the Real Property Records of San Jacinto County, Texas, to-wit:

1. Article II of the Declaration is amended to add the following provisions at the end of Article II as follows:

The term "Recreational Vehicles" shall refer to vehicles used primarily for leisure and recreational activities. Recreational vehicles include but are not limited to the following: pop-up campers, truck mounted campers, travel trailers, fifth wheels, toy haulers, and Class A, B, & C recreational vehicles. The following restrictions and prohibitions regarding Recreational Vehicles shall apply:

1) Recreational vehicles can be temporarily parked, for not more than forty-eight (48) hours, at the owner's residence for loading or unloading, but not for occupancy.

2) Recreational vehicles can be permanently located on residential property but must be stored in a fully enclosed garage which must be constructed on a permanent concrete foundation.

3) Recreational vehicles parked temporarily or permanently cannot be occupied.

4) Location of any garage used to store or maintain a Recreational Vehicle shall be located on the owner's residential lot, or on the owner's adjoining lot. When building on an adjoining lot, the owner's residential lot and adjoining lot become consolidated into a single building site and the lots cannot be sold separately.

5) Construction of any garage used to store or maintain a Recreational Vehicle shall comply with all side and rear set-back lines, and the front building line restrictions.

6) Construction of any garage used to store or maintain a Recreational Vehicle shall match and be constructed in harmony, architecturally, with the owner's residence in structural style, color, and building materials.

7) Building plans for the construction of any garage used to store or maintain a Recreational Vehicle shall be reviewed and approved by the Lakeview Hills Architectural Control Committee prior to construction.

8) Any request for a variance to these restrictions must be submitted in writing to the Lakeview Hills POA Board of Directors for review and approval.

2. Except as specifically amended and modified herein, the Declaration shall remain in full force and effect as originally written.

3. Attached to this instrument and specifically made a part hereof is a Certificate, signed by the President and Secretary of the Association, certifying that the Owners having at least a majority of the then property owners returning notarized ballots have voted in favor of and approved this amendment.

IN WITNESS WHEREOF, the undersigned President of LAKEVIEW HILLS PROPERTY OWNERS ASSOCIATION has hereunto set my hand this 28 day of September 2020.

LAKEVIEW HILLS PROPERTY OWNERS ASSOCIATION

President -

STATE OF TEXAS §
§
COUNTY OF SAN JACINTO §

This instrument was acknowledged before me on this the 28TH day of September 2020, by MARK E. YORK, President of LAKEVIEW HILLS PROPERTY OWNERS ASSOCIATION, a Texas nonprofit corporation, on behalf of said corporation.

SUZANNE M. DABNEY
My Notary ID # 126949604
Expires July 20, 2021

Notary Public - State of Texas

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CERTIFICATE

The undersigned President and Secretary, respectively, certify that, as required by Section 209.0041 of the TEXAS PROPERTY CODE, the foregoing Amendment to the Declaration of Covenants, Conditions and Restrictions for Lakeview Hills Subdivision has been approved by a vote of at least a majority of the property owners returning notarized ballots and being properly entitled to vote on the amendment.

September 28, 2020
Date

President -

September 28, 2020
Date

Lisa McCulloch
Secretary -

STATE OF TEXAS §
§
COUNTY OF SAN JACINTO §

This instrument was acknowledged before me on this the 28 day of September 2020, by MARK E. YORK, President of LAKEVIEW HILLS PROPERTY OWNERS ASSOCIATION, a Texas nonprofit corporation, on behalf of said corporation.

SUZANNE M. DABNEY
My Notary ID # 126949604
Expires July 20, 2021

Notary Public - State of Texas

STATE OF TEXAS §
§
COUNTY OF SAN JACINTO §

This instrument was acknowledged before me on this the 28 day of September 2020, by LISA McCULLOCH, Secretary of LAKEVIEW HILLS PROPERTY OWNERS ASSOCIATION, a Texas nonprofit corporation, on behalf of said corporation.

SUZANNE M. DABNEY
My Notary ID # 126949604
Expires July 20, 2021

Notary Public - State of Texas