

**** Electronically Recorded Document ****

Johnson County

Becky Ivey
Johnson County Clerk
Cleburne, TX

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Parties:

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*****THIS PAGE IS PART OF THE INSTRUMENT*****



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Volume and Page of the named records in Johnson County, Texas.

Any provision herein which restricts the sale, rental or use of the described Real Estate because of color race is invalid and unenforceable under Federal law.

BECKY IVEY, COUNTY CLERK
JOHNSON COUNTY, TEXAS

Courtesy/Mill Valley/139/STC/AS

FIRST AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
MILL VALLEY

STATE OF TEXAS §
COUNTIES OF JOHNSON § KNOW ALL BY THESE PRESENTS:
AND ELLIS §

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MILL VALLEY (this "First Amendment") is made this 25 day of November, 2019, by JABEZ DEVELOPMENT, L.P., a Texas limited partnership (the "Declarant").

WITNESSETH:

WHEREAS, Declarant prepared and recorded an instrument entitled "Declaration of Covenants, Conditions and Restrictions for Mill Valley" on August 6, 2018, as Document Number 2018-21909 of the Real Property Records of Johnson County, Texas (the "Declaration"); and

WHEREAS, Declarant also prepared and recorded an instrument entitled "Declaration of Covenants, Conditions and Restrictions for Mill Valley" on August 9, 2018, as Instrument Number 1823031 of the Real Property Records of Ellis County, Texas (the "Declaration"); and

WHEREAS, Article 13, Section 13.1 of the Declaration provides that the Declarant shall have the unilateral right to amend the Declaration during the Development Period (as therein so defined); and

WHEREAS, Section 209.0041(h) of the Texas Property Code provides that a declaration may be amended only by a vote of 67% of the total votes in the association; and

WHEREAS, Section 209.0041(d) of the Texas Property Code provides that Section 209.0041 does not apply to the amendment of a declaration during the development period; and

WHEREAS, the Property is currently in the Development Period as defined in Article 1, Section 1.1 of the Declaration; and

WHEREAS, Declarant has approved of the following amendment to the Declaration.

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Article 11, Section 11.9(a) of the Declaration is amended by deleting that subsection in its entirety and replacing it with the following:

(a) Each Owner (other than Declarant or Builder) of a Lot will pay a working

capital contribution to the Association (the "Contribution") in an amount equal to Five Hundred and No/100 Dollars (\$500.00), which amount will be due immediately upon the transfer of title to the Lot. The Contribution shall apply to subsequent resales of a Lot. The Contribution may be increased without amendment to this Declaration, by the Board, by no more than twenty-five percent (25%) per year. The Board may transfer the funds to the Association's reserve fund account. The Contribution will be in addition to, not in lieu of, any other assessments or other charges levied in accordance with this Article and will not be considered an advance payment of such assessments.

2. Except as modified by this First Amendment, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, this First Amendment is hereby executed by a duly authorized representative of the Declarant on this 25 day of November, 2019.

DECLARANT:

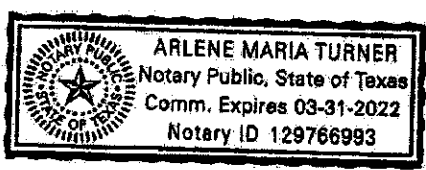
JABEZ DEVELOPMENT, L.P., a Texas limited partnership

By: BNMJR, Inc., general partner
[Signature]
By: *[Signature]*
Printed Name: B. Nelson Mitchell, Jr.
Title: President

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

The foregoing instrument was acknowledged before me this 25 day of November, 2019, by B. Nelson Mitchell, Jr., President of BNMJR, Inc., General Partner of JABEZ DEVELOPMENT, L.P., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 25 day of November, 2019.



[Signature]
Notary Public in and for
the State of Texas

My Commission Expires: 3-31-22