

After Recording, Please Return To:

**Judd A. Austin, Esq.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201**

STATE OF TEXAS

COUNTY OF JOHNSON

Unofficial Copy

**FIRST AMENDMENT TO
DECLARATION
OF
COVENANTS, CONDITIONS & RESTRICTIONS
FOR
M3 RANCH**

INTRODUCTORY PROVISIONS

WHEREAS, the Declaration of Covenants, Conditions & Restrictions for M3 Ranch was recorded on January 29, 2021, under Instrument No. 2021-3445 in the Official Public Records of Johnson County, Texas ("*Declaration*") by M3 Ranch Development, Inc, a Texas corporation ("*Declarant*"); and

WHEREAS, the Declaration affect certain tracts or parcels of real property located in Mansfield, Johnson County, Texas, more particularly described on Exhibit A of the Declaration, as amended or supplemented ("*Addition*"); and

WHEREAS, under Article 15, Section 15.4 of the Declaration, the Declarant, during the Development Period, has the exclusive right to unilaterally amend, correct, supplement, and restate the Declaration for purposes stated in Appendix C; and

Unofficial Copy

WHEREAS, the following amendment to the Declaration has been approved by the Declarant.

NOW, THEREFORE, the Declaration is hereby amended by the Declarant and states as follows:

- Article 8, Section 8.9 of the Declaration is hereby deleted and amended and shall hereinafter read, in its entirety as follows:

8.9 RESERVE CONTRIBUTIONS AT TIME OF SALE. *In connection with every sale, transfer, or conveyance of a home, the seller, expressly including a Builder and excluding the Declarant, or buyer is liable for a one-time contribution to the Association's reserve funds. A contribution shall be made by or on behalf of such buyer at closing in the amount of One Thousand Two Hundred Dollars (\$1,200.00) for each Lot purchased. The reserve contribution may not be avoided by effecting the transfer without the services of a title company. This amount is non-refundable and is considered an additional payment, and not a payment in lieu of the annual regular assessment levied on the Lot. It shall not be considered an advance payment of any portion thereof. The contribution shall be used for covering operating and other expenses incurred by the Association pursuant to the terms of this Declaration and the Bylaws. This Section does apply to the sale of new homes by a Builder to an Owner.*

The Board, without further amendment of this Declaration, reserves the right to increase or decrease the amount of the reserve contribution. The Board has the authority to increase or decrease the amount by no more than twenty-five (25%) and shall not exceed the then existing annual assessment. The resolution must be signed and acknowledged by an officer of the Board and recorded with the county clerk's office to effectuate the change. In the event of any dispute regarding the application of the reserve contribution to a particular Owner, the Board determination regarding

application of the exemption will be binding and conclusive without regard to any contrary interpretation of this Section.

The terms and provisions of the Declaration, except as modified herein, are hereby declared to be in full force and effect with respect to the Addition. The Addition shall continue to be held, occupied, sold, and conveyed subject to the terms and conditions of the Declaration, and this First Amendment which shall run with title to the Addition and are binding on all parties having any right, title or interest in and to the Addition or any part thereof, including their heirs, representatives, successors, transferees, and assigns, and shall inure to the benefit of each Owner thereof.

IN WITNESS WHEREOF, the Declarant has caused this First Amendment to the Declaration to be filed with the office of the Johnson County Clerk and is made to be effective as of the 29th day of November, 2021.

[SIGNATURE PAGE TO FOLLOW]

DECLARANT:

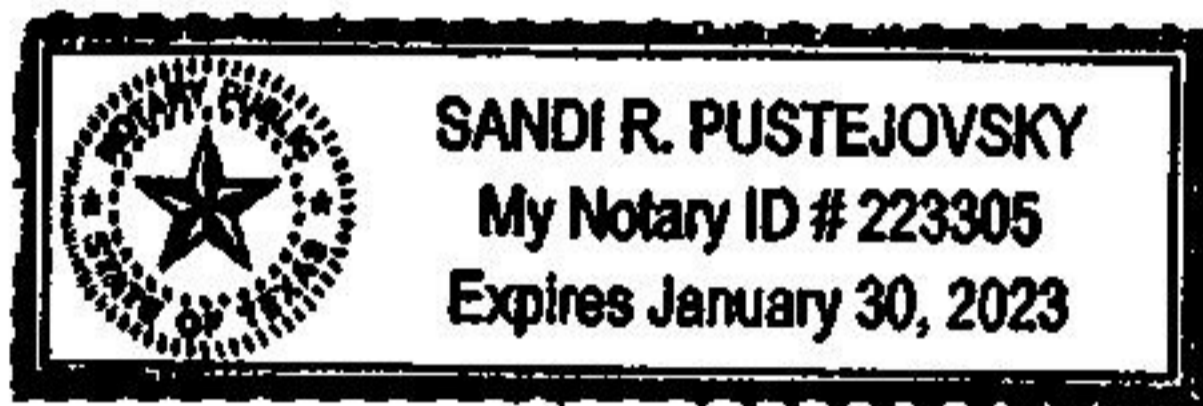
**M3 RANCH DEVELOPMENT, INC.,
a Texas Corporation**

By: *Ben Luedtke*
Its: Executive Vice President

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, the undersigned Notary Public, on this 29th day of November, 2021, personally appeared, Ben Luedtke, Executive Vice President of M3 Ranch Development, Inc., a Texas corporation, known to me to the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and the capacity therein expressed.

[SEAL]



Sandi R. Pustejovsky
Notary Public, State of Texas

Unofficial Copy

Johnson County
Becky Ivey
Johnson County
Clerk

Instrument Number: 45297

eRecording - Real Property

Restrictions

Unofficial Copy

Recorded On: November 30, 2021 02:21 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$38.00

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

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.

File Information:

Document Number: 45297
Receipt Number: 20211130000187
Recorded Date/Time: November 30, 2021 02:21 PM
User: Leslie S
Station: ccl83

Record and Return To:

Corporation Service Company

Unofficial Copy



STATE OF TEXAS
COUNTY OF JOHNSON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Johnson County, Texas.

Becky Ivey
Johnson County Clerk
Johnson County, TX

Becky Ivey