

**FIRST AMENDMENT
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
THE RESERVE AT WOODMILL CREEK (a Subdivision)**

This Amendment amends: Declaration of Covenants, Conditions, and Restrictions for The Reserve at Woodmill Creek, recorded under Document No. 2017112875 of the Official Public Records of Real Property Records of Montgomery County, Texas ("Declaration")

**THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §**

KNOW ALL MEN BY THESE PRESENTS:

This First Amendment to Declaration of Covenants, Conditions, and Restrictions for The Reserve at Woodmill Creek (a Subdivision), dated as of the date shown below, is made and executed by the undersigned Declarant (as hereinafter defined) for The Reserve at Woodmill Creek, pursuant to Article XIII, Section 13.10 of the Declaration, to-wit:

WITNESSETH:

WHEREAS, Woodmill Commons, LLC, a Texas limited liability company, as Declarant, heretofore executed that certain "Declaration of Covenants, Conditions, and Restrictions for The Reserve at Woodmill Creek" recorded on December 15, 2017, under Document No. 2017112875 of the Official Public Records of Real Property of Montgomery County, Texas (hereinafter called "the Declaration"); and

WHEREAS, the Declaration covers those Lots described in and set forth in the Declaration, same being, and constituting the following:

All of WOODMILL CREEK SEC. 1, a subdivision of 8.3575 acres out of the John Taylor Survey, Abstract 547, Montgomery County, Texas, according to the map or plat thereof recorded in Cabinet "Z", Sheet No. 3781 of the Map Records of Montgomery County, Texas

(the "Subdivision" named in the Declaration and as set forth herein; and

WHEREAS, WHEREAS, Article XIII, Section 13.10 of the Declaration provides that "...during the Development Period Declarant reserves the sole and exclusive right to amend, and may from time to time and at any time amend, this Declaration or any other Governing Documents without the joinder or consent of any Owner, mortgagee, or any other Person"; and

WHEREAS, as of the date hereof, the Development Period has not yet expired, and the Declarant intends to execute and record this Amendment to the Declaration for the purpose of correcting and/or clarifying of certain provisions set forth in the Declaration;

NOW, THEREFORE, for and in consideration of the premises,

The Declarant hereby amends the Declaration as follows:

**FIRST AMENDMENT TO
DECLARATION**

THE RESERVE AT WOODMILL CREEK

The Reserve at Woodmill Creek.First Amendment.041522

Article II, Section 2.22 of the Declaration ("Subdivision Facilities") shall be amended by to include the "Retaining Wall" (hereafter defined) as a part of the Subdivision Facilities, such that The Reserve at Woodmill Creek Association, Inc., a Texas non-profit corporation (the "Association" named in the Declaration) shall hereafter be responsible to maintain, repair, and replace the "Retaining Wall" (hereafter defined) as a Subdivision Facility, pursuant to the Article VI, Section 6.01 of the Declaration.

The "Retaining Wall" shall constitute the following:

The existing structural modular retaining wall system along the Western and Southern perimeter boundary of the Subdivision, in the rear of Lots Nine (9) through Thirty-two (32), Block One, of the Subdivision.

Provided, however, that there is/are existing wood privacy fence(s) located adjacent to, and above the Retaining Wall which serve the respective Lot(s) located adjacent or adjoining such Retaining Wall. The wood privacy fence(s) constitute fencing which are owned by, and are to be maintained, repaired, and replaced by the respective Owner(s) of such respective Lot(s) in accordance with Article VIII, Section 8.03(f) of the Declaration.

The foregoing amendment to the Declaration, as modified and amended hereby, is hereby ratified and confirmed as originally filed.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this 19 day of APRIL, 2022.

DECLARANT:

WOODMILL COMMONS, LLC,
a Texas limited liability company

By: Pelican Builders, Inc., a Texas corporation,
its Managing Member

By: _____

Its: PRESIDENT

FIRST AMENDMENT TO
DECLARATION

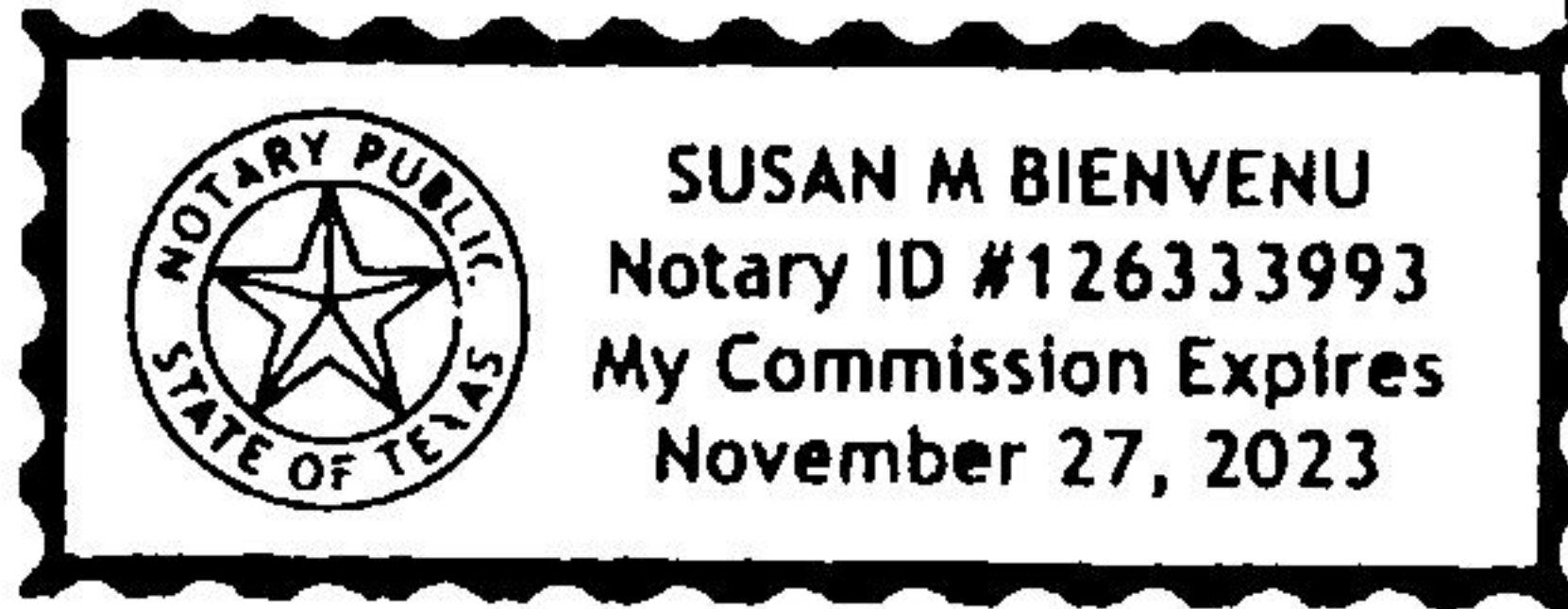
THE RESERVE AT WOODMILL CREEK
The Reserve at Woodmill Creek, First Amendment, 041522

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 19 day of APRIL, 20 , by DEREK DARNELL, PRESIDENT of Pelican Builders, Inc., a Texas corporation, Managing Member of Woodmill Commons, LLC, a Texas limited liability company, on behalf of such company.

Susan M. Bienvenu

Notary Public - State of Texas



FIRST AMENDMENT TO
DECLARATION

THE RESERVE AT WOODMILL CREEK

The Reserve at Woodmill Creek.First Amendment.041522

SUBORDINATION

The undersigned, **IBC BANK** ("Lender"), the owner and holder of liens against the property described in the foregoing attached First Amendment to the Declaration of Covenants, Conditions and Restrictions for The Reserve at Woodmill Creek ("First Amendment") agrees that the liens and security interests now held by Lender against the property described in the First Amendment shall be and are subordinate to the Declaration.

This subordination agreement shall be for the benefit and binding upon Declarant and Lender, and their respective successors and assigns.

"Lender"

IBC BANK

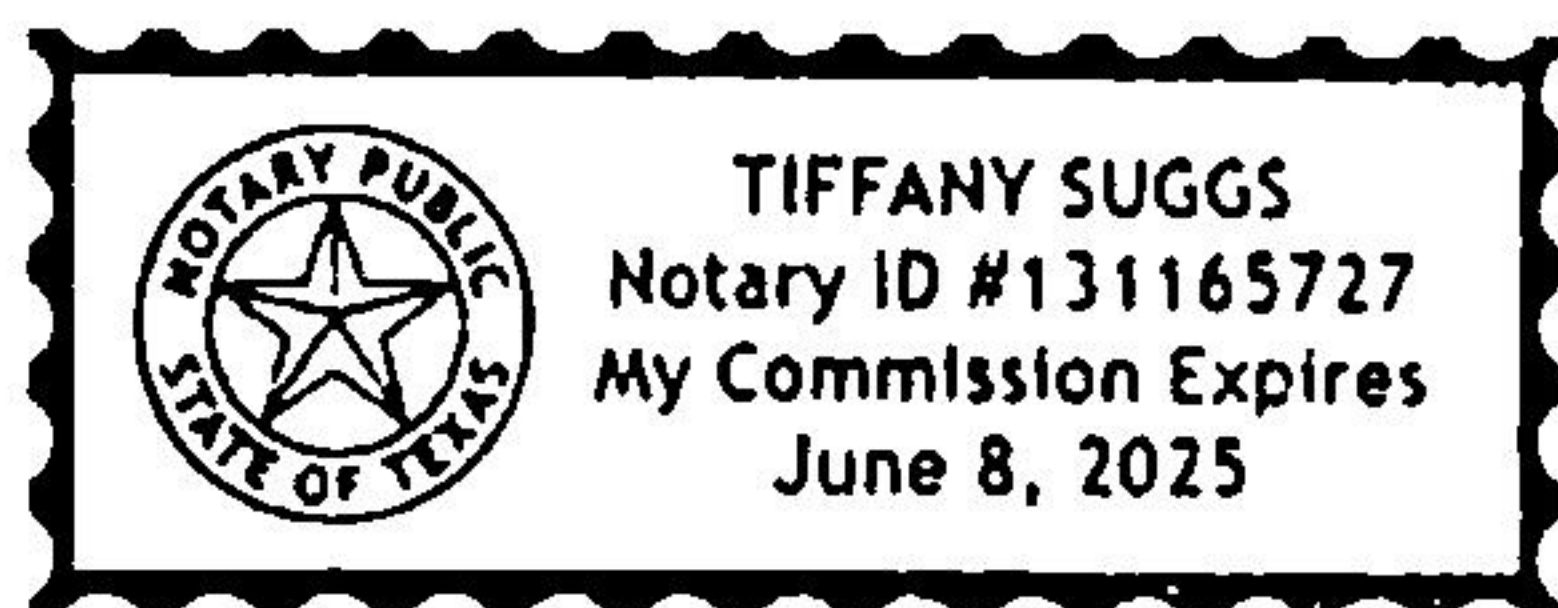
By: [Signature]
(Signature)

Sam Jones
(Printed Name)

Its: 1st Vice President
(Title/position)

STATE OF Texas §
COUNTY OF Harris §

This Instrument was executed before me on this the 19 day of April, 2022, by Sam Jones, a 1st VP of IBC Bank.



[Signature]
Notary Public - State of Texas

FIRST AMENDMENT TO
DECLARATION

THE RESERVE AT WOODMILL CREEK

The Reserve at Woodmill Creek.First Amendment.041522

E-FILED FOR RECORD

04/19/2022 03:38PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

04/19/2022



County Clerk
Montgomery County, Texas