

**AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS AND EASEMENTS  
FOR  
FALLS OF WILDWOOD**

THE STATE OF TEXAS                   §  
  §        KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF MONTGOMERY           §

This Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for Falls of Wildwood, is executed on the date hereinafter set forth by FALLS OF WILDWOOD COMMUNITY ASSOCIATION, INC.

**WITNESSETH:**

**WHEREAS**, FALLS OF WILDWOOD COMMUNITY ASSOCIATION, INC. (the "Association") is the property owners association (as that term is used and defined in Section 202.001 of the TEXAS PROPERTY CODE) for Falls of Wildwood, a subdivision in Montgomery County, Texas, according to the maps or plats thereof recorded in Cabinet O, Sheets 140-141, of the Map Records of Montgomery 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 instrument entitled Declaration of Covenants, Conditions, Restrictions and Easements for Falls of Wildwood (the "Declaration"), filed for record under Clerk's File No. 2000-077105, in the Official Public Records of Montgomery County, Texas; 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 Declaration provides in Article X, Section 10.03.3, thereof that the owners' approval of any amendment of the Declaration may be obtained either (i) by execution of the amending instrument or a written consent thereto by any owner of each lot so approving, or (ii) by affirmative vote, in person or by proxy, at any annual or special meeting called (in whole or in part) for consideration of any such amendment, or (iii) any combination of the foregoing; 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 property owners in the Subdivision, acting

by and through the Association, adopt, reaffirm and ratify the following amendments and modifications to the Declaration and declare that such amendments shall become effective when this instrument, accompanied by the attached Certificate, is filed for record in the Real Property Records of Montgomery County, Texas, to-wit:

1. Section 4.04.5 of the Declaration is amended to read as follows:

4.04.5 Mailboxes. The ACC shall approve the design and/or manufacture of all mailboxes prior to installation as part of its approval of all plans and specifications for construction.

2. Section 4.07.3 of the Declaration is amended to read as follows:

4.07.3 Animals and Livestock. No hogs, horses, livestock or poultry of any kind (*with the exception of chickens as restricted herein-below*), may be raised, bred, or kept on any Lot. If consistent with its use as a residence, dogs, cats or other usual household pets may be kept on a Lot. All such household pets must be kept on a leash or otherwise maintained under the control of their owner when not maintained in a secure and enclosed yard area, and otherwise leashed and maintained in accordance with applicable municipal, county or state building codes, ordinances and statutes. The Board may adopt Rules and Regulations otherwise defining or limiting animals to be included from the meaning of "usual household pets" or otherwise regulating such pets, and including authority to prohibit any type of animal or pet which in general or in particular instances is determined to present a threat to health or safety.

Regarding chickens: No roosters shall be allowed. Members may own no more than six (6) hens, which must be contained in a fenced area within the backyard of a residence, which containment must be in compliance with all other building requirements set out in the Declaration. ACC approval is required prior to construction of any coop or other enclosure. Chickens shall be for personal use only, and no sale of eggs shall be allowed.

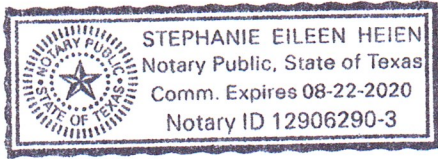
3. Sub-section (a) of Section 4.07.9 of the Declaration is amended to read as follows:

(a) No vehicle designed primarily for commercial use, no boat or other watercraft, mobile home, recreational vehicle, camper, trailer, boat rigging, tractor, truck larger than a one-ton pickup, bus, no unused vehicle, no inoperable vehicle of any kind (including any vehicle requiring same which does not have both a current and valid license plate and current and valid state inspection sticker), and no unsightly vehicle as determined in the



STATE OF TEXAS                   §  
   §  
COUNTY OF MONTGOMERY       §

This instrument was acknowledged before me on the 9<sup>th</sup> day of March, 2018, by Troy Manson, Secretary of FALLS OF WILDWOOD COMMUNITY ASSOCIATION, INC., a Texas nonprofit corporation, on behalf of said corporation.



*Stephanie Heien*  
\_\_\_\_\_  
Notary Public - State of Texas

**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, Restrictions and Easements for Falls of Wildwood, has been approved by a vote of at least sixty-seven percent (67%) of the total votes allocated to the property owners entitled to vote on the amendment, in the FALLS OF WILDWOOD.

Dated: 3/9/2018

Wanda Champ  
President

Dated: 9 March 2018

Troy Monson  
Secretary

STATE OF TEXAS           §  
  §  
COUNTY OF MONTGOMERY   §

This instrument was acknowledged before me on the 9th day of March, 2018, by Wanda Champ, President of FALLS OF WILDWOOD COMMUNITY ASSOCIATION, INC., a Texas nonprofit corporation, on behalf of said corporation.

Stephanie Heien  
Notary Public - State of Texas



STATE OF TEXAS           §  
  §  
COUNTY OF MONTGOMERY   §

This instrument was acknowledged before me on the 9th day of March, 2018, by Troy Monson, Secretary of FALLS OF WILDWOOD COMMUNITY ASSOCIATION, INC., a Texas nonprofit corporation, on behalf of said corporation.

Stephanie Heien  
Notary Public - State of Texas

