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**After Recording Please Return To:**

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

STATE OF TEXAS           §  
  §  
COUNTY OF COLLIN       §

**FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
FOR  
VAN BUREN ESTATES  
INTRODUCTORY PROVISIONS**

**WHEREAS**, Van Buren Estates, LLC, a Texas limited liability company (the “*Declarant*”), executed the Declaration of Covenants, Conditions and Restrictions for Van Buren Estates and filed it of record on November 20, 2018, under Instrument No. 20181120001433780 in the Official Public Records of Collin County, Texas (the “*Declaration*”); and

**WHEREAS**, the Declaration affects certain tracts or parcels of real property located in the City of Weston, Collin County, Texas, more particularly described on Exhibit A attached hereto (the “*Addition*”); and

**WHEREAS**, under Article IX, Section 9.03 of the Declaration titled “Amendments”, Declarant, without the joinder of any other party, shall have the right to make amendments to this Declaration; and

**WHEREAS**, the following amendments to the Declaration have been approved by the Declarant; and

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

- A. Article I, Section 1.11 of the Declaration is hereby deleted and amended and, shall hereinafter read, in its entirety, as follows:

***1.11 "Common Properties" shall mean the following:***

***a) Any and all greenbelt areas, landscape easements, floodways, creeks, drainage ways, open spaces or other similar areas as shown on the Plat (as hereinafter defined) of the Property, whether within or surrounding or along the boundaries of the Property, including, any portions thereof lying within or beneath a pond, lake, floodway or flood plain access easement;***

***b) Any other property or improvements for which Declarant and/or the Association have or may hereafter become obligated to maintain, improve or preserve;***

***c) Any other land within the Property on which Declarant and/or the Association is granted or reserved any easement for any purposes whatsoever, including, but not limited to, maintaining, repairing, and/or replacing various structures or other improvements including cluster mailboxes, monument signs, lighting, landscaping, and/or irrigation systems located on Phase I: Block A, Lots 2, 18, 31, 41, 50, 63, 76, and 85, and Phase II: Block A, Lot 91, more particularly described on Exhibits A-1 through A-9 attached and incorporated herein by reference;***

***d) Any and all cluster mailboxes, landscaping, walls, planters, pillars, entry ways, walkways, berms, ledges, sprinkler systems, tree wells, retaining walls (if any), signs, wood structures, markers, lights, lighting systems, poles, flags, water features, fountains and any other improvements installed by Declarant or the Association on any Common Properties, and all equipment, accessories, utilities and***

***machinery used in the operation or maintenance of any of the Common Properties; and***

***e) Any other fixtures, structures or improvements installed by Declarant or the Association on any Lots within the Property and which are not expressly made the responsibility of the Lot Owner pursuant to the provisions of this Declaration.***

- B. Article I, Section 1.28 of the Declaration is hereby deleted and amended and, shall hereinafter read, in its entirety, as follows:

***1.28 "Property" shall mean the real property situated in the City of Weston, located in Collin County, Texas, more particularly known as Van Buren Estates, and according to the plat recorded in Volume 2018, Page 370, as Instrument No. 20171129010005580 (Phase I) and recorded in Volume 2018, Page 662, as Instrument No. 20180827010003980 (Phase II), in the office of the County Clerk of Collin County, Texas, and such additional real property as may be included in the Property by Declarant in the future. See Exhibit A, attached and incorporated herein by reference.***

- C. Article VIII, Section 8.02 of the Declaration is hereby deleted and amended and, shall hereinafter read, in its entirety, as follows:

***8.02 Common Properties. Full rights of ingress and egress shall be had by the Association as set forth in this Declaration for the purpose of maintaining and using the Common Properties, if any, as set forth herein, including but not limited to maintaining, repairing, and/or replacing the cluster mailboxes, monument signs, lighting, and/or irrigation systems located on Phase I: Block A, Lots 2, 18, 31, 41, 50, 63, 76, and 85, and Phase II: Block A, Lot 91.***

- D. Article VIII, Section 8.04 of the Declaration is hereby deleted and amended and, shall hereinafter read, in its entirety, as follows:

***8.04 Association Easement. Each Owner, by accepting an interest in or title to a Lot, whether or not it is so expressed in the instrument of conveyance, grants to the Association an easement of access and entry over, across, under, and through the Property, including without limitation all Common Areas and the Owner's Lot and all improvements thereon for the below-described purposes. If the exercise of this easement requires entry onto an Owner's Lot, the entry will be during reasonable hours and after notice to the Owner, unless entry is response to a situation that at the time of entry is deemed to be an emergency that may result in imminent damage to or loss of life or property. In exercising this easement on an Owner's Lot, the Association is not liable to the Owner for civil or criminal trespass. The Association may exercise this easement of access and entry for the following express purposes:***

***(a) To inspect the Lot for compliance with maintenance and architectural standards.***

***(b) To perform maintenance that is permitted or required of the Owner by this Declaration, if the Owner fails or refuses to perform such maintenance.***

***(c) To enforce use restrictions and architectural standards.***

***(d) To exercise any self-help remedy permitted by this Declaration or by applicable law.***

***(e) To enforce any other provision of this Declaration.***

***(f) To respond to emergencies.***

*(g) To assist utility providers as may be necessary to install, maintain, and inspect utilities serving any portion of the Property.*

*(h) To perform any and all functions or duties of the Association as permitted or required by this Declaration.*

*(i) Maintenance of Common Properties, including but not limited to maintaining, repairing, and/or replacing the cluster mailboxes, monument signs, lighting, and/or irrigation systems.*

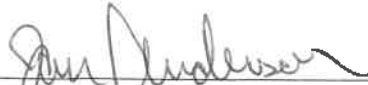
The terms and provisions of the Declaration, except as modified herein, are hereby declared to be in full force and effect with respect to the Addition. The Addition shall continue to be held, occupied, sold and conveyed subject to the terms and conditions of the Declaration and this First Amendment 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**, Declarant has caused this First Amendment to the Declaration to be filed with the office of the Collin County Clerk and is made to be effective as of the 20th day of November, 2018.

EXECUTED as of the 23rd day of January, 2019.

**DECLARANT:**

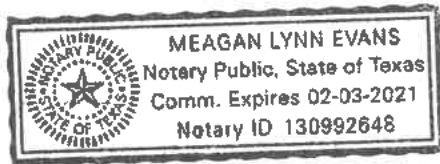
**VAN BUREN ESTATES, LLC,  
a Texas limited liability company**


By:   
Jon Anderson  
Its: Managing Member

THE STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged before me on the 23rd day of January, 2019, by Jon Anderson, Managing Member, of Van Buren Estates, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and the capacity therein expressed.



  
Notary Public, State of Texas

# Exhibit A











# EXHIBIT "A-1"

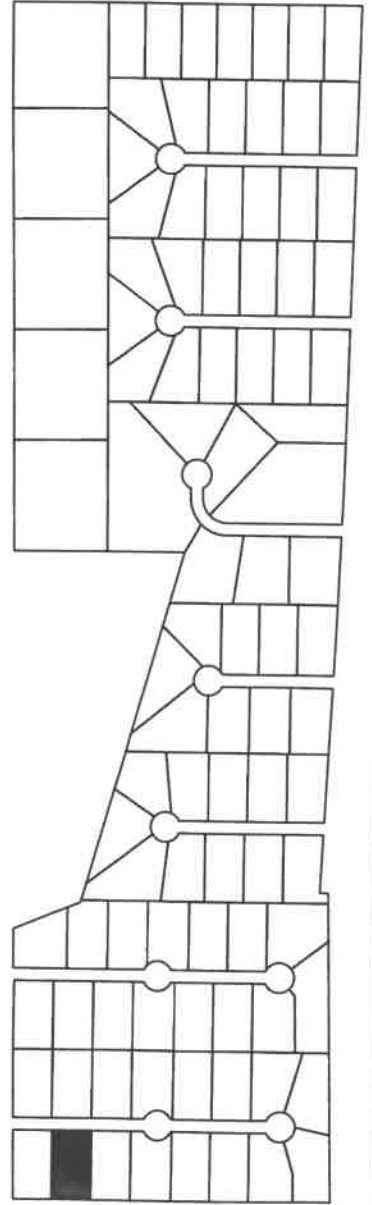
LOCATION OF HOA IMPROVEMENTS

Lot 2, Block A,  
VAN BUREN ESTATES,  
Adams Court, an Addition in Collin County,  
Texas, according to the Map or  
Plat recorded in Volume 2018,  
Page, 370, Map Records  
of Collin County, Texas.

35' B.L.

ADAMS COURT

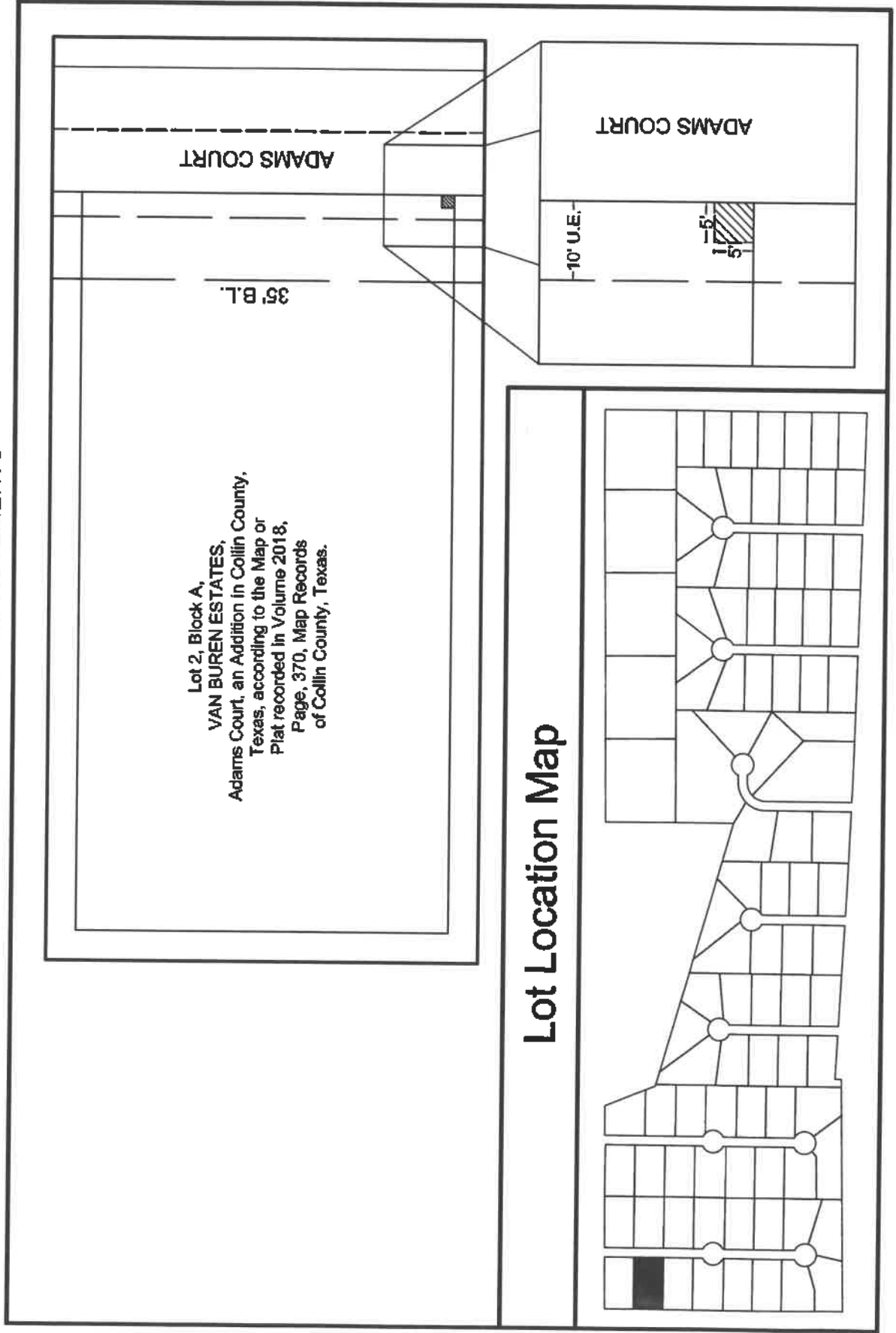
## Lot Location Map



10' U.E.

5' U.E.

ADAMS COURT



# EXHIBIT "A-2"

LOCATION OF HOA IMPROVEMENTS

Lot 18, Block A,  
VAN BUREN ESTATES,  
Buchanan Court, an Addition in Collin County,  
Texas, according to the Map or  
Plat recorded in Volume 2018,  
Page, 370, Map Records  
of Collin County, Texas.

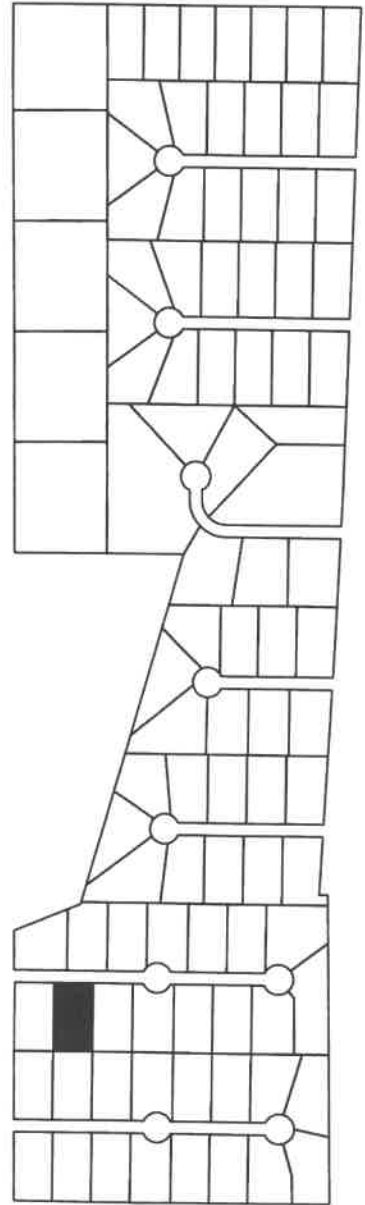
35' B.L.

BUCHANAN COURT

BUCHANAN COURT

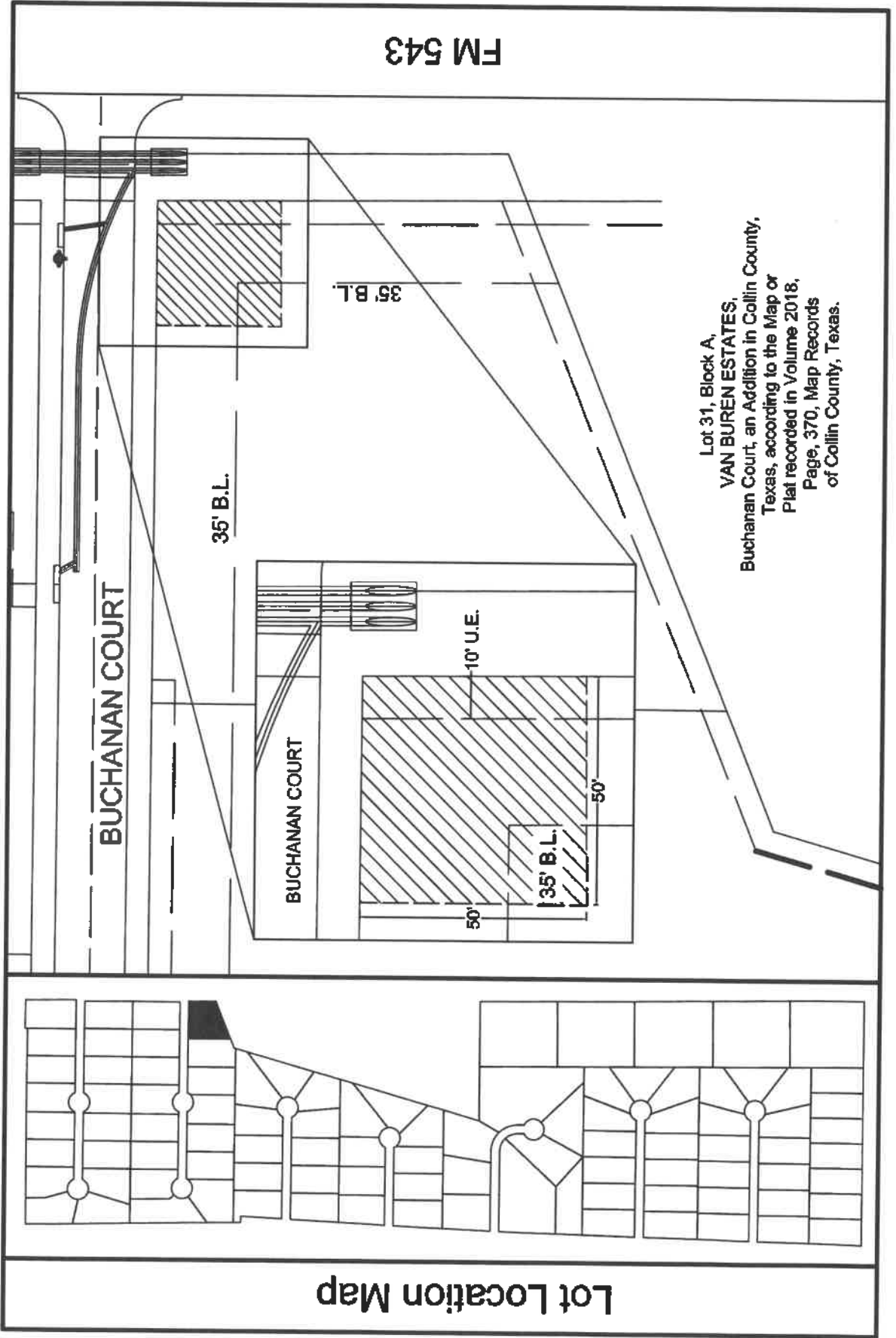
17'-5"

Lot Location Map



# EXHIBIT "A-3"

LOCATION OF HOA IMPROVEMENTS

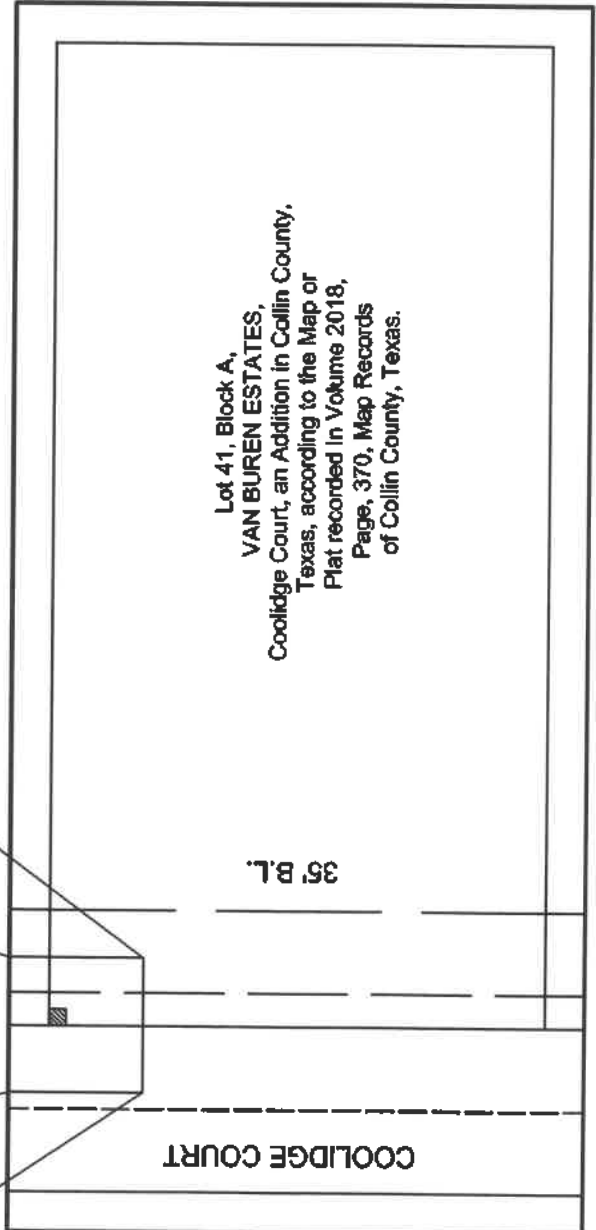
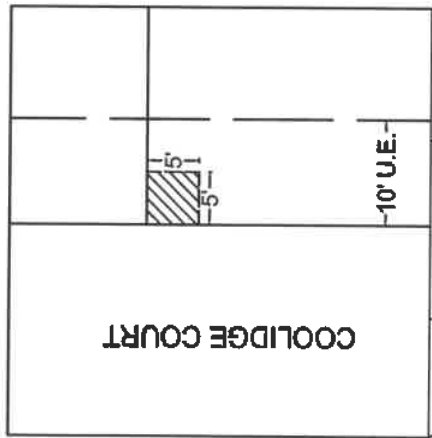
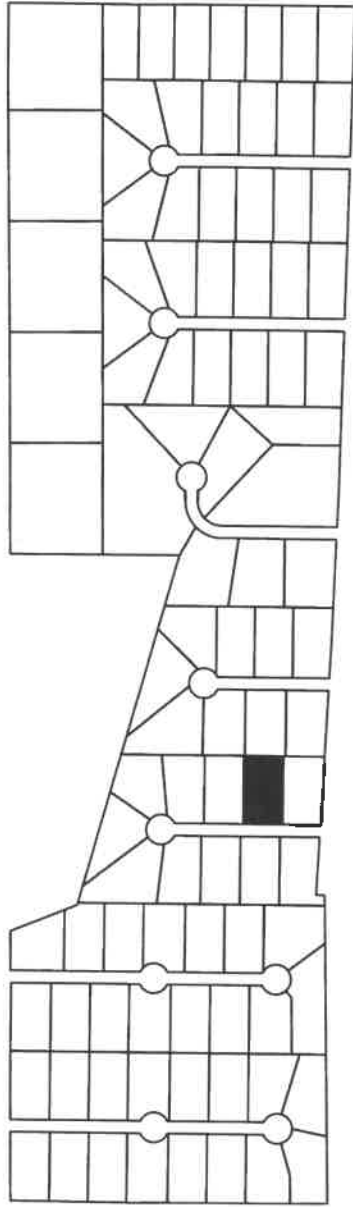


Lot 31, Block A,  
VAN BUREN ESTATES,  
Buchanan Court, an Addition in Collin County,  
Texas, according to the Map or  
Plat recorded in Volume 2018,  
Page, 370, Map Records  
of Collin County, Texas.

# EXHIBIT "A-4"

LOCATION OF HOA IMPROVEMENTS

## Lot Location Map

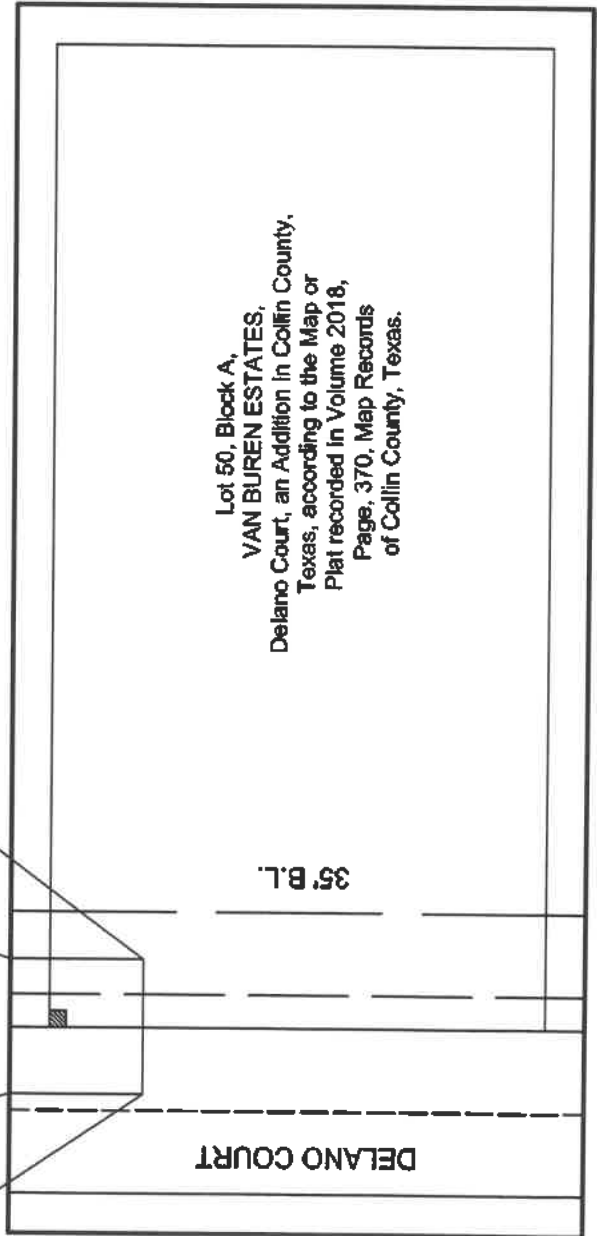
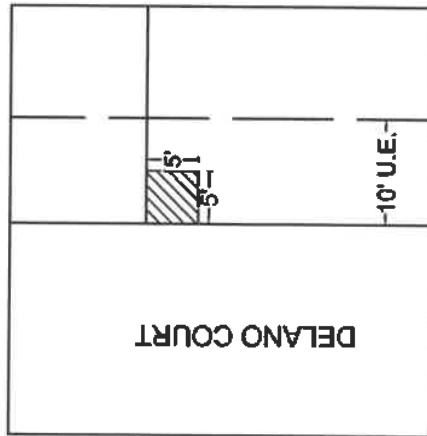
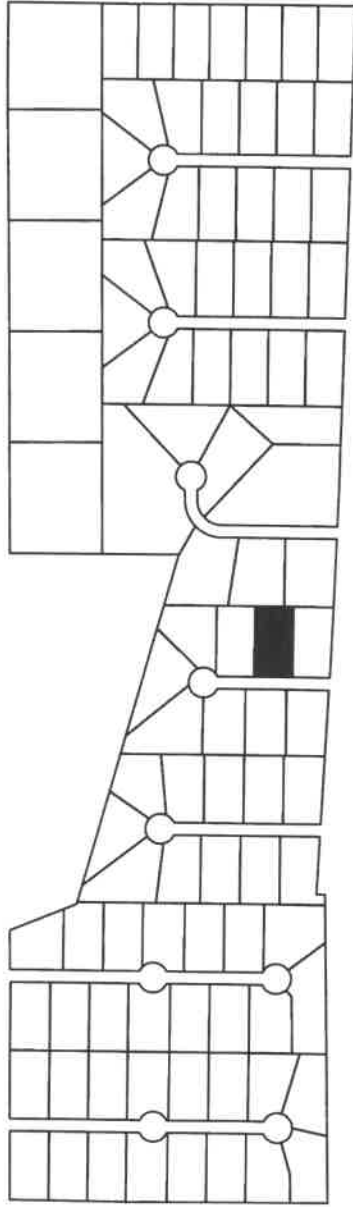


Lot 41, Block A,  
VAN BUREN ESTATES,  
Coolidge Court, an Addition in Collin County,  
Texas, according to the Map or  
Plat recorded in Volume 2018,  
Page, 370, Map Records  
of Collin County, Texas.

# EXHIBIT "A-5"

LOCATION OF HOA IMPROVEMENTS

## Lot Location Map

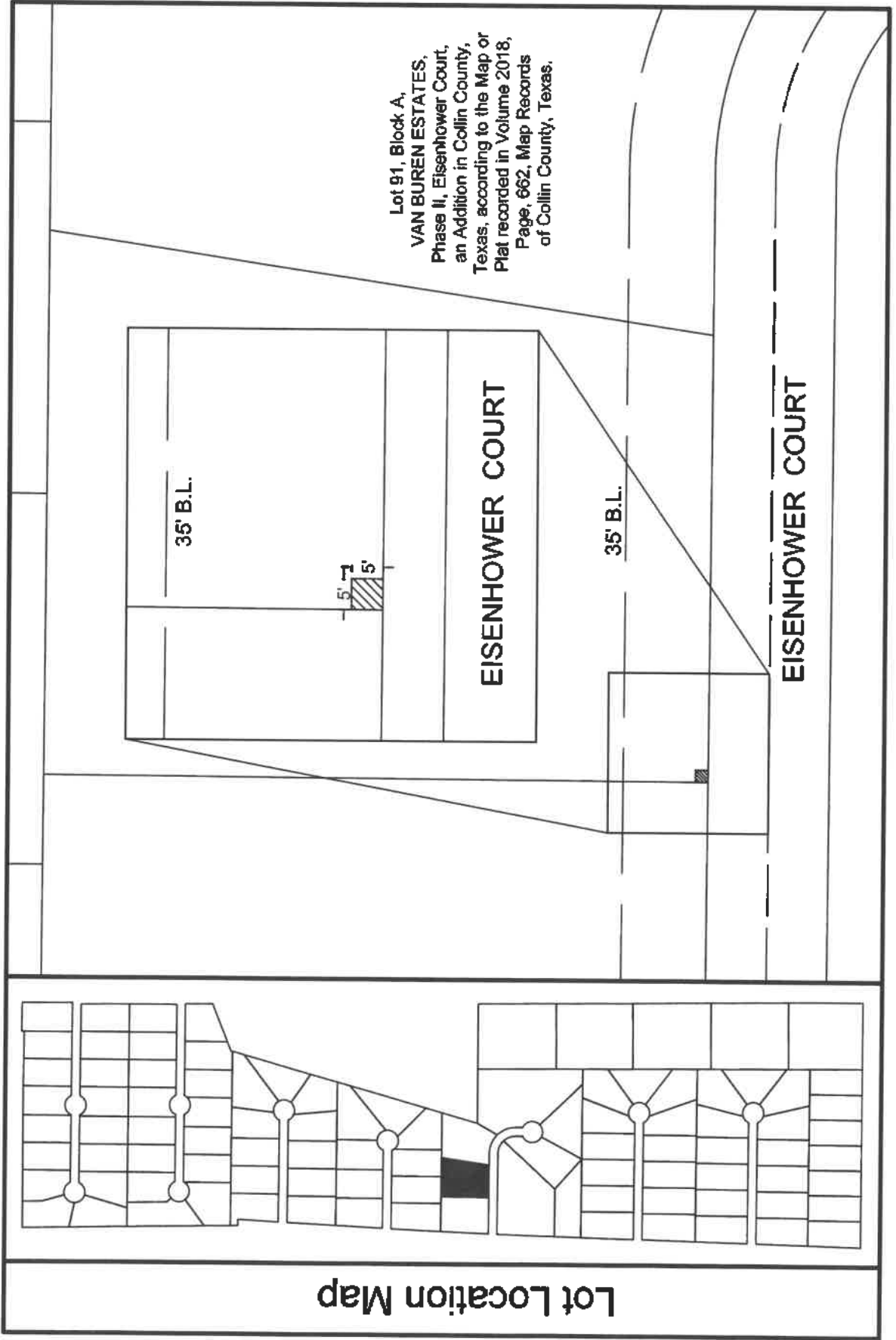


Lot 50, Block A,  
VAN BUREN ESTATES,  
Delano Court, an Addition in Collin County,  
Texas, according to the Map or  
Plat recorded in Volume 2018,  
Page, 370, Map Records  
of Collin County, Texas.



# EXHIBIT "A-6"

LOCATION OF HOA IMPROVEMENTS



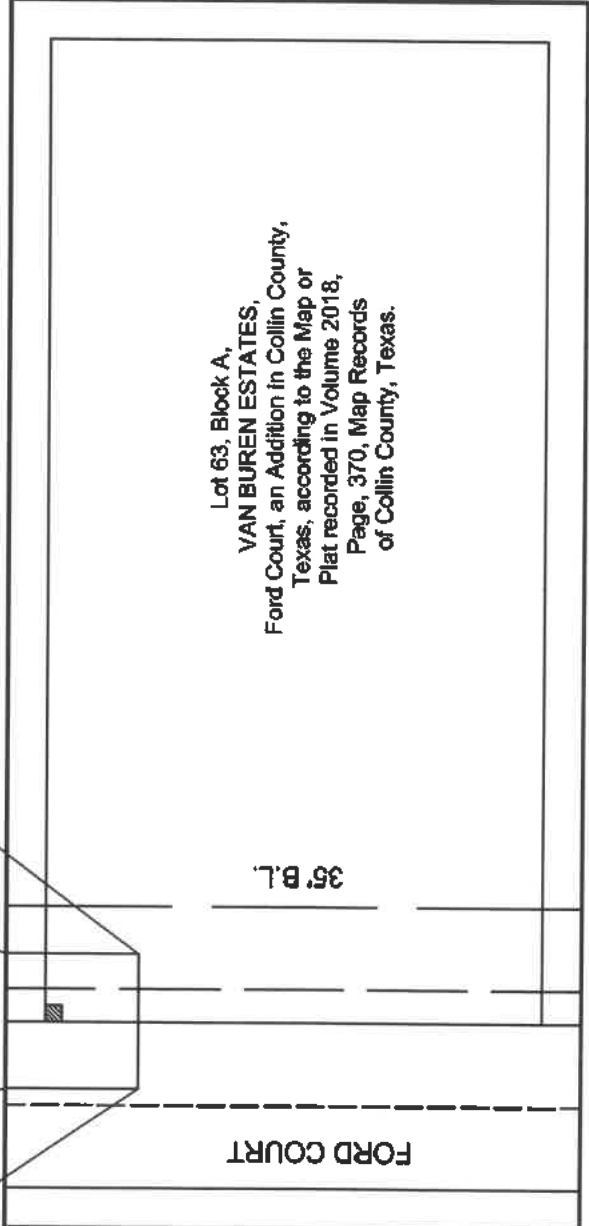
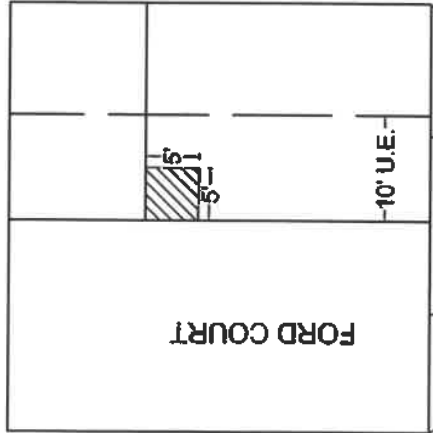
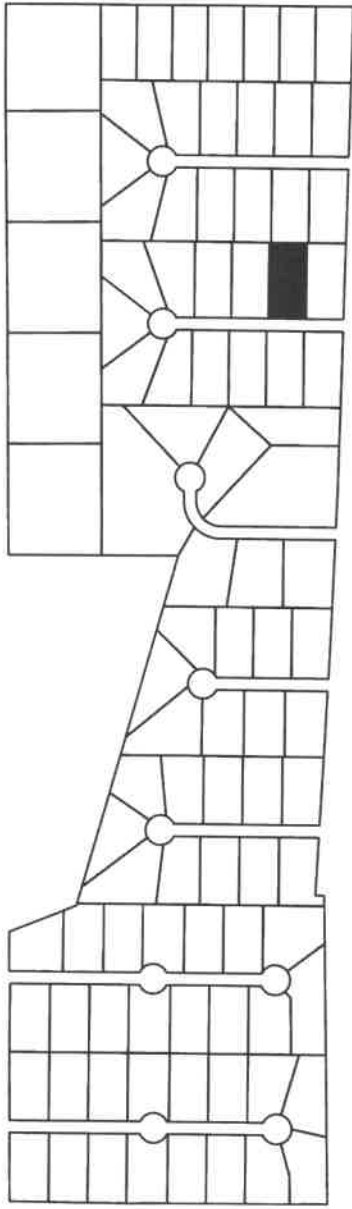
Lot 91, Block A,  
VAN BUREN ESTATES,  
Phase II, Eisenhower Court,  
an Addition in Collin County,  
Texas, according to the Map or  
Plat recorded in Volume 2018,  
Page, 662, Map Records  
of Collin County, Texas.

Lot Location Map

# EXHIBIT "A-7"

LOCATION OF HOA IMPROVEMENTS

## Lot Location Map

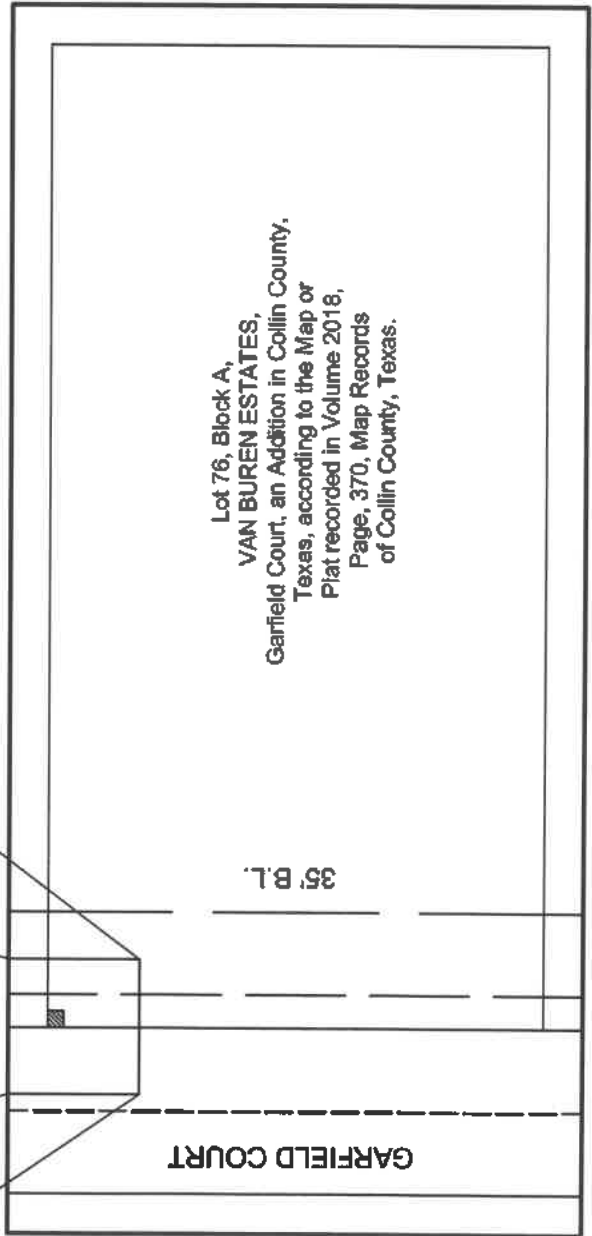
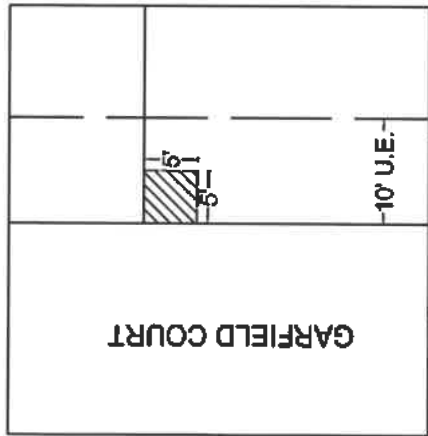
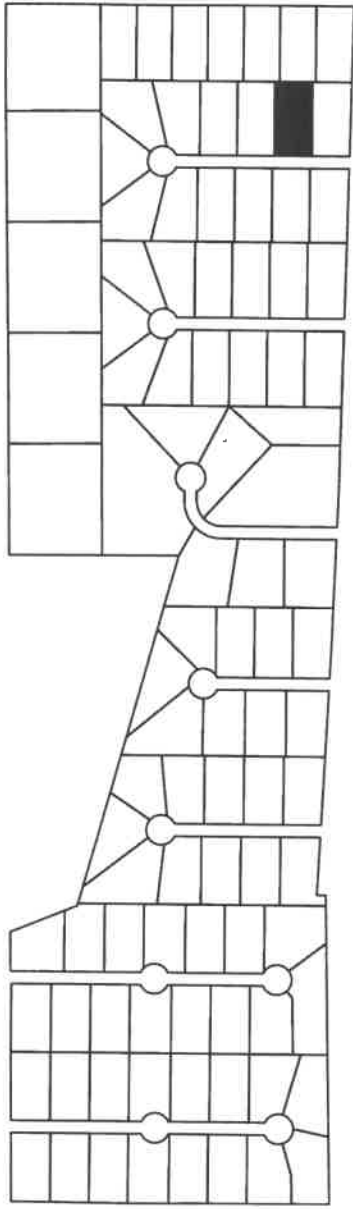


Lot 63, Block A,  
VAN BUREN ESTATES,  
Ford Court, an Addition in Collin County,  
Texas, according to the Map or  
Plat recorded in Volume 2018,  
Page, 370, Map Records  
of Collin County, Texas.

# EXHIBIT "A-8"

LOCATION OF HOA IMPROVEMENTS

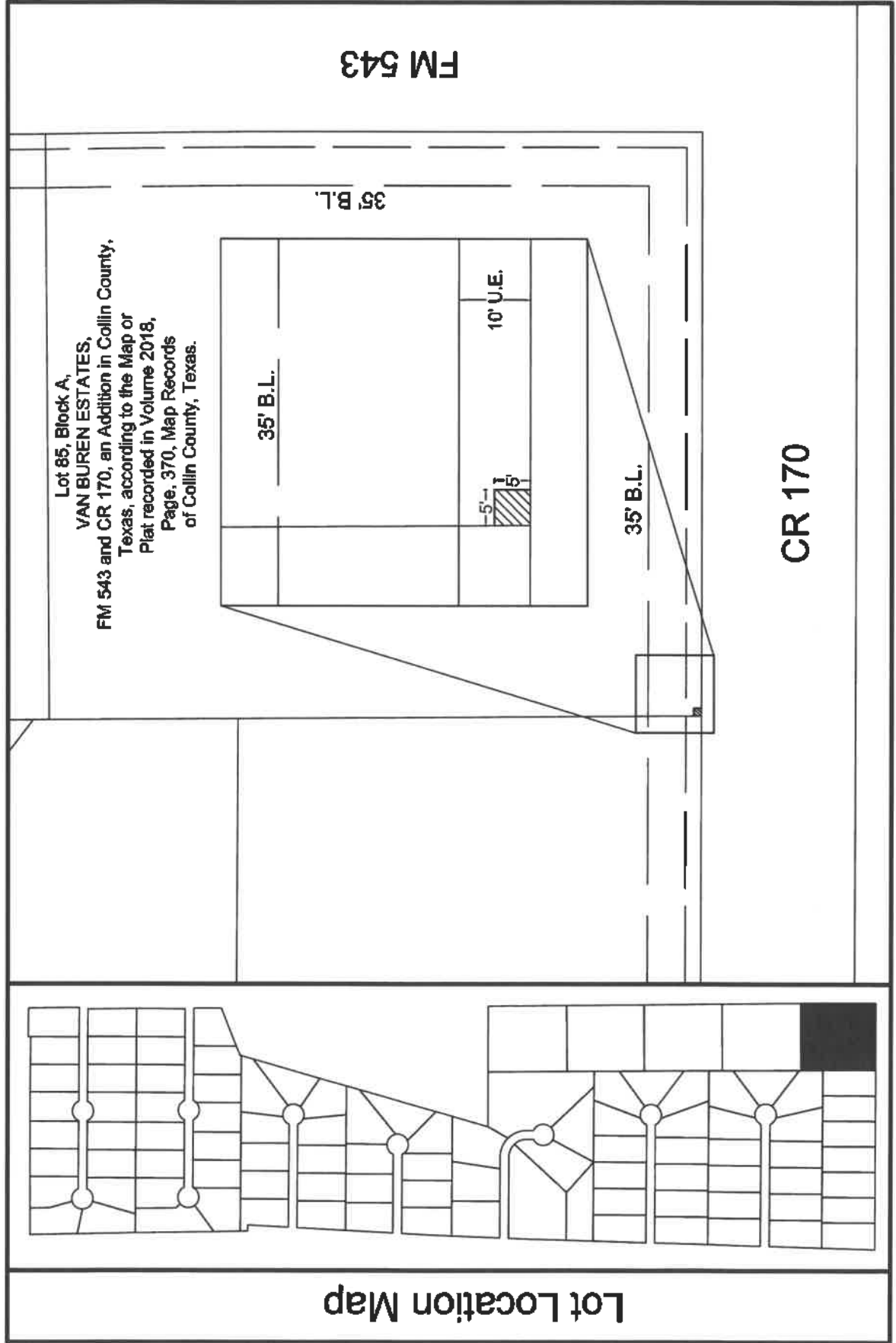
## Lot Location Map



Lot 76, Block A,  
VAN BUREN ESTATES,  
Garfield Court, an Addition in Collin County,  
Texas, according to the Map or  
Plat recorded in Volume 2018,  
Page, 370, Map Records  
of Collin County, Texas.

# EXHIBIT "A-9"

LOCATION OF HOA IMPROVEMENTS



Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
01/24/2019 12:50:19 PM  
\$106.00 SCAPELA  
20190124000072280



*Stacey Kemp*