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Rebecca Hendricks Brewer  
Joplin Hendricks, PLLC  
225 E. Virginia Street, Ste. 3  
McKinney, Texas 75069

STATE OF TEXAS                   §  
   §  
COUNTY OF COLLIN           §

**SECOND 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 (“*Declaration*”) and filed it of record on November 20, 2018, under Instrument No. 20181120001433780 in the Official Public Records of Collin County, Texas, subsequently amended by that First Amendment to Declaration of Covenants, Conditions and Restrictions for Van Buren Estates (“*First Amendment*”), filed of record on January 24, 2019, under Instrument No. 20190124000072280 in the Official Public Records of Collin County, Texas; and

**WHEREAS**, the Declarant desires to further amend (“*Second Amendment*”) the Declaration as authorized by the Declaration and as provided herein (the Declaration, First Amendment and Second Amendment shall be collectively referred to as the “*Declaration*”); and

**WHEREAS**, the Declaration affects certain tracts or parcels of real property consisting of 135.25 acres of land, more or less, and known as Van Buren Estates, an addition to the City of Weston, Collin County, Texas, according to the plat thereof duly recorded in the office of the Clerk of Collin County, Texas on November 29, 2017, under Clerk’s File No. 20171129010005580, as

amended by the Amending Plat recorded in the office of the Clerk of Collin County, Texas on May 18, 2018, under Clerk's File No. 20180518010002300 and as replatted by the Replat of Van Buren Estates, Phase II, recorded in the office of the Clerk of Collin County, Texas on August 27, 2018, under Clerk's File No. 20180827010003980, said plats being incorporated herein by reference for all purposes (the "*Addition*"); and

**WHEREAS**, this Declaration, or any provisions hereof, may be amended in accordance with Article IX, Section 9.03 of the Declaration titled "Amendments"; and

**WHEREAS**, the following amendments to the Declaration have been approved in accordance with the relevant provision of the Declaration; and

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

A. Article VI, Section 6.14(d) of the Declaration is hereby amended as follows (deletions are noted using ~~strike through~~ and additions are noted using underline):

**6.14 Fences.** *For specific information on fences, refer to Section 2.8 of the Design Guidelines.*

...

~~(d) No fence is required unless documented on the Fence Map Exhibit.~~  
*All fences shall meet all requirements of this Section 6.14 and the City and be approved as to design and materials by the ACC. In making its decision as to the acceptability of design and materials of the Lot Enclosure Fence, the ACC will seek to reconcile the rural nature of the Property with the desire of the Association to maintain a first-class residential subdivision.*

B. Exhibit "B", Design Guidelines for Van Buren Estates, Section 2.8 of the Declaration is hereby amended as follows (deletions are noted using ~~strike through~~ and additions are noted using underline):

**2.8 Fencing and Gates.** *It is the intention of the ACC to maintain the open country landscape that exists throughout the community by requiring all Lot fencing to be ornamental open metal. Other styles and details may be proposed for ACC consideration. Lot fencing shall comply with the following basic restrictions: ~~No fence is required unless documented on the Fence Map Exhibit.~~*

C. The Fence Map Exhibit, attached to the Declaration, is hereby deleted and removed from the Declaration in its entirety.

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, including all amendments thereto, 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 Second Amendment to the Declaration to be filed with the office of the Collin County Clerk and is made to be effective as of the 17 day of December, 2020.

EXECUTED as of the 17 day of December, 2020.

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

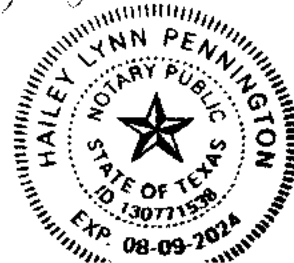
By: Jon Anderson  
Jon Anderson, Managing Member

THE STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged before me on the 17 day of December, 2020, 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 executed the same for the purpose and the capacity therein expressed.

Hailey Lynn Pennington  
Notary Public, State of Texas





Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
12/18/2020 04:32:56 PM  
\$38.00 DFOSTER  
20201218002288010

*Stacey Kemp*