

THIRD AMENDMENT
to
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
for
SIERRA VISTA

THE STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

WHEREAS, Land Tejas Sterling Lakes South, L.L.C., a Texas limited liability company (“**Developer**”), caused the instrument entitled “Declaration of Covenants, Conditions and Restrictions for Sierra Vista” to be recorded in the Official Public Records of Real Property of Brazoria County, Texas, on October 10, 2017 under Clerk's File No. 2017049777 (the “**Declaration**”), which instrument imposes various covenants, conditions, restrictions, and easements on the Community (as defined in the Declaration); and

WHEREAS, the Declaration was previously amended by instruments entitled “First Amendment to Declaration of Covenants, Conditions and Restrictions for Sierra Vista” and “Second Amendment to Declaration of Covenants, Conditions and Restrictions for Sierra Vista” recorded in the Official Public Records of Real Property of Brazoria County, Texas under Clerk’s File Nos. 2017060551 and 2018005017, respectively; and

WHEREAS, Article IX, Section 9.7, of the Declaration, as amended, provides that the Declaration may be amended by Developer without the joinder of any other party until the end of the Development Period so long as the amendment is consistent with the residential character of the Community; and

WHEREAS, the Development Period remains in effect and this amendment is consistent with the residential character of the Community.

NOW, THEREFORE, Developer hereby amends the Declaration as follows:

Article II, Section 2.16, of the Declaration, entitled “**Street Trees**”, is amended to read as follows:

SECTION 2.16. STREET TREES. In all Sections, unless otherwise prohibited by an applicable city or Brazoria County ordinance or law, street trees must be planted in the green space between the back of the street curb and the sidewalk on each Lot ("**Street Trees**"). Street Trees must be planted by the Builder before the Lot is conveyed to an Owner. Street Trees must be Live Oak variety and must have a minimum two inch (2") caliper, measured twelve inches (12") above grade, at the time of planting. One (1) Street Tree must be planted on each Lot having street frontage of sixty-five feet (65') or less and two (2) Street Trees must be planted on Lots having frontage more than sixty-five feet (65'). Additionally, in the case of a corner Lot, one (1) Street Tree must be planted in the green space between the back of the street curb for the side street and the sidewalk along the side street. Street Trees may not be located in a manner that obstructs or impairs visibility at street corners and intersections; specifically, no Street Trees may be planted within seventy-five feet (75') on the side of the street where a stop sign is located. The Street Trees requirement is in addition to, not in lieu of, the yard tree requirements set forth in Section 2.19 hereof.

If Street Trees as required in this Section are prohibited by an applicable city or Brazoria County ordinance or law, the Builder is required to plant in the front yard of a Lot the number of trees that would otherwise be planted as Street Trees in the green space adjacent to the street in front of the Lot. In the case of a corner Lot, the number of trees that would otherwise be planted as Street Trees must be planted in the side yard area adjacent to the side street. The relocation of the trees that would otherwise be planted as Street Trees, as provided herein, does not affect the requirement for planting yard trees per Section 2.19 of this Declaration. If a Builder does not consider the size of the front yard of a Lot (or a side yard, if a corner Lot) to be adequate for both the required yard trees and the trees that would otherwise be planted as Street Trees, the Builder is required to seek a variance from the Committee to plant a lesser number of trees in the front

yard of the Lot or side yard of a corner Lot. If no variance is sought or, if sought, a variance is not granted, the Builder is required to plant all trees as required in this Section.

This amendment is deemed to be a part of and is to be interpreted in accordance with the Declaration. Except as amended herein, all provisions of the Declaration, as previously amended, are hereby ratified and confirmed and continue in full force and effect.

IN WITNESS WHEREOF, Developer has executed this instrument as of the date set forth below, to be effective upon recording in the Official Public Records of Real Property of Brazoria County, Texas.

Executed on the 16th day of February, 2018.

DEVELOPER:

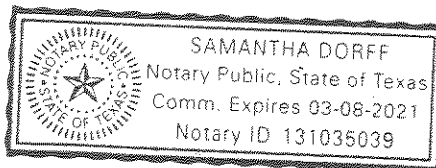
**LAND TEJAS STERLING LAKES SOUTH, L.L.C.,
a Texas limited liability company**

By: [Signature]
Al P. Brende, Sole Manager

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 16th day of February, 2018, by Al P. Brende, Sole Manager for Land Tejas Sterling Lakes South, L.L.C., a Texas limited liability company, for the consideration and in the capacities stated therein.

[Signature]
Notary Public in and for the State of Texas



FILED and RECORDED

Instrument Number: 2018008605

Filing and Recording Date: 02/23/2018 09:27:23 AM Pages: 4 Recording Fee: \$34.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

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cclerk-jessie