

FOURTH 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”, “Second Amendment to Declaration of Covenants, Conditions and Restrictions for Sierra Vista” and “Third 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, 2018005017 and 2018008605, 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:

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, photo-copy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded.

1. Article I, Section 1.22, of the Declaration, the definition of "Primary Entrance Access Road", is amended to read as follows:

SECTION 1.22 "PRIMARY ENTRANCE ACCESS ROAD"

means, as to Sierra Vista, Section One (1), Sierra Vista Blvd. at Palisade Drive, and as to Sierra Vista, Section Two (2), Sierra Vista Blvd. at Thunderbolt Peak Drive and Sierra Vista Blvd. at Agassiz Drive/Mountain Drive.

2. Article II, Section 2.6, of the Declaration, entitled "Exterior Materials", is amended to read as follows:

SECTION 2.6 EXTERIOR MATERIALS. On all Lots in a Gated Section, the exterior materials used on the residential dwelling, a detached garage and quarters, if any, must be not less than sixty percent (60%) brick, rock, cultured stone or real stucco (wire mesh, cement, lime based) (excluding eaves and fascia), with the remainder being either brick, rock, cultured stone, or masonry lap siding cement type products (such as Hardiplank or equal hereinafter referred to as "Hardiplank"), or lap siding treated engineered siding products (such as Smartside Smartsystem by LP or equal hereinafter referred to as "Smartside"), unless otherwise approved in writing by the Committee. On all Lots in a Non-Gated Section, the residential dwelling, an attached garage and quarters, if any, must be not less than fifty percent (50%) brick, rock, cultured stone or real stucco (wire mesh, cement, lime based) on the ground floor only, with the remainder being either brick, rock, cultured stone or real stucco (wire mesh, cement, lime based), Hardiplank, or Smartside, unless otherwise approved in writing by the Committee. Provided, however, (i) the residential dwelling on a Lake Lot in a Gated Section and in a Non-Gated Section must have one hundred percent (100%) brick, rock, cultured stone, or real stucco (excluding Hardiplank and

Smartside) on the front, rear and side elevations on the ground floor only (excluding eaves and fascia) and the entire residential dwelling must have at least sixty percent (60%) brick, rock, cultured stone, or real stucco (excluding Hardiplank and Smartside), and (ii) the residential dwelling on a Lot at the entrance to the Section that backs up or sides to a Primary Entrance Access Road in the Section or sides to an entry monument must have one hundred percent (100%) brick, rock, cultured stone, or real stucco (excluding Hardiplank and Smartside) on the front, rear and side elevations (excluding eaves and fascia) whether or not the residential dwelling is one (1) story or two (2) stories, all subject to the prior written approval of the Committee as set forth in Article II, Section 2.1. Lots in Sierra Vista, Section One (1), and Sierra Vista, Section Two (2), that back up to or side a Primary Entrance Access Road in that Section are designated as follows:

- a. Sierra Vista, Section One (1): Lot One (1) in Block One (1) and Lot One (1) in Block Three (3).
- b. Sierra Vista, Section Two (2): Lot Nineteen (19) in Block Two (2); Lot Forty-Two (42) in Block Four (4); Lots One (1) and Nine (9) in Block Six (6); Lots One (1) and Thirty (30) in Block Seven (7); and Lots One (1) and Sixteen (16) in Block Nine (9).


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 30th day of May, 2018.


DEVELOPER:

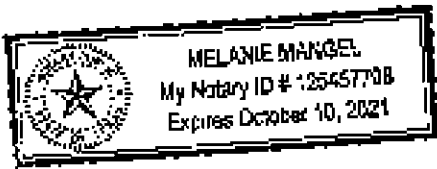
LAND TEJAS STERLING LAKES SOUTH, L.L.C.,
a Texas limited liability company

By: 
Al P. Brende, Sole Manager

THIS STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 30. day of MAY, 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.


Notary Public in and for the State of Texas



FILED and RECORDED

Instrument Number: 2018027516

Filing and Recording Date: 06/01/2018 02:33:29 PM Pages: 5 Recording Fee: \$38.00

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-samantha