

FIRST AMENDMENT
to
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
for
RALEIGH CREEK

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, LS DEVELOPMENT, LLC, a Texas limited liability company (the "Declarant"), was the sole record owner of that certain property heretofore platted and subdivided into that certain residential subdivision known as:

RALEIGH CREEK SECTION ONE, a subdivision in Harris County, Texas according to the map or plat thereof recorded in 656125 of the Map Records of Harris County, Texas [**Raleigh Creek**]; and

WHEREAS, Declarant caused that certain instrument entitled "Declaration of Covenants, Conditions and Restrictions for Raleigh Creek" to be filed of record in the Official Public Records of Real Property of Harris County, Texas under Clerk's File No. 20130584244 (the "Declaration"), which instrument subjects Raleigh Creek, to the covenants, conditions, restrictions, and easements set forth therein; and

WHEREAS, Article X, Section 2 (A) of the Declaration provides that the Declarant may unilaterally amend the Declaration for any purpose; and

NOW, THEREFORE, the Declarant desires to amend the Declaration and the Declaration is amended as follows:

1. Article VI, Section 4 of the Declaration is hereby amended to read:

SECTION 4. STORAGE AND REPAIR OF VEHICLES.

No commercial vehicles or non-motorized vehicles, by way of example

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and not limitation, tow trucks, plumbing or similar service type vans or trucks, boat, trailer, marine craft, recreational vehicle, camper rig off of truck, hovercraft, aircraft, machinery or equipment of any kind ["Prohibited Vehicles and Equipment"] may be parked or stored on any part of any Lot, street, easement, or right-of-way, unless such vehicle or object is completely concealed from public view inside a garage or enclosure approved by the ARC.

Passenger automobiles, passenger vans, motorcycles, or pick-up trucks that: (a) are in operating condition; (b) are qualified by current vehicle registration and inspection stickers; (c) are currently licensed and in daily use as motor vehicles on the streets and highways of the State of Texas; (d) do not exceed Eighty inches (80") in height, or One Hundred inches (100") in width and (e) have no advertising or signs located thereon ["Passenger Vehicles"], may be parked in the driveway on a Lot, however, no vehicle shall be parked so as to obstruct or block a sidewalk or be parked on a grassy area. The restriction concerning advertising and signs shall not apply to any vehicles, machinery, or equipment temporarily parked and in use for the construction, repair or maintenance of a Dwelling in the immediate vicinity. Storage of any Passenger Vehicles in the street is prohibited. Storage shall mean the parking of a Passenger Vehicle for the shorter of: (i) seventy-two (72) consecutive hours or (ii) seven (7) days in any calendar month, whichever occurs first.

No Owner of any Lot or any visitor or guest of any Owner shall be permitted to perform repair work on Passenger Vehicles or Prohibited Vehicles and Equipment in driveways or streets.

Passenger Vehicles must meet the restrictions of this Declaration, and at all times be operable (unless otherwise completely concealed in an enclosed garage), have current license tags, current state inspection stickers, and comply with current mandatory insurance under the laws of the State of Texas. Any Passenger Vehicle not in daily use as a motor vehicle on the streets and highways of the State of Texas and not in compliance with the foregoing shall be considered stored on the property and such storage is strictly prohibited unless same is completely concealed in an enclosed garage. A Passenger Vehicle that cannot physically fit within the designed garage with the door closed will be construed as a vehicle not incident to residential use. Additional rules and regulations for the use, maintenance and parking on private and/or public streets may be promulgated by the Board.

Recreational vehicles, such as mobile homes, motor homes, campers, and boats ["Recreational Vehicles"] are not considered vehicles incident to the residential use and therefore are not permitted to be stored outside of the garage or ARC approved enclosure for any period of time greater than forty-eight (48) hours. A Recreational Vehicle with not more than two (2) axles may be parked in front of or on the Lot for up to forty-eight (48) hours for loading, and unloading only.

Parking of any Passenger Vehicle other than in a driveway or within an enclosed garage or other paved area provided for parking is expressly prohibited. The Owners of any Lot, by virtue of ownership of a Lot within the subdivision, hereby contractually covenant and agree that the Association has jurisdiction over the public streets within the subdivision, and shall have the right without the obligation to enforce the ban on parking on the public streets.

Notwithstanding anything contained herein to the contrary, the Board may promulgate parking rules which may change the dimensions of permitted vehicles and/or the length of time for temporary parking or storage of vehicles. If there is a conflict between this Section and parking rules promulgated by the Board, the parking rules shall control.

The Association may establish from time to time reasonable rules regarding the use, maintenance and parking of vehicles on private and/or public streets, and the Association has discretion to determine the various types of vehicles that fall within the scope of any such rules.

RALEIGH CREEK DRIVE RESTRICTION

On Raleigh Creek Drive, all Passenger Vehicles must be parked in the garage of the residence at all times. No Passenger Vehicles of any kind shall be parked or left in front of a Lot or residence, including the driveway, or on Raleigh Creek Drive at any time. Parking of Recreational Vehicles and Prohibited Vehicles and Equipment is prohibited on any Lot and/or Raleigh Creek Drive at all times. Owners may park Passenger Vehicles on the driveway of a residence for no more than three (3) continuous hours, once in a 24-hour period.

2. Article X, Section 9 is hereby added to the Declaration to read:

SECTION 8. NUMBER OF LOTS SUBJECT TO DECLARATION. The number of residential Lots that may be created in the Raleigh Creek subdivision and made subject to this Declaration is three hundred and forty (340). Provided, this section does not constitute warranty or representation by the Declarant as to the total number of Lots that will ultimately be created and subjected to the provisions of this Declaration.

This First Amendment to the Declaration shall be deemed to be a part of and shall be interpreted in accordance with the Declaration. Except as amended herein, all provisions in the Declaration, remain in full force and effect.


Capitalized terms used herein have the same meaning as that ascribed to them in the

Declaration, unless otherwise indicated.

IN WITNESS WHEREOF, the undersigned Declarant has executed this First Amendment on this 1st day of December, 2017, to be effective upon recording in the Official Public Records of Real Property of Harris County, Texas.

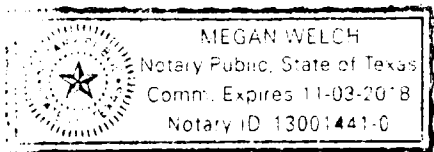
DECLARANT:

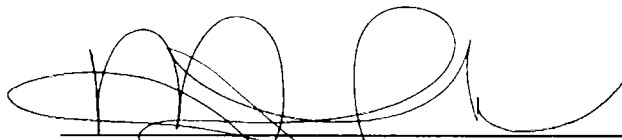
LS DEVELOPERMENT, LLC, a Texas limited liability company

By: 
JAMES E. SPURLIN, Manager

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 1st day of Dec, 2017 personally appeared JAMES E. SPURLIN, Manager of LS Development, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purpose and in the capacity herein expressed.




Notary Public in and for the State of Texas

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Pages 5
12/05/2017 07:20 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$28.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS

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