

**FIRST AMENDMENT TO THE
AMENDED AND RESTATED MAINTENANCE DECLARATION
FOR THE VILLAS OF HARBOR LAKES
[Delegation of Authority to the Master Association]**

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

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COUNTY OF HOOD

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THIS FIRST AMENDMENT TO THE AMENDED AND RESTATED MAINTENANCE DECLARATION FOR THE VILLAS OF HARBOR LAKES (this “First Amendment”) is made this 15th day of July, 2021, by the Owners of Lots within the Villas of Harbor Lakes and by Harbor Lakes Homeowners Association, Inc. (the “Master Association”).

WITNESSETH:

WHEREAS, Lumbermen’s Investment Corporation, a Delaware corporation (“Declarant”), prepared and recorded an instrument entitled “Declaration of Covenants, Conditions and Restrictions for Harbor Lakes” on or about December 28, 2000 at Volume 1726, Page 0001 *et seq.* of the Real Property Records of Hood County, Texas (the “Master Declaration”); and

WHEREAS, the Declarant also prepared and recorded an instrument entitled “Maintenance Declaration for the Villas of Harbor Lakes” on or about July 8, 2004 at Volume 2023, Page 0244 *et seq.* of the Real Property Records of Hood County, Texas (the “Original Maintenance Declaration”); and

WHEREAS, the Original Maintenance Declaration was replaced by the Amended and Restated Maintenance Declaration for the Villas of Harbor Lakes recorded on or about August 2, 2004 at Volume 2028, Page 0927 *et seq.* of the Real Property Records of Hood County, Texas (the “Restated Maintenance Declaration”); and

WHEREAS, the Master Declaration governs all Lots in the Harbor Lakes community, and the Restated Maintenance Declaration applies to 29 specific Lots in the Harbor Lakes community known as the Villas of Harbor Lakes; and

WHEREAS, the Master Association is the property owners association created by the Declarant to manage the Harbor Lakes community and administer the covenants and restrictions contained in the Master Declaration; and

WHEREAS, Article VI, Section 2 of the Restated Maintenance Declaration provides that the Restated Maintenance Declaration may be amended by an instrument signed by the Master Association and by Owners of Lots within the Villas of Harbor Lakes constituting not less than seventy-four percent (74%) of the total votes, in the aggregate, of the Maintenance Association; and

WHEREAS, Section 209.0041(h) of the Texas Property Code provides that a declaration

may be amended only by a vote of 67 percent of the total votes allocated to property owners entitled to vote on the amendment of the declaration, in addition to any governmental approval required by law, and Section 209.0041(f) provides that Section 209.0041 supersedes any contrary requirement in a dedicatory instrument; and

WHEREAS, Owners of Lots having more than 67 percent of the total votes allocated to Owners within the Villas of Harbor Lakes agreed to the following amendment to the Declaration.

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

1. The existing paragraph in Article VII of the Restated Maintenance Declaration is renumbered as "Section 1" of Article VII and retitled as "Enforcement By Declarant and Master Association."

2. Article VII of the Restated Maintenance Declaration is amended to add a new Section 2 thereto to state as follows:

Section 2. Master Association Authority to Act as Maintenance Association. From the date of recordation of this First Amendment, the Master Association will discharge the powers and duties of the Maintenance Association.

3. By executing this First Amendment, the Master Association consents and agrees to discharge the powers and duties of the Maintenance Association.

4. In the event of a conflict between this First Amendment and any other provision in the Restated Maintenance Declaration, this First Amendment shall control.

5. Except as modified by this First Amendment, the Restated Maintenance Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the foregoing amendment has been approved by the Owners of the requisite number of votes within the Villas of Harbor Lakes as evidenced by their attached signatures and the signature of a representative of the Master Association.

HARBOR LAKES HOMEOWNERS ASSOCIATION. INC.,
A Texas non-profit corporation

By:  _____

Name: James J. Jones

Title: President

ACKNOWLEDGMENT

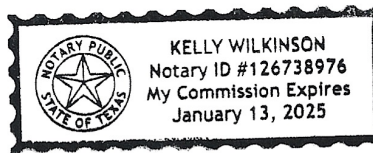
STATE OF TEXAS

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COUNTY OF HOOD

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This instrument was acknowledged before me on by James Jours,
_____ of Harbor Lakes Homeowners Association, Inc., a Texas non-profit
corporation, on behalf of said corporation, on the 19 day of October, 2021.

Kelly Wilkinson

Notary Public, State of Texas

My Commission Expires: 1/13/2025

CONSET TO AMMENDMENT

PROPOSED FIRST AMENDEMT TO
AMENDED AND RESTATED MAINTENANCE DECLARATION FOR THE VILLAS OF
HARBOR LAKES
(Section 3, Lots 1-29, Harbor Lakes)

It is proposed that the **AMENDED AND RESTATED MAINTENANCE DECLARATION FOR THE VILLAS OF HARBOR LAKES** be amended per the FIRST AMENDMENT to that Declaration.

For

Against

Abstain

Name: **James J. Jones, President Harbor Lakes HOA**

Address: 2710 Harborside Dr., Granbury, TX 76048

Signature: _____



For and on behalf of the Association and Proxies received

Villas Maintenance Amendment
Votes and Proxies

Beatrice Eden	2307 Marseilles Ct
Sharon Allen	1400 Amsterdam Ct.
David Young	1314 Amsterdam Ct.
Judy & Carroll Boley	2309 Marseilles Ct
Katie Evans	1404 Amsterdam Ct
Morgan Family Trust	2313 Marseilles Ct
Gay/Mike Mamantov	1311 Amsterdam Ct
Jessie Jenkins	1307 Amsterdam Ct
Clayton Bryant	1403 Amsterdam Ct
Valerie & Richard Brigman	1301 Amsterdam Ct
John Pufal	1316 Amsterdam Ct
Thomas Dickerson	1312 Amsterdam Ct
Jeanett Prater	2304 Marseilles Ct
Juletta Bertva	2305 Marseilles Ct
Claude & Pat Mahlen	2302 Marseilles Ct
Larry & Christy McWilliams	2308 Marseilles Ct
David & Linda Dowell	1300 Amsterdam Ct
Norm & Andrea Gannon	1305 Amsterdam Ct
Lloyd & Kimberly Faith Edgar	2312 Marseilles Ct
Robert Echols	1318 Amsterdam Ct