

Hood County Clerk  
201 W Bridge Street  
PO BOX 339  
Granbury, Texas 76048  
Phone: 817-579-3222

Document Number: 2023-0008966 -  
Filed and Recorded - Real Records

RESTRICTION

Grantor: HARBOR LAKES HOA INC

Pages: 4

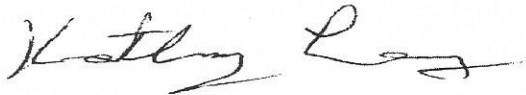
Recorded On: 07/13/2023 04:13 PM

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<b>Recorded On:</b>	07/13/2023 04:13 PM	<b>Notes:</b>
<b>Document Number:</b>	2023-0008966	
<b>Receipt Number:</b>	R239994	
<b>Amount:</b>	\$29.00	
<b>Recorded By:</b>	Becky Coslett	

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.

**I hereby certify that this instrument was filed and duly recorded in the Official Records of Hood County, Texas**



Katie Lang  
County Clerk  
Hood County, Texas



**Return To: In Office**  
LAWRENCE KLEUSER



**FOURTH AMENDMENT TO THE  
AMENDED AND RESTATED DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR HARBOR LAKES  
[Maintenance]**

STATE OF TEXAS                   §  
  §       **KNOW ALL MEN BY THESE PRESENTS:**  
COUNTY OF HOOD               §

**THIS FOURTH AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HARBOR LAKES** (this "Fourth Amendment") is made this 13 day of July, 2023, by Harbor Lakes Homeowners Association, Inc. (the "Association").

**WITNESSETH:**

**WHEREAS**, Lumbermen's Investment 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 1 *et seq.* of the Real Property Records of Hood County, Texas (the "Declaration"); and

**WHEREAS**, the Declaration was amended and replaced by the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Harbor Lakes, recorded on or about June 18, 2001, at Volume 1755, Page 738 *et seq.* of the Real Property Records of Hood County, Texas (the "Amended Declaration"); and

**WHEREAS**, the Amended Declaration was amended by the First Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Harbor Lakes, recorded on or about June 24, 2010, as Document No. 2010-0007180 of the Real Property Records of Hood County, Texas (the "First Amendment"); and

**WHEREAS**, the Amended Declaration was again amended by the Second Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Harbor Lakes, recorded on or about September 14, 2017, as Document No. 2017-0012569 of the Real Property Records of Hood County, Texas (the "Second Amendment"); and

**WHEREAS**, the Amended Declaration was again amended by the Third Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Harbor Lakes, recorded on or about December 9, 2021, as Document No. 2021-0021877 of the Real Property Records of Hood County, Texas (the "Third Amendment"); 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 having more than 67 percent of the total votes allocated to Owners agreed to the following amendment to the Declaration.

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

1. Article VIII of the Declaration is amended to add a new Section 26 thereto, to state as follows:

Section 26. Yard Maintenance Obligations.

(a) Owner's Yard Maintenance Obligations. Each Owner, at the Owner's expense, must regularly maintain the yard on the Owner's Affected Lot, to a standard and with an appearance that is commensurate with the neighborhood. Such maintenance includes ensuring that all lawns and plant beds are maintained at a neatly manicured, healthy and well-groomed condition. Grass, hedges, shrubs and other vegetation of any type on any Affected Lot shall be cut and trimmed at regular intervals in order to maintain the same in a neat, safe and attractive condition. Weeds and dead vegetation shall be promptly removed from any Affected Lot. Owners must keep the yard irrigation system in good repair, repairing or replacing sprinkler heads, irrigation lines and other irrigation equipment as needed for normal landscape maintenance. Owner will keep their yard free of litter, trash, and debris. Additionally, each Owner must:

- (i) Maintain an attractive ground cover or lawn on all yards.
- (ii) Edge lawn abutting the street curbs, sidewalks, and driveways.
- (iii) Mow their lawns at regular intervals.
- (iv) Maintain the yard substantially free of weeds.
- (v) Maintain an attractive appearance for shrubs and trees.

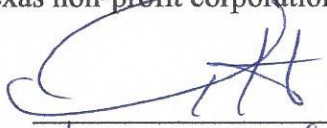
(b) Owner's Default in Yard Maintenance. If the Board determines that an Owner has failed to properly discharge his or her obligation to maintain the yard on the Owner's Affected Lot, the Board may give the Owner written notice of the Association's intent to provide the necessary maintenance at the Owner's expense. The notice must state, with reasonable particularity, the maintenance deemed necessary and a reasonable period of time in which to complete the work. If the Owner fails or refuses to timely perform the maintenance, the Association may do so at the Owner's expense, the cost of which shall be levied by the Association as a Special Individual Assessment against the Owner and the Owner's Affected Lot.

2. In the event of a conflict between this Fourth Amendment and any other provision in the Declaration, this Fourth Amendment shall control.

3. Except as modified by the First Amendment, Second Amendment, Third Amendment, and this Fourth Amendment, the Amended and Restated Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Association has caused this Fourth Amendment to be executed by its duly authorized officer this 13 day of July, 2023

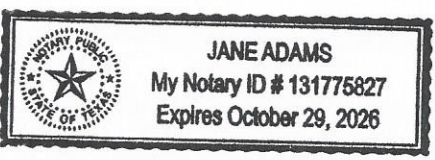
**HARBOR LAKES  
HOMEOWNERS ASSOCIATION. INC.,**  
A Texas non-profit corporation

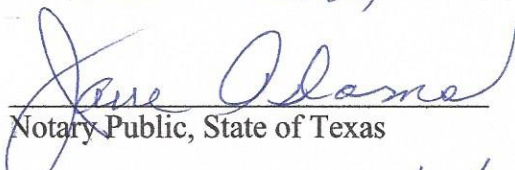
By:   
Name: LAURENCE KLEUSER  
Title: PRESIDENT

**ACKNOWLEDGMENT**

STATE OF TEXAS           §  
  §  
COUNTY OF HOOD       §

This instrument was acknowledged before me on by LAURENCE KLEUSER  
PRESIDENT of Harbor Lakes Homeowners Association, Inc., a Texas non-profit  
corporation, on behalf of said corporation, on the 13th day of JULY, 2023.



  
Notary Public, State of Texas  
My Commission Expires: 10/29/2026