

FIRST AMENDMENT  
TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
CREEK TRAILS

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

This First Amendment to the Declaration of Covenants, Conditions and Restrictions for Creek Trails (this "First Amendment") is adopted by the Creek Trails Homeowners Association, Inc. (the "Association") on the 5 day of January, 2010.

WITNESSETH:

WHEREAS, the Cambridge Companies, Inc. ("Declarant") recorded that certain Declaration of Covenants, Conditions and Restrictions for Creek Trails on or about November 12, 1984, at Volume 2014, Page 694 *et seq.* of the Real Property Records of Collin County, Texas (the "Declaration"); and

WHEREAS, Article XIV, Paragraph 4 of the Declaration provides that the Declaration may be amended with the consent of at least fifty-one percent (51%) of the outstanding votes of the Members of each Class of Members of the Association; and

WHEREAS, there is no Class B member in the Association; and

WHEREAS, more than sixty-seven percent (67%) of the outstanding votes of the Members of the Association have consented to the amendments below.

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

1. Article III, Section 6 is amended by deleting the first sentence in its entirety and replacing it with the following:

**Rate of Assessment.** Both annual and special assessments shall be fixed at a uniform rate for all Building Plots which are Owner-occupied or vacant as of the date the Board establishes the amount of the annual or special assessment. For Building Plots which are occupied by a person(s) other than the Owner or the Owner's family as of the date the Board establishes the amount of the annual or special assessment, the annual and special assessment rate shall be up to twice the assessment rate fixed against Owners of Building Plots which are Owner-occupied or vacant. For purposes of this Section 6, if a Building Plot is owned by a trust and the beneficiary of the trust is residing in the Building Plot, that Building Plot shall be considered to be Owner-occupied. If the Building Plot is owned by a corporation, partnership, limited liability

company or other entity and the owner, partner or member of such entity is residing in the Building Plot, then that Building Plot shall be considered Owner-occupied.

2. Article V, Section 4 is amended by deleting the second paragraph and sub-paragraphs (a), (b) and (c) in their entirety and by adding the following as new paragraphs two and three:

Enforcement shall be pursuant to Chapter 206, Sections 209.006 and 209.007 of the Texas Residential Property Owners Protection Act.

3. Article XI, Section 2, entitled "Commercial Use," is amended by adding the following to Section 2:

Owners of rental or lease property are responsible for annual assessment payments, upkeep and maintenance of the Lot or Building Plot to conform with neighborhood standards and for requiring their tenants to obey all City of Plano ordinances, the Declaration, Bylaws and Association rules and regulations, including the personal conduct of tenants. The Board of Directors is authorized to file suit against Owners and tenants for eviction of tenants due to violations by the tenants.

4. Article XI, Section 13 of the Declaration is amended by deleting that section in its entirety and replacing it with the following:

**Antennas/Satellite Dishes.** No exterior antennas, aerials, satellite dishes or other apparatus for the transmission of television, radio, satellite or other signals of any kind shall be placed, allowed or maintained upon any portion of the Properties, except that (i) antennas or satellite dishes designed to receive video programming services via multi-point distribution services which are one meter or less in diameter or diagonal measurement; (ii) antennas or satellite dishes designed to receive direct broadcast satellite service which are one meter or less in diameter; or (iii) antennas or satellite dishes designed to receive television broadcast signals [(i), (ii) and (iii) are collectively referred to as "Permitted Devices"] shall be permitted, provided that any such quality signal can be received and is not visible from neighboring property or is screened from the view of adjacent Building Plots.

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

**IN WITNESS WHEREOF**, the undersigned hereby certifies that the required vote/consent of the Members has been obtained for adoption of the above amendments and has caused this instrument to be executed as of the date shown above and recorded in the Real Property Records of Collin County, Texas.

CREEK TRAILS HOMEOWNERS  
ASSOCIATION, INC.

By: Barbara Yass  
Title: President

STATE OF TEXAS           §  
  §  
COUNTY OF COLLIN       §

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared Barbara Yass, President of Creek Trails Homeowners Association, Inc., a Texas non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said entity.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 5<sup>th</sup> day of January, 2010.



Lisa R. Kyser  
Notary Public in and for  
the State of Texas

My Commission Expires: 4-23-2012

**AFTER RECORDING RETURN TO:**

Riddle & Williams, P.C.  
3710 Rawlins Street, Suite 1400  
Dallas, Texas 75219

CPUD:AMD/Am-creektrails



**Filed and Recorded**  
**Official Public Records**  
**Stacey Kemp, County Clerk**  
**Collin County, TEXAS**  
**01/06/2010 09:54:09 AM**  
**\$24.00 BNOPP**  
**20100106000012720**

Stacey Kemp



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State County Reference ID Party Name Status Modified

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TX  Collin

State County Reference ID

Records Per Page 20

1 matching transaction found.

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