

AFTER RECORDING RETURN TO:
ROBERT D. BURTON
WINSTEAD PC
401 CONGRESS AVE., SUITE 2100
AUSTIN, TEXAS 78701



FIRST AMENDMENT TO
DEVELOPMENT AREA DECLARATION
[RESIDENTIAL]

SALERNO

[Williamson County, Texas]

Declarant: KB HOME Lone Star Inc., a Texas corporation

Cross reference to: (i) Salerno Master Covenant [Residential], recorded as Document No. 2021106161 in the Official Public Records of Williamson County, Texas; (ii) Salerno Development Area Declaration [Residential], recorded as Document No. 2021108758, in the Official Public Records of Williamson County, Texas; and (iii) Notice of Designation of Common Area, recorded as Document No. 2021159473, in the Official Public Records of Williamson County, Texas.

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FIRST AMENDMENT TO
DEVELOPMENT AREA DECLARATION
[RESIDENTIAL]

This First Amendment to Salerno Development Area Declaration [*Residential*] (this “**Amendment**”), is made by **KB HOME LONE STAR INC.**, a Texas corporation (the “**Declarant**”), and is as follows:

R E C I T A L S:

A. Declarant previously Recorded that certain Salerno Development Area Declaration [*Residential*], recorded as Document No. 2021108758, in the Official Public Records of Williamson County, Texas (the “**Development Area Declaration**”), pursuant to the terms and conditions of that certain Salerno Master Covenant [*Residential*], recorded as Document No. 2021106161, in the Official Public Records of Williamson County, Texas (the “**Covenant**”).

B. Pursuant to *Section 5.2* of the Development Area Declaration, the Development Area Declaration may be amended by Declarant, acting alone.

C. Declarant desires to amend the Development Area Declaration as set forth hereinbelow.

NOW, THEREFORE, Declarant hereby amends, supplements and modifies the Development Area Declaration as follows:

1. **Unsightly Articles; Vehicles.** *Section 2.5* of the Development Area Declaration is hereby deleted in its entirety and replaced with the following:

2.5. **Unsightly Articles; Vehicles.** No article deemed to be unsightly by the Board will be permitted to remain on any Lot so as to be visible from adjoining property or from public or private thoroughfares. Without limiting the generality of the foregoing, trailers, graders, trucks other than pickups, boats, tractors, campers, wagons, buses, motorcycles, motor scooters, all-terrain vehicles and garden maintenance equipment will be kept at all times except when in actual use, in an enclosed structure; no repair or maintenance work may be done on any of the foregoing or on any automobile (other than minor emergency repairs), except in an enclosed garages or other enclosed structure. Service areas, storage areas, compost piles and facilities for hanging, drying or airing clothing or household fabrics must be appropriately screened from view, and no lumber, grass, plant waste, shrub or tree clippings, metals, bulk materials, scrap, refuse or trash must be kept, stored, or allowed to accumulate on any portion of the Development Area except within enclosed structures or

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appropriately screened from view. No racing vehicles or any other vehicles (including, without limitation, motorcycles or motor scooters) that are inoperable or do not have a current license tag may be visible on any Lot or may be parked on any roadway within the Development. Motorcycles must be operated in a quiet manner.

Parking of commercial vehicles or equipment, recreational vehicles, boats and other watercraft, trailers, or inoperable vehicles in places other than in enclosed garages is prohibited. Operable vehicles may be parked in enclosed garages or on a driveway constructed on a Lot if the vehicle, when parked, would not obstruct or otherwise block ingress and egress to and from sidewalks adjacent to the driveway, i.e., no portion of the vehicle may extend over a line extending from the rear of one sidewalk (i.e. the edge of the sidewalk closest to the residence) adjacent to the driveway to the rear portion of the other sidewalk adjacent to the driveway. Notwithstanding any term or provision herein to the contrary, construction, service and delivery vehicles may be exempt from this provision for such period of time as is reasonably necessary to provide service or to make a delivery to a residence.

2. **Retaining Walls.** *Article 2* of the Development Area Declaration is hereby supplemented with a new section, *Section 2.25*, as follows:

2.25. Retaining Walls. Declarant designated the geogrid retaining walls (collectively, the "**Retaining Walls**") which are constructed or to be constructed upon certain Lots as Common Area to be maintained by the Association pursuant to that certain Notice of Designation of Common Area, recorded as Document No. 2021159473, in the Official Public Records of Williamson County, Texas. Subsurface excavation, including without limitation, digging holes, planting trees, or installing fence posts or other subsurface Improvements within five feet (5') of the Retaining Walls and installation of any fencing or other Improvements on the Retaining Walls is expressly prohibited. Subject to the Documents, above-grade Improvements may be permitted within five feet (5') of the Retaining Walls with the advance written consent of the Salerno Reviewer. The Association and the Association's agents and contractors shall have the right to enter onto any portion of the Development Area, including any Lot, as reasonably necessary or convenient to maintain, repair, and replace the Retaining Walls.

3. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Development Area Declaration or the Covenant, as applicable. Unless expressly amended by this Amendment, all other terms and provisions of the Development Area Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

EXECUTED to be effective the 12th day of October, 2021.

DECLARANT:

KB HOME LONE STAR INC.,
a Texas corporation

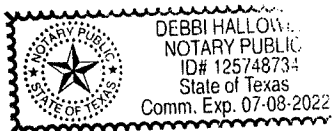
By: Shawn A. Kirkpatrick
Printed Name: Shawn A Kirkpatrick
Title: Director of Public Affairs

THE STATE OF TEXAS §

COUNTY OF Williamson §

This instrument was acknowledged before me this 12th day of October, 2021 by Shawn A Kirkpatrick, Director of Public Affairs of KB HOME Lone Star Inc., a Texas corporation, on behalf of said corporation.

Notary Public Signature



**ELECTRONICALLY RECORDED
OFFICIAL PUBLIC RECORDS**

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Pages: 5 Fee: \$38.00

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LMUELLER



Nancy E. Rister

Nancy E. Rister, County Clerk
Williamson County, Texas