

Doc# 2011051303

THIRD AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR AUDUBON PLACE HOMEOWNERS ASSOCIATION  
A SUBDIVISION IN BRAZORIA COUNTY, TEXAS

WHEREAS, Declarant has previously filed that certain Declaration of Covenants, Conditions and Restrictions for Audubon Place, Section One recorded in Volume 20, Pages 195 and 196 of the Land Records of Brazoria County, Texas, as well as the following Amendments to the Declaration above described:

First Amendment to Declaration approved and September 12, 2001, at filed for record January 14, 2002 at 11:08 AM by the County Clerk, Brazoria County as document number 02 001991.

Second Amendment to Declaration approved October 27, 2010, and filed for record August 17, 2011 at 2:07 PM by the County Clerk, Brazoria County as document number 20 11033780.

WHEREAS, by mail in ballot of the Audubon Place Homeowners Association ending September 30, 2011, the Members of Audubon Place Homeowners Association approved the following changes to the Declaration; and

WHEREAS, this Third Amendment to the Declaration of Covenants, Conditions and Restrictions has been executed for the purpose of effecting the changes to the Declaration which were approved by the said ballot.

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

1. Article VII, Section 25, paragraph 4 is hereby added to read in its entirety as follows:

The Audubon Place HOA Inc. is required to maintain, to the extent deemed appropriate by the Association, all fencing installed by the developer (Kirby Run and Assoc.), the original homebuilder (David Powers Homes), or the HOA, that is located on HOA property. This includes the following areas:

- The white vinyl fencing in the common area adjacent to the following properties:
  - 3411 Parkside
  - 3431 Parkside
  - 3410 Lindhaven
  - 3414 Lindhaven
- The white vinyl fencing at the entrance to the neighborhood located on the north side 04 3404 Lindhaven and 3405 Parkside.
- All fencing along Magnolia Street, including the gate.

Maintenance for other fencing in the neighborhood is the responsibility of the individual homeowners. This includes sections of white vinyl fencing installed by the developer (Kirby Run and Associations) or the original homebuilder (David Powers Homes) that are located on individual homeowner properties.

IN WITNESS WHEREOF, this Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Audubon Place is effective as of the date it is recorded with the County Clerk, Brazoria County, Texas.

EXECUTED the 6 day of December, 2011.

AUDUBON PLACE HOMEOWNERS ASSOCIATION

By: [Signature]

Print Name: GREG Ralph

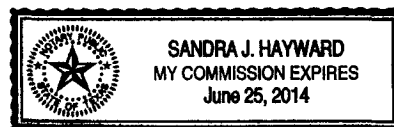
Title: Secretary

I, the undersigned authority, a Notary Public in and for the State of Texas, do hereby certify that on the \_\_\_ day of November, 2011, personally appeared Greg Ralph and who being by me duly sworn, declared that he is one of the persons who signed the foregoing instrument as a member of the Board of Directors of Audubon Place HOA, Inc. and that the statements therein are true.

[Signature]

Notary Public  
The State of Texas

My commission expires: 6/25/14



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12/14/2011 3:47PM  
Official Public Records of  
BRAZOKIA COUNTY  
JOYCE HUDMAN  
COUNTY CLERK  
Fees \$16.00

*Joyce Hudman*