

**FIRST AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
for
BAYOU 5TH**

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, Urban InTownHomes, Ltd., a Texas limited partnership, as Declarant for Bayou 5th Community Association, Inc. (the "**Association**"), caused that certain instrument entitled Declaration of Covenants, Conditions and Restrictions for Bayou 5th (the "**Declaration**") to be recorded in the Official Public Records of Real Property of Harris County, Texas on December 23, 2020, under Clerk's File RP-2020-633807, which Declaration imposes various covenants, conditions and restrictions upon the following real property:

Lots 1 through 62, Block 1, Cage Street Landing, a subdivision in Harris County, Texas, according to the map or plat recorded in Document No. 20150520149 [Film Code: 676523] in the Official Public Records of Harris County, Texas (the "**Subdivision**"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Association; and

WHEREAS, Article 11, Section 11.3 of the Declaration states that it may be amended by recording an instrument executed and acknowledged by the Declarant, acting alone, during the Development Period and the Subdivision is currently in the Development Period; and

WHEREAS, Declarant desires to amend the Declaration; and

NOW THEREFORE, pursuant to the authority in the Declaration, Declarant hereby amends the Declaration as follows:

The definition of "*Area of Common Responsibility*" in Article 1 is hereby amended and restated to read as follows:

"Area of Common Responsibility" means those portions of a Structure, Dwelling or Lot, if any, that are designated, from time to time, by this Declaration or the Association to be maintained, repaired, and replaced by the Association, as a common expense, as reflected in the Designation of Area of Common Responsibility and Maintenance Chart attached to this Declaration as Exhibit "A". Any and all Improvements, landscaping or irrigation within a Fenced Yard Area shall be maintained solely by the Owner of the Lot. The Association shall only be responsible for maintaining Improvements, landscaping or irrigation that is visible from public view. Visibility from an adjacent Lot shall not constitute visibility from public view.

RP-2022-486661

If any provision of this First Amendment is found to be in conflict with the Declaration, this First Amendment will control. The Declaration, as hereby amended, is in all ways ratified, confirmed, and remains in full force and effect.

Capitalized terms used herein have the same meanings as that ascribed to them in the Declaration.

IN WITNESS WHEREOF, this First Amendment to the Declaration is executed as of the 26 day of SEPTEMBER, 2022.

Urban InTownHomes, Ltd.,
a Texas limited partnership

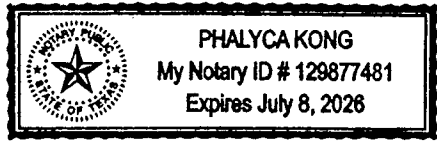
By: Urban InTownHomes GP, LLC, a Texas limited liability company, its General Partner

By: [Signature]
Ross Wang - Manager

STATE OF Texas §
 §
COUNTY OF Harris §

This instrument was acknowledged before me on the 26th day of September, 2022, by Ross Wang, as Manager of Urban InTownHomes GP, LLC, a Texas limited liability company, General Partner of Urban InTownHomes, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 26th day of September, 2022.



[Signature: Phalyca Kong]
Notary Public -- State of Texas

RP-2022-486661

RP-2022-486661
Pages 3
09/30/2022 08:17 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$22.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

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