

FIRST AMENDMENT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS
CYPRESS OAKS NORTH
(A SINGLE FAMILY RESIDENTIAL SUBDIVISION)
IN HARRIS COUNTY, TEXAS

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS (the "Declaration"), is made on the date hereinafter set forth, by JNC Development, INC., a Texas corporation (hereinafter referred to as "Declarant").

WHEREAS, Cypress Oaks North, Section 1, a subdivision of 31.503 acres of land located in the William B. Reeves Survey, Abstract No. 673, Harris County, Texas, as recorded on July 1, 2021 at File No./Film Code No. RP-2021-372332 of the Harris County Map Records (H.C.M.R.) Volume 695, Page 543

WHEREAS, the Declaration of Covenants and Restrictions for Cypress Oaks North were filed by the Declarant on August 3, 2021 and recorded at RP-2021-437201 in the Real Property Records of Harris County, Texas. (Hereinafter "Restrictions")

WHEREAS, the Declarant desires to add the below new Article VI, Section 10 to the Restrictions to provide for a Capitalization Fee to initially fund the Association

NOW THEREFORE, pursuant to Article IX Section 4, Declarant hereby Amends the Restrictions to include Article VI Section 10 to read as follows:

Capitalization Fee. Upon the sale of a Lot from builder to owner, the purchaser of such Lot shall be obligated to pay to the Association a fee equal to fifty percent (50%) of the then current Annual Assessment amount per Lot, as a capitalization fee (herein "CAP Fee"), regardless of the size or projected usage of such Lot at the time of sale. Such funds from the CAP Fee collected shall initially be used to defray operating costs and other expenses of the Association, as the Developer (and later the Association) shall determine in its sole discretion. Such CAP Fee shall be non-refundable and shall not be considered an advance payment of any Assessments levied by the Association pursuant to the Declaration. Such CAP Fee will be billed to the Owner directly at the time of purchase of the Lot. If any Lot is subdivided and/or platted into multiple Lots, then the multiple Lots will thereafter be subject to the CAP Fee at the time of each sale of each of the multiple Lots. This CAP Fee shall be deemed an Assessment for collection purposes, if necessary and shall be part of the Association lien on the property as provided herein.

RP-2021-653755

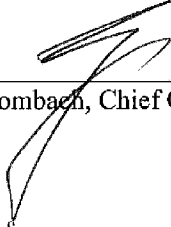
NOW THEREFORE, Delcarant further Amends Article IX Section 2 to read as follows:

Enforcement. The Declarant or the Association, as a common expense to be paid out of the Regular Maintenance Fund, or any Owner at his expense, shall have the right to enforce, by proceedings at law or in equity, all restrictions, covenants, conditions, reservation, liens, including foreclosures of all such liens, charges, assessments, and all other provisions set out in this Declaration. Failure of the Association or of any Owner to take any action upon any breach or default of or in respect to any of the foregoing shall not be deemed a waiver of their right to take enforcement action upon any subsequent breach or default.

All other portions of the Restrictions are not effected by this Amendment and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned Declarant has executed this Declaration on the 8 day of November, 2021, to become effective upon filing in the Real Property Records of Harris County, Texas.

Declarant
JNC Development, INC.



Carlos D. Bombach, Chief Operating Officer

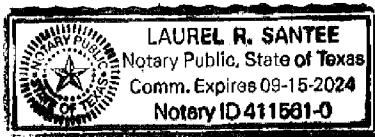
THE STATE OF TEXAS

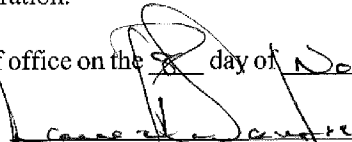
§
§
§

COUNTY OF EL PASO

BEFORE ME, the undersigned authority, on this day personally appeared Carlos D. Bombach, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL of office on the 8 day of Nov., 2021.





NOTARY PUBLIC, STATE OF TEXAS

My Commission Expires: 9-15-24

LAUREL R. SANTEE

(Printed Name of Notary Public)

RP-2021-653755

RP-2021-653755
Pages 3
11/12/2021 10:31 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

RP-2021-653755