After Recording Return To:
Robert D. Burton
Winstead PC
401 Congress Ave., Suite 2100
Austin, Texas 78701
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SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

HERITAGE OAKS

BELL COUNTY, TEXAS

Declarant: **RSBP DEVELOPERS, INC.**, a Texas corporation

Cross Reference to that certain Declaration of Covenants, Conditions and Restrictions for Heritage Oaks, recorded under Document No. 2018-23110 in the Official Public Records of Bell County, Texas, as amended from time to time.

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS *HERITAGE OAKS*

This Second Amendment to Declaration of Covenants, Conditions and Restrictions (this "**Amendment**"), is made by **RSBP DEVELOPERS, INC.**, a Texas corporation (the "**Declarant**"):

RECITALS:

A. Declarant previously executed and recorded that certain Declaration of Covenants, Conditions and Restrictions for Heritage Oaks, recorded under Document No. 2018-23110 in the Official Public Records of Bell County, Texas, as amended from time to time (the "**Declaration**").

B. Pursuant to *Section 9.3* of the Declaration, the Declaration may be amended by Declarant acting alone.

C. Declarant now desires to amend, supplement and modify the Declaration as set forth hereinbelow.

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

1. **Walls, Fences and Hedges**. *Section 3.6(vi)* of the Declaration is hereby deleted in its entirety and replaced with the following:

> **3.6 Walls, Fences and Hedges**. Unless otherwise approved in advance and in writing by the Architectural Control Committee:
>
> > (vi) Fences adjacent to open space or a greenbelt must be constructed in compliance with the foregoing provisions; however, alternatively, fences adjacent to open space or a greenbelt may be constructed of chain link fencing with black vinyl coating or black powder coated steel. Except as expressly permitted in the preceding sentence, chain link fences are prohibited. In the event of any dispute regarding the application of this *Section 3.6(vi)* to a particular Lot, the determination by the ACC regarding application of this Section will be binding and conclusive.

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

EXECUTED to be effective on the date this instrument is Recorded.

DECLARANT:

RSBP DEVELOPERS, INC., a Texas corporation

By: _____
Printed Name: Gary W. Purser, Jr.
Title: President

THE STATE OF TEXAS §

COUNTY OF Bell §

This instrument was acknowledged before me this 25 day of June, 2020 by Gary W. Purser, Jr., President of RSBP DEVELOPERS, INC., a Texas corporation, on behalf of said corporation.

Cynthia A Murphy
Notary Public Signature

CYNTHIA A. MURPHY
Notary Public, State of Texas
Comm. Expires 08-20-2023
Notary ID 11713951