

22-07080

SECOND AMENDMENT TO COVENANTS, CONDITIONS AND RESTRICTIONS OF THE HEIGHTS OF KERRVILLE, A SUBDIVISION IN KERR COUNTY, TEXAS

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF KERR §

THAT WHEREAS, the undersigned is the property owners association (the "Association") for the subdivision known as The Heights of Kerrville (the "Subdivision"), located in Kerr County, Texas, the plat of which is recorded under Volume 8, Page 125 of the plat records of Kerr County, Texas, to which instrument and its records reference is herein made for all purposes; and

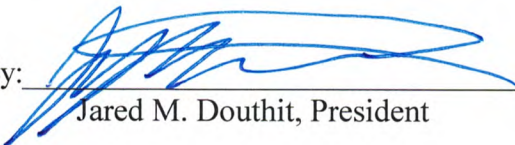
WHEREAS, the current Subdivision restrictions are found in Declaration of Covenants, Conditions and Restrictions dated March 5, 2014, and recorded under Clerk's File No. 14-03081, Official Public Records of Kerr County, Texas of Kerr County Texas (the "Restrictions"); and

WHEREAS, the members of the Association have voted to adopt corrections and changes to the Association By-Laws and the Restrictions more fully described on Exhibit "A" attached hereto (as of July 14, 2022); and

NOW, THEREFORE, it is hereby declared that Articles 1.4, 4.31, 4.7.1, 4.7.2, 4.9 and 4.9.1 of the Restrictions are amended as more fully described on Exhibit "A" attached hereto (as of July 14, 2022).


EXECUTED to be effective as of the 25 day of August, 2022.

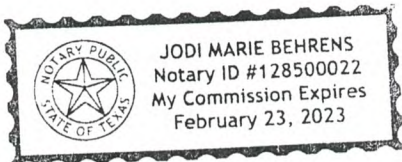
HEIGHTS OF KERRVILLE HOMEOWNERS ASSOCIATION

By: 
Jared M. Douthit, President

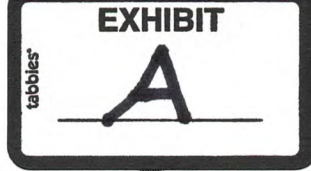
STATE OF TEXAS §
 §
COUNTY OF KERR §

This instrument was acknowledged before me this 25 day of August, 2022, by Jared M. Douthit, President of Heights of Kerrville Homeowners Association, a nonprofit corporation, on behalf of said corporation.


Notary Public, State of Texas



✓ After recording return to:
Carlson Law Firm
717 Sidney Baker Street
Kerrville, Texas 78028



Adopted Changes
to
The Heights of Kerrville
Declaration of Covenants, Conditions and Restrictions

(Items in **bold** represent the change/addition)

Article 1.4

“Association” shall mean an incorporated association formed under the name The Heights of Kerrville Homeowners Association, a non-profit corporation formed under the Business Organization Code of the State of Texas, **for the purpose of managing, constructing, and maintaining the property within the Heights of Kerrville residential real estate development.**

Article 4.31

New construction shall be controlled in the following manner: **1) All construction activities are restricted to 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 2:00 p.m. Saturday. Construction activities are prohibited on Sundays and major holidays, 2) Parking for all construction vehicles is restricted to the physical lot and must never impede the flow of traffic, especially emergency vehicles. Construction parking is not permitted on the street for any reason at any time; no portion of any construction vehicle may touch or overhang the roadway. (Short-term deliveries of materials by oversized vehicles are permitted from the street.) 3) Construction trash/debris must be contained within the construction site. Both the Construction firm and lot owner are responsible for any trash/debris that is blown, dumped, or otherwise transported onto adjoining lots or common areas.**

Article 4.7.1

A Guest House is defined as a detached structure on the same lot of a preexisting single-family dwelling, intended for temporary (not to exceed 30 days) use by guests of the primary home. The structure may consist of a room or set of rooms including a functioning bathroom but excluding a kitchen.

Article 4.7.2

A Guest House is restricted to the same lot of the primary residence. While owners of multiple, adjacent lots that have not been replated into one lot can build homes on each separate lot, they cannot place a Guest House from one lot onto an adjacent lot.

Article 4.9

No structure, walls, fences or hedges shall be built in front of the Residence or closer to any perimeter property line of any Tract or Parcel than the ~~setback set forth on the Plat of the Property~~ **setbacks declared herein**. Fences, walls and hedges shall not enclose more than twenty percent (20%) of the area of any Tract or Parcel and shall otherwise be located thereon around the Residence, as approved by the Architectural Control Committee, and shall be constructed of materials approved by Architectural Control Committee.

Article 4.9.1

The setback for any structure, driveway, or outbuilding, should be at least 20 feet from any property line. Main dwellings should be at least 30' from the front property line or 50' from the curb, whichever is greater.

Adopted July 14, 2022



FILED AND RECORDED
At 1:54 o'clock P M
STATE OF TEXAS
COUNTY OF KERR

August 26, 2022

I hereby certify that this instrument was filed in the numbered sequence on the date and time stamped above by me and was duly recorded in the Official Public Records of Kerr County Texas.
Jackie Dowdy County Clerk

Jan Rodriguez Deputy