



VG-31-2017-9014

**Denton County
Juli Luke
County Clerk**

Instrument Number: 9014

Real Property Recordings
AMENDMENT

Recorded On: January 24, 2017 12:45 PM

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" Examined and Charged as Follows: "

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******* THIS PAGE IS PART OF THE INSTRUMENT *******

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.

File Information:

Document Number: 9014
Receipt Number: 20170124000398
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User: Jane K
Station: Station 7

Record and Return To:

TOM DEARING
11738 CARTWRIGHT TRL
PONDER TX 76259



STATE OF TEXAS
COUNTY OF DENTON

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke
County Clerk
Denton County, TX

Ponderosa Valley Homeowners Association
Amendment to the Declaration of Covenants, Conditions and
Restrictions to
Article VIII, Use Restrictions,
Section 8.3 Restricted Activities, Item (c), Pets.

Approved by the membership on January 9, 2017.

Purpose:

The purpose of this amendment is to provide an exception to Section 8.3, item (c) Pets, of the Declaration of Covenants, Conditions and Restriction to allow for the raising and keeping of laying hens for the enjoyment of the member. This proposed amendment seeks not only to allow raising and keeping of laying hens, but to communicate specific limitation and restriction of that activity.

Amendment:

Amend Section 8.3, Item (c) Pets, to include as an exception chickens in addition to cattle and horses with the following restrictions:

Bird Maintenance Requirements:

1. Member shall be allowed to raise, keep and maintain no more than eight (8) laying hens on any single parcel of property.
2. Roosters are not permitted.
3. Birds must be maintained in an enclosed structure or fenced yard that prevents the animal from straying off the owner's property.
4. Fowl shall be provided with fresh water at all times and adequate amounts of feed.
5. Fowl must not be maintained in a yard, pens, sheds, coops, or other enclosure in which such fowl are confined in such a manner as to give off odors offensive to persons of ordinary sensibilities residing in the vicinity, or to breed or attract flies, mosquitoes or other noxious insects or rodents, or in any manner to endanger the public health, safety or welfare, or create a public nuisance. Article VIII, Section 8.3(d) Odors, remains in effect.
6. Slaughtering of any animal is not permitted. Dead animal must be properly disposed of. Any unusual illness or deaths shall be reported to the health department of Denton County.

*Tom Deating
11738 Cartwright Trail
Ponder, Tx 76259*

7. Article VIII, Section 8.3(p), Business Use still applies. If the members choose to operate a business of selling any excess eggs or birds, they must meet the provisions of that section of the Declaration of Covenants, Conditions, and Restrictions.

Enclosure Requirements:

The following items are the requirements of the pens, sheds, coops, enclosed structures, fenced yard, if any of such enclosure, structure or yard used to raise, keep or maintain any laying hen in this amendment:

1. Hens shall be provided with a sanitary and adequately-sized, covered enclosure, or coop, and shall be kept in the enclosure or a sanitary and adequately-sized and fenced enclosure, or yard, at all times. Coops and enclosures may not be homes or garages.
2. All pens, sheds, coops, enclosed structures, must be constructed in a workmanlike manner and of materials traditionally used in construction of said structures. No repurposed vehicles or trailers can be used. Structures must be moisture resistant, and either raised off the ground or placed on a hard surface such as concrete, patio block or gravel. All structures must be reviewed and accepted by the ARC committee before being constructed. A \$25 ARC Fee will be required for all plans submitted.
3. Structures and yards shall be constructed so they will not have standing water.
4. Any pen, shed, coop, enclosed structure, or fenced yard, if a part of the enclosure, structure, or yard must be a minimum of fifty (50) feet from any unrelated home or other established building of the adjacent property.
5. Hen structures and yards together shall be large enough to provide at least 16 square feet per bird. Fenced enclosure space can be added to the coop space to add up to the minimum number of square feet. Coops cannot be taller than 10 feet or exceed 50 square feet.
6. All pens, sheds, coops, enclosed structures, shall be cleaned of hen droppings, uneaten feed, feathers and other waste daily and as necessary to ensure a health, odor or other nuisance does not exist.
7. Article VIII, Section 8.4 Prohibited Conditions, subsection (a) will still apply. Therefore, all structures must be maintained to meet the required provisions of this section.

Ratification:

Ratification of this amendment requires an affirmative vote or written consent, or any combination thereof, of the total class "A" Members representing at least two-thirds (2/3) of the Class "A" votes of the Association as stated in Article XIII, Section 13.2(b), of the Ponderosa Valley Homeowners Association Declaration of Covenants, Conditions and Restrictions.

Respectfully submitted,

Travis Wiescamp
Rick Melvin (and Shelby Melvin)
Tom D. Dearing

Ponderosa Valley HOA Members

Approved by the membership on January 9, 2017.

Tom Dearing *1/20/17*
Tom Dearing, Board Authorized Member
1/20/17
Daniela Ortiz
