

**FIRST AMENDMENT TO AMENDED DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS**

STATE OF TEXAS *

COUNTY OF NUECES *

THIS First Amendment is executed by the undersigned Owners of a majority of the Lots within The Harbors and is to be effective upon recording in the Real Property Records of Nueces County, Texas (the "Effective Date").

WITNESSETH:

WHEREAS, on June 21, 2014, The Harbors Homeowners Association, a Texas corporation, as authorized representative of the majority of Owners of the Lots did execute that certain Amended Declaration of Covenants, Conditions and Restrictions ("Current Declaration"), said document being recorded under Clerk's File No. 2014028754 of the Official Public Records of Real Property of Nueces County, Texas, said document covering 21.818 acres which is platted into individual residential lots as follows:

Lots Two through Forty-Eight (2-48) inclusive, Block One (1), PORTO BELLO (THE HARBORS), a Subdivision of the City of Corpus Christi, Nueces County, Texas, as shown by the map or plat thereof recorded in Volume 785, Page 1247, Map Records of Nueces County, Texas, to which reference is here made for all pertinent purposes.

Lots Forty-Eight through Seventy-One (48-71) inclusive, Block One (1), PORTO BELLO (THE HARBORS), a Subdivision of the City of Corpus Christi, Nueces County, Texas, as shown by the map or plat thereof recorded in Volume 751, Page 1407, Map Records of Nueces County, Texas, to which reference is here made for all pertinent purposes.

Lots Seventy-One through Ninety-Four (71-94) inclusive, Block One (1), PORTO BELLO (THE HARBORS), a Subdivision of the City of Corpus Christi, Nueces County, Texas, as shown by the map or plat thereof recorded in Volume 773, Page 1479, Map Records of Nueces County, Texas, to which reference is here made for all pertinent purposes.

Lots Ninety-Four through One Hundred Forty-Nine (94-149), inclusive, Block One (1), PORTO BELLO (THE HARBORS), a Subdivision of the City of Corpus Christi, Nueces County, Texas, as shown by the map or plat thereof recorded in Volume 773, Page 1580, Map Records of Nueces County, Texas, to which reference is here made for all pertinent purposes.

WHEREAS, ARTICLE XIII, Section 1 provides for amendment of the Declaration by

instrument signed by a majority of the Owners;

WHEREAS, it is the desire of the undersigned who represents a majority of the Owners to amend said Declaration as set forth below:

NOW, THEREFORE, the Current Declaration is hereby amended by adding Article III, Section 1A as follows:

ARTICLE III

USE RESTRICTIONS

Section 1A. Short-Term Rentals Prohibited: No Owner or any other person in control of a Lot shall rent, lease, sublet, advertise, or otherwise permit or allow their premises to be operated or used as a Short-term Rental.

Short-term Rental means residential premises, or portions thereof, used for lodging accommodations for occupants for a period of less than six (6) months.

An Owner or any other person who violates this restriction shall pay to the Association a fine of \$300.00 for each day that the restriction is violated, and payment of such fine shall be secured by the lien securing assessments provided in Article VII herein. In addition, the Association shall also have all rights of enforcement as provided in Article VIII, Section 3 of the current Declaration.

This restriction and the fine policy and enforcement remedies for its violation shall apply upon the Effective Date and be binding upon all Owners regardless of whether they have allowed short-term rentals on their Lots in the past or not. No owner shall be “grandfathered” or given a waiver of any kind on or after the Effective Date.

(Owner’s Signature /Notary Acknowledgment Pages to Follow)