

AFTER RECORDING RETURN TO:

ROBERT D. BURTON, ESQ.

WINSTEAD, PC

401 CONGRESS AVE., SUITE 2100

AUSTIN, TEXAS 78701

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
MALONE PARK**

Travis County, Texas

Declarant: CALATLANTIC HOMES OF TEXAS, INC., a Delaware corporation

Cross Reference to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Malone Park, recorded as Document No. 2018004956, Official Public Records of Travis County, Texas.

**FIRST AMENDMENT TO
AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR
MALONE PARK**

This First Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Malone Park (the "**Amendment**") is made by **CALATLANTIC HOMES OF TEXAS, INC.**, a Delaware corporation ("**Declarant**"), and is as follows:

RECITALS:

A. Declarant previously recorded that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Malone Park recorded as Document No. 2018004956, Official Public Records of Travis County, Texas (the "**Declaration**").

B. Pursuant to *Section 9.03* of the Declaration, the Declaration may be amended by Declarant acting alone.

NOW THEREFORE, Declarant hereby amends the Declaration as follows:

1. **Notice of Plat Recordation.** The following provision is hereby added as *Section 11.06* of the Declaration:

11.06 Notice of Plat Recordation. Declarant may, at any time and from time to time, file a notice of plat recordation (a "**Notice of Plat Recordation**"). A Notice of Plat Recordation is Recorded for the purpose of more clearly identifying specific Lots subject to the terms and provisions of this Declaration after portions of the Property is made subject to a Plat. Unless otherwise provided in the Notice of Plat Recordation, portions of the Property included in the Plat identified in the Notice of Plat Recordation, but not shown as a residential Lot on such Plat, shall be automatically withdrawn from the terms and provisions of this Declaration (without the necessity of complying with the withdrawal provisions set forth in *Section 11.04*). Declarant shall have no obligation to Record a Notice of Plat Recordation and failure to Record a Notice of Plat Recordation shall in no event remove any portion of the Property from the terms and provisions of this Declaration.

2. **Effect of Amendment.** 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.

Executed to be effective on the date this instrument is recorded in the Official Public Records of Travis County, Texas.

DECLARANT:

CALATLANTIC HOMES OF TEXAS, INC.,
a Delaware corporation

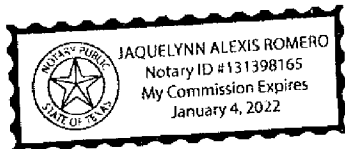
By: [Signature]
Printed Name: SHERY SLATTERY
Title: AUTHORIZED AGENT

THE STATE OF TEXAS §
COUNTY OF Travis §

This instrument was acknowledged before me this 4 day of March, 2019
by Shery Slattery, Authorized Agent of CalAtlantic Homes of Texas, Inc.,
a Delaware corporation, on behalf of said corporation.

(SEAL)

[Signature]
Notary Public Signature



FIRST AMENDMENT TO
AMENDED AND RESTATED DECLARATION FOR
MALONE PARK



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

[Signature]
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

March 05 2019 09:30 AM

FEE: \$ 34.00 2019030217