



**THIRD AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS**

**FOR TWIN CREEK FARMS, PHASE TWO
WALBURG, WILLIAMSON COUNTY, TEXAS**

This Third Amendment to the Declaration of Covenants, Conditions & Restrictions hereby amends that one certain Amended Declaration of Covenants, Conditions & Restrictions recorded as Document No. 2012018577, Official Public Records, Williamson County, Texas, which previously amended, restated and replaced the original Declaration of Covenants, Conditions & Restrictions recorded as Document No. 2001002282 as re-recorded under Document 2001039845, Official Public Records, Williamson County, Texas, which said Amended Declaration of Covenants, Conditions & Restrictions was subsequently amended by the Second Amendment to Declaration of Covenants, Conditions & Restrictions recorded as Document No. 2015029123, Official Public Records, Williamson County, Texas. HB Twin Creek II, LLC, the declarant under these declarations, is hereinafter referred to as the "Declarant".

RECITALS:

A. Whereas, the real property subject to the Declaration of Covenants, Conditions & Restrictions is the development known as Twin Creek Farms Phase Two, as more particularly described in the Amended Declaration of Covenants, Conditions & Restrictions recorded as Document No. 2012018577, Official Public Records, Williamson County, Texas, referred to herein as the "Property", a portion of which is subject to the Plat of Twin Creek Farms Phase 2, Section 1, according to the map or plat thereof recorded in Cabinet U, Slides 251-253, Plat Records, Williamson County, Texas and a portion of which is subject to the Plat of Twin Creek Farms, Phase 2, Section 2 recorded as Document No. 2015025609, Official Public Records, Williamson County, Texas.

B. Whereas, in accordance with the authority granted to the Declarant under Section VII.G. of the Amended Declaration of Covenants, Conditions & Restrictions recorded as Document No. 2012018577, Official Public Records, Williamson County, Texas, Declarant makes the following minor changes or deviations from the terms of the declaration document, which Declarant has determined will not be inconsistent with the general, overall plan for the development of the Property.

AMENDMENTS:

Therefore, it is declared as follows:

1. Section IV.E. of the Amended Declaration of Covenants, Conditions & Restrictions recorded as Document No. 2012018577, Official Public Records, Williamson County, Texas is amended to clarify the building setbacks as established for Twin Creek Farms,

Phase 2, Section 2 under the subject Plat recorded as Document No. 2015025609, Official Public Records, Williamson County, Texas, and is hereby restated and replaced to read:

E. Building Setbacks.

1. **Conforming Lots: Front Setback.** (The street is considered “front” of a Lot) All Lots must have a minimum of 50 feet at front. The primary dwelling shall be constructed beginning at the front setback, or within an acceptable distance within the setbacks as approved by the Committee.

2. **Rear Setback.** All Lots within Twin Creek Farms Phase 2, Section 1 must have a minimum of 50 feet at back. All Lots within Twin Creek Farms Phase 2, Section 2 must have a minimum of 25 feet at back.

3. **Side Setback.** All Lots within Twin Creek Farms Phase 2, Section 1 must have a minimum of 20 feet at each side. All Lots within Twin Creek Farms Phase 2, Section 2 must have a minimum of 25 feet at each side.

4. **Non-Conforming Lots:** Corner lot numbers – 1, 2, 9, 14, 15, 20, 21, 28, 29, 36, 37, 44, 45, 52, 53, 73, 74; shall have a front setback of 50 feet as established on the final recorded plat. The secondary “street side” minimum setback is 30 feet as established on the final recorded plat. Lot numbers 8, 11, & 12 shall have a 50 feet perimeter setback and may be designated as Business, Retail, Service, or Commercial use upon approval of Declarant. Any change in the lot size of possible commercial lots, 8, 11 and 12 on the land use plan shall not exceed 25%. Further, Lot 9 shall have a rear yard access easement of 25 feet on Lot 8 that provides access to FM 972.

2. Section IV.T. of the Amended Declaration of Covenants, Conditions & Restrictions recorded as Document No. 2012018577, Official Public Records, Williamson County, Texas, as previously amended by the Second Amendment to Declaration of Covenants, Conditions & Restrictions, is amended to revise the definition of definition of domestic pets, and is hereby restated and replaced to read:

T. **Animals, Household Pets.** No animals, including pigs, hogs, poultry, fowl, wild animals, cows, sheep, goats, or any other type of creature not typically considered to be a domestic household pet within the ordinary meaning and interpretation of such words may be kept, maintained, or cared for on any lot(s); except for horses, laying hens (with roosters specifically being prohibited), and common pets. A lot of size of at least two and ninety-hundredths (2.90) acres as originally platted; or contiguous lots joined to provide three (3) or more acres, including the home site, is required to qualify for keeping any horse(s) or a maximum of 12 laying hens on such Lot or Lots. Two horses are allowed on a 2.90 acre or larger lot; three to four (3-4) horses on a 4.0




acre or larger lot; more than four (4) horses requires Committee review and approval. No animal(s) shall be allowed to make an unreasonable amount of noise or to become a nuisance. No domestic pets will be allowed to roam freely on property other than the Owners Lot. Pets must be confined or on a leash if not on the owner's lot. No animal(s) may be stabled, maintained, cared for, kept or boarded for hire or remuneration on a lot(s) except in those accommodations specifically provided for such purposes by the Declarant. No kennels or breeding operation shall be allowed. All animals shall be kept within enclosed or fenced areas which must be clean, sanitary, and reasonably free of refuse, insects, and waste at all times. Such enclosed area shall be constructed in accordance with plans approved by the Committee, shall be reasonably designed and constructed to adequately contain such animals in accordance with the provisions hereof. Owners choosing to maintain horses on their Lot or Lots must submit a livestock plan outlining control and provisions for supplemental feed when pasture areas are not sufficient to provide needed feed. Lot Owners must not allow Lots to become overgrazed, Committee reserves the right to revoke the right to maintain horses on any Lots that become overgrazed, denuded of grassy cover, or likely to present erosion problems due to excessive impact from horses.

3. Full Force and Effect. The terms of the Amended Declaration of Covenants, Conditions & Restrictions recorded as Document No. 2012018577, Official Public Records, Williamson County, Texas and the Second Amendment to Declaration of Covenants, Conditions & Restrictions recorded as Document No. 2015029123, Official Public Records, Williamson County, Texas, are hereby modified and amended pursuant to the terms of this Amendment and are hereby conformed to be consistent with the terms and provisions of this Amendment. The Amended Declaration of Covenants, Conditions & Restrictions recorded as Document No. 2012018577, Official Public Records, Williamson County, Texas and the Second Amendment to Declaration of Covenants, Conditions & Restrictions recorded as Document No. 2015029123, Official Public Records, Williamson County, Texas, as hereby amended, shall continue in full force and effect subject to the terms, provisions, and conditions hereof. All other terms, covenants, and conditions of the Amended Declaration of Covenants, Conditions & Restrictions recorded as Document No. 2012018577, Official Public Records, Williamson County, Texas and the Second Amendment to Declaration of Covenants, Conditions & Restrictions recorded as Document No. 2015029123, Official Public Records, Williamson County, Texas not herein expressly modified are hereby confirmed and ratified and remain in full force and effect.

EXECUTED to be EFFECTIVE the 26 day of August, 2015.

HB TWIN CREEK II, LLC
a Texas limited liability company

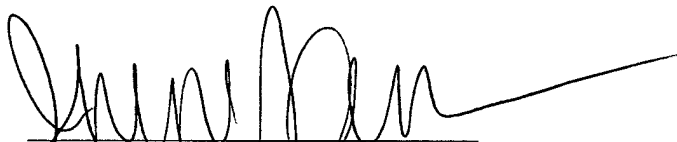
9471 Steep Hollow Rd.
Bryan, Texas 77808
Brazos County

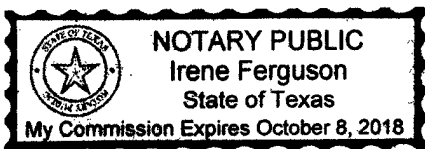
By: 
Name: Jim L. Beard
Its: Manager

STATE OF TEXAS

COUNTY OF WILLIAMSON

This instrument was acknowledged before me on the 26th day of Aug, 2015 by
Jim L. Beard, Manager, HB Twin Creek II, LLC, a Texas limited liability company, on behalf of
said company.


Notary Public, State of Texas
Commission Expires: Oct. 8, 2018



② Dietz & Jarrard PC
106 Fannin Ave.
Round Rock, TX 78664

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2015076202





Nancy E. Rister, County Clerk
Williamson County, Texas
August 28, 2015 04:11 PM
FEE: \$33.00 BARRICK