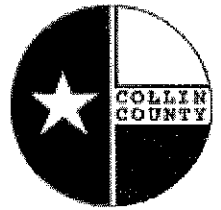


COLLIN COUNTY, TEXAS
STACEY KEMP
2300 Bloomdale Rd, Suite 2104
McKinney, TX 75071
Phone: 972-548-4185



STACEY KEMP
COUNTY CLERK

Receipt for Services

Cashier	CARLA	Batch #	2270340
Customer	PLUNK SMITH PLLC 1701 LEGACY DR #2000 FRISCO, TX 75034	Date:	07/23/2021 Time: 08:55:53AM

Date	Instrument No	Document Type	Transaction Type	GF Number	Pg/Amt
7/23/2021 8:55:53AM	20210723001483570	AM			3
		AM		Total:	34.00
		Fee Total:			34.00
CHECK	12170				34.00
		Payment Total:			34.00

**FIFTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR AERO COUNTRY EAST**

This Fifth Amendment to the Declaration of Covenants, Conditions and Restrictions for Aero Country East (this "Amendment") is made and entered into as of the 1st day of April, 2021 (the "Effective Date"), by Aero Country East Association, Inc., a Texas non-profit corporation (the "Association").

RECITALS:

WHEREAS, Heavy Ventures, LLC, a Texas limited liability company (the "Original Declarant") prepared and recorded that certain Declaration of Covenants, Conditions and Restrictions for Aero Country East ("Declaration") dated January 13, 2010, and recorded January 26, 2010, as Instrument No. 20100126000084130 in the Deed Records of Collin County, Texas, and the Original Declarant caused the Declaration to be recorded for the "Property" more particularly described in the Declaration (the "Property"); and

WHEREAS, the Original Declarant prepared and recorded that certain First Amendment to the Declaration of Covenants, Conditions and Restrictions for Aero Country East dated July 6, 2010, and recorded July 7, 2010, as Instrument No. 20100707000693910 in the Deed Records of Collin County, Texas (the "First Amendment"); and

WHEREAS, the Original Declarant prepared and recorded that certain Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Aero Country East dated December 14, 2012, and recorded December 14, 2012, as Instrument No. 20121214001597110 in the Deed Records of Collin County, Texas (the "Second Amendment"); and

WHEREAS, the Original Declarant was the sole declarant under the Declaration and was the sole Class B Member of the Association; and

WHEREAS, the Original Declarant assigned all of the Original Declarant's rights, privileges and obligations as the declarant and its rights, privileges and obligations as the sole Class B Member of the Association to Lattimore Properties, Inc. (the "Temporary Declarant"), as set forth in that certain Assignment of Declarant and Class "B" Member Status and Rights dated March 9, 2015, under Instrument No. 2015031000262400 of the Deed Records of Collin County, Texas; and

WHEREAS, the Temporary Declarant assigned all of the Temporary Declarant's rights, privileges and obligations as the declarant and its rights, privileges and obligations as the sole Class B Member of the Association to Aero Country Ventures, LLC ("Last Declarant"), as set forth in that certain Assignment of Declarant and Class "B" Member Status and Rights dated April 16, 2015, under Instrument No. 20150420000442890 of the Deed Records of Collin County, Texas; and

WHEREAS, the Last Declarant prepared and recorded that certain Third Amendment to the Declaration of Covenants, Conditions and Restrictions for Aero Country East dated May 1, 2015, and recorded June 11, 2015, as Instrument No. 20150611000696950 in the Deed Records of Collin County, Texas (the "Third Amendment"); and

WHEREAS, the Association, since the Last Declarant no longer owned any portion of the Property and the Class "B" membership had terminated, prepared and recorded that certain Fourth Amendment to the Declaration of Covenants, Conditions and Restrictions for Aero Country East dated May 30, 2019, and recorded June 17, 2019, as Instrument No. 20190617000691140 in the Deed Records of Collin County, Texas (the "Fourth Amendment"); and

WHEREAS, pursuant to Article XVII, Section 17.2(b), this Amendment has been approved by the affirmative vote or consent, or any combination thereof, of the Members of the Association; and

WHEREAS, all capitalized terms not defined herein shall have the meaning as defined in the Declaration; and

WHEREAS, the Association desires, and as authorized pursuant to Article XVII, Section 17.2(b), to further amend the Declaration as set forth herein;

NOW, THEREFORE, the Declaration is hereby amended in the following particulars:

1. Article X, Section 10.9 of the Declaration is hereby amended by deleting that subsection in its entirety and replacing it with the following:

“Section 10.9 Capitalization of the Association. Upon each transfer of record title to a Lot, a contribution shall be made by or on behalf of the purchaser to the working capital of the Association in an amount of \$800. This amount shall be in addition to, not in lieu of, the annual Base Assessment levied on the Lot and shall not be considered an advance payment of any portion thereof. This amount shall be deposited into the purchase and sale escrow account and disbursed therefrom to the Association for use in covering operating expenses and other expenses incurred by the Association pursuant to the terms of this Declaration and the Bylaws.”

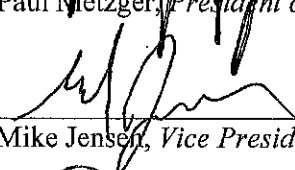
2. Except as modified by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment and this Amendment, the Declaration shall remain in full force and effect.

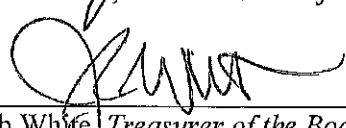
IN WITNESS THEREOF, the Board of the Association has hereunto set forth its signature as of the day and year set forth above as authorized by the affirmative vote or consent, or any combination thereof, of Members representing the required majority of the total Class “A” votes in the Association.

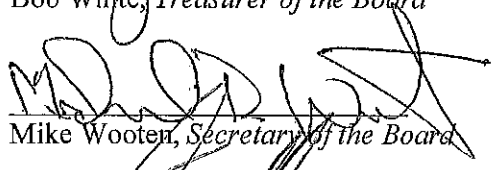
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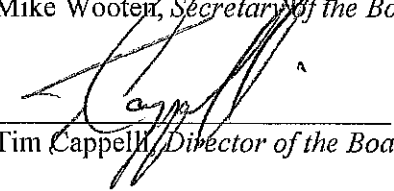
ASSOCIATION:


Paul Metzger, *President of the Board*


Mike Jensen, *Vice President of the Board*


Bob White, *Treasurer of the Board*


Mike Wooten, *Secretary of the Board*


Tim Cappelli, *Director of the Board*

STATE OF TEXAS

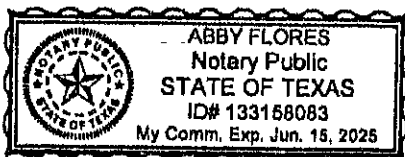
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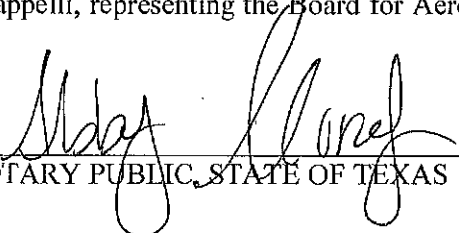
COUNTY OF COLLIN

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This instrument was acknowledged before me on the 15 day of July, 2021, by Paul Metzger, Mike Jensen, Bob White, Mike Wooten and Tim Cappelli, representing the Board for Aero Country East Association, Inc., a Texas non-profit corporation.




NOTARY PUBLIC, STATE OF TEXAS

After recording return to:

Plunk Smith, PLLC
c/o Adam Plunk
1701 Legacy Dr., Suite 2000
Frisco, Texas 75034

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
07/23/2021 08:55:53 AM
\$34.00 CARLA
20210723001483570



