



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

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR AERO COUNTRY EAST (this "Amendment") is made and entered into as of the 1st day of May, 2015 (the "Effective Date"), by **AERO COUNTRY VENTURES, LLC**, a Texas limited liability company ("Declarant").

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 Aero Country East Association, Inc. (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. 20150310000262400 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 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, pursuant to Article XVII, Section 17.2(a) of the Declaration, Declarant has the right to amend the Declaration unilaterally for any purpose until termination of the Class

“B” membership; and

WHEREAS, the Class “B” membership has not yet terminated; and

WHEREAS, Declarant desires to further amend the Declaration as set for herein.

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

1. Section 1.2 of Article I of the Declaration is hereby amended to include the following, which shall be inserted immediately after the end of the final sentence of that Section:

“The first Owner of any Lot, other than Declarant or any successor declarant, shall be obligated to pay the Initial Access Payment, as that term is defined in the Access Agreement, pursuant to the terms and requirements set forth in Section 6.2 of the Access Agreement. Furthermore, any Owner who owns a Lot when the City of McKinney issues a Certificate of Occupancy for the first structure constructed or located on the Lot shall be obligated to pay the Final Access Payment, as that term is defined in the Access Agreement, pursuant to the terms and requirements set forth in Section 6.3 of the Access Agreement.”

2. Section 12.30 is hereby added to Article XII of the Declaration, which shall state the following:

“Section 12.30 No Animals at Pool or Amenity Center. All animals, including any Owner’s pets, are strictly prohibited from utilizing or otherwise being present at any pool or amenity center that is part of the Common Area or otherwise owned by the Association.”

3. The Bylaws of Aero Country East Owners Association, Inc., attached as Exhibit C to the Declaration (the “Bylaws”), is hereby amended so that every mention of the term “Aero Country East Owners Association, Inc.” is hereby deleted in its entirety and replaced with the term “Aero Country East Association, Inc.”

4. Section 3.5(b) of Article III of the Bylaws, is hereby amended so that the first sentence of Section 3.5(b) is deleted in its entirety and replaced with the following:

“(b) Upon the earlier of (1) Declarant no longer owning any Lots, or (2) December 31, 2015, the President shall call for an election at which Class “A” Members shall be entitled to elect three (3) directors.”

5. Except as herein provided, all of the terms, covenants, conditions and stipulations contained in the Declaration, as amended, shall continue with like force and effect and to all legal intents and purposes, and the Property, and the Owners thereof, shall continue to be bound by the Declaration as amended hereby.

[the remainder of this page is intentionally left blank; signature page to follow]

IN WITNESS WHEREOF, the Declarant has hereunto set forth its signature as of the day and year set forth above.

“DECLARANT”:

AERO COUNTRY VENTURES, LLC,
a Texas limited liability company

By: Lattimore Properties, Inc.,
a Texas corporation,
its sole member

By: *Scott Chrimes*
SCOTT CHRIMES, VP, CFO

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the 1st day of May, 2015, by Scott Chrimes, VP, CFO of Lattimore Properties, Inc., a Texas corporation, sole member of AERO COUNTRY VENTURES, LLC, a Texas limited liability company, on behalf of said limited liability company.



Melissa Guy
NOTARY PUBLIC, STATE OF TEXAS

After recording return to:

Mr. Scott Chrimes
Aero Country Ventures LLC
5600 Tennyson Pkwy., Suite 190
Plano, TX 75024

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
06/11/2015 03:10:15 PM
\$30.00 CJAMAL
20150611000696950



Stacey Kemp