

After Recording Please Return To:



Northlake Estates, L.P.
3901 Airport Freeway
Suite 200
Bedford, TX 76021

THE STATE OF TEXAS §
 §
COUNTY OF DENTON §

**FIRST AMENDMENT TO THE DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR NORTHLAKE ESTATES - DENTON COUNTY, TEXAS**

INTRODUCTORY PROVISIONS

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Northlake Estates - Denton County, Texas was executed by Northlake Estates, L.P., a Texas limited partnership, as Declarant, to be effective as of March 24, 2005, filed on April 7, 2005 and recorded as Instrument No. 2005-40289 in the Real Property Records of Denton County, Texas (the "*Northlake Estates Declaration*"); and

WHEREAS, Northlake Estates, L.P. continues to act as the Declarant in accordance with the terms and conditions of the Northlake Estates Declaration; and

WHEREAS, the Northlake Estates Declaration affects certain tracts or parcels of real property located in the Town of Northlake, Denton County, Texas, more particularly described on Exhibit B attached hereto (the "*Property*"); and

WHEREAS, under Article 8, Section 8.3 of the Northlake Estates Declaration, the terms and conditions contained in the Northlake Estates Declaration may be amended by the Declarant, without the joinder of the Board, the Association, or other Owners to cause compliance with any governmental requirement; and

WHEREAS, the following amendments to the Northlake Estates Declaration are necessary to respond to certain requirements of the Town of Northlake and other municipal or quasi-municipal authorities.

NOW, THEREFORE, the Northlake Declaration is hereby amended as follows:

(a) The Northlake Estates Declaration is amended to add a new Article 10 which shall hereinafter read, in its entirety, as follows:

ARTICLE 10
SPECIAL FENCING REQUIREMENTS

Section 10.1 Screening Wall.

- (a) **Applicability.** This Section 10.1 shall apply to Lots 1, 2, and 3 of Block 2, and Lots 1, 2, 3, and 4 of Block 1 as set forth on the Plat. For purposes of this Section 10.1, the Lots described above shall be referred to, collectively, as the “*Screening Wall Lots.*”
- (b) **Easements.** The Screening Wall Lots are subject to a 30' Utility Easement, as set forth in that certain instrument recorded in Volume 4998, Page 4248 of the Real Property Records of Denton County, Texas, and a 30' Water Easement as set forth on the Plat.
- (c) **Existing Screening Wall.** There is an existing masonry screening wall on Lots 1, 2, 3 of Block 2, and Lot 1, of Block 1 which encroaches upon the easements set forth above. Should the holders of any such easements require or cause the removal or

relocation of the existing screening wall on these Lots, the Association shall have an absolute right, and is hereby granted an exclusive easement, to enter upon these Lots to relocate or reconstruct the screening wall, at its sole cost and expense, within the 5' Fence Easement on these Lots set forth on the drawing attached hereto as Exhibit "A" and incorporated herein by reference for all purposes (hereinafter referred to as the "**5' Fence Easement**").

- (d) **Screening Wall Required.** A masonry screening wall is required on the Screening Wall Lots. The masonry screening wall, the entry features and accented columns shall be the property of the Association, and shall be maintained and repaired by the Association as part of the Common Area.
- (e) **No Improvements on Certain Lots and Association Maintenance.** No permanent improvement of any kind or nature may be installed by an Owner within 10' from the property line on any of the following: Lots 1, 2, and 3 of Block 2, and Lot 1 of Block 1. In the event the holders of any of the easements described in (b) above require the removal or relocation of the existing screening wall, and the Association constructs a new screening wall within the 5' Fence Easement, the 10' area from the property line on these lots shall be maintained by the Association as Common Area and the Association is hereby granted an exclusive maintenance easement upon said 10' area.

Section 10.2 Lots Along Florence Road.

- (a) **Applicability.** This Section 10.2 shall apply to Lots 5 through 10, inclusive, and Lot 22 of Block 1, and Lots 1, 9, and 10 of Block 8 as set forth on the Plat. For purposes of this Section 10.2, the Lots described above shall be referred to, collectively, as the "**Florence Road Lots.**"

- (b) **Fence to be Installed by Declarant.** The Declarant shall install, at its sole cost and expense, a 3-Rail PVC fence with brick columns within the 5' Fence Easement on the Florence Road Lots (the “*3-Rail Fence*”).
- (c) **3-Rail Fence Required; Ownership and Maintenance of the 3-Rail Fence.** The 3-Rail Fence shall remain at all times on the Florence Road Lots, shall be owned and maintained by the Association as Common Area.
- (d) **No Improvements.** No improvements of any kind or nature shall be allowed on the Florence Road Lots within 30' from the property line, as set forth on the Plat, due to existing Right-of-Way Dedications and the 30' Utility Easement set forth in that certain instrument recorded in Volume 4998, Page 4248 of the Real Property Records of Denton County, Texas.

Section 10.3 Wood Fence.

- (a) **Applicability.** This Section 10.3 shall apply to Lots 11 through 26, inclusive, of Block 8; Lots 1 through 8, inclusive, of Block 6; and Lots 19 through 27, inclusive, of Block 2 as set forth on the Plat. For purposes of this Section 10.3, the Lots described above shall be referred to, collectively, as the “*Wood Fence Lots.*” Lots 4 and 5, and Lots 12 through 18, inclusive, of Block 2 shall be referred to, collectively, as the “*Wood Fence Alternative Lots*” and shall be allowed an alternative screening option, subject to approval by the Town of Northlake.
- (b) **Wood Fence to be Installed by Builders.** In conjunction with original construction of a Residence on any of the Wood Fence Lots, the builder of such Residence is required to install a wood fence, meeting the requirements set forth herein, within the 5' Fence Easement on the Wood Fence Lots.

- (c) **Standards for Wood Fences.** Wood fences to be constructed of Spruce material. The posts shall be made of metal or shall be 4" x 4" treated wood posts, placed to a minimum depth of 24" and installed with a maximum horizontal spacing of 8'. The finished side of the fence shall face the interior of the lot and each fence shall have 3 rails of horizontal support.
- (d) **Ownership and Maintenance of Wood Fence.** Each wood fence constructed on a Wood Fence Lot shall be the property of the Owner of the Lot upon which the fence is located. The Owner of the Lot will be solely responsible for the future maintenance, repair and replacement of such fence in accordance with the standards of maintenance set forth in Article 4 of the Northlake Estates Declaration.

Section 10.4 Conflicts and Amendment.

In the event of any conflict between any of the terms and conditions contained in the Northlake Estates Declaration and the terms and conditions contained in this Article 10, the terms and conditions of this Article 10 shall control. The terms of this Article 10 may not be amended, modified or terminated without the prior written approval of the Town of Northlake.

The terms and provisions of the Northlake Estates Declaration, except as modified herein, are hereby declared to be in full force and effect with respect to the Property, and shall be covenants that run with title to all or any portion of the Property.

IN WITNESS WHEREOF, Northlake Estates, L.P., as Declarant, has caused this First Amendment to the Northlake Estates Declaration in accordance with Article 8, Section 8.3 of the Northlake Estates Declaration and approved same for recording in the Real Property Records of Denton County, Texas.

Signed this 30 day of Nov., 2006.

**NORTHLAKE ESTATES, L.P.,
A Texas Limited Partnership**

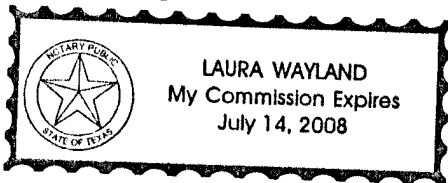
**By: Pars Investments, Inc.,
a Texas corporation, its General Partner**

By: [Signature]
Mehrdad Moayedi, President

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

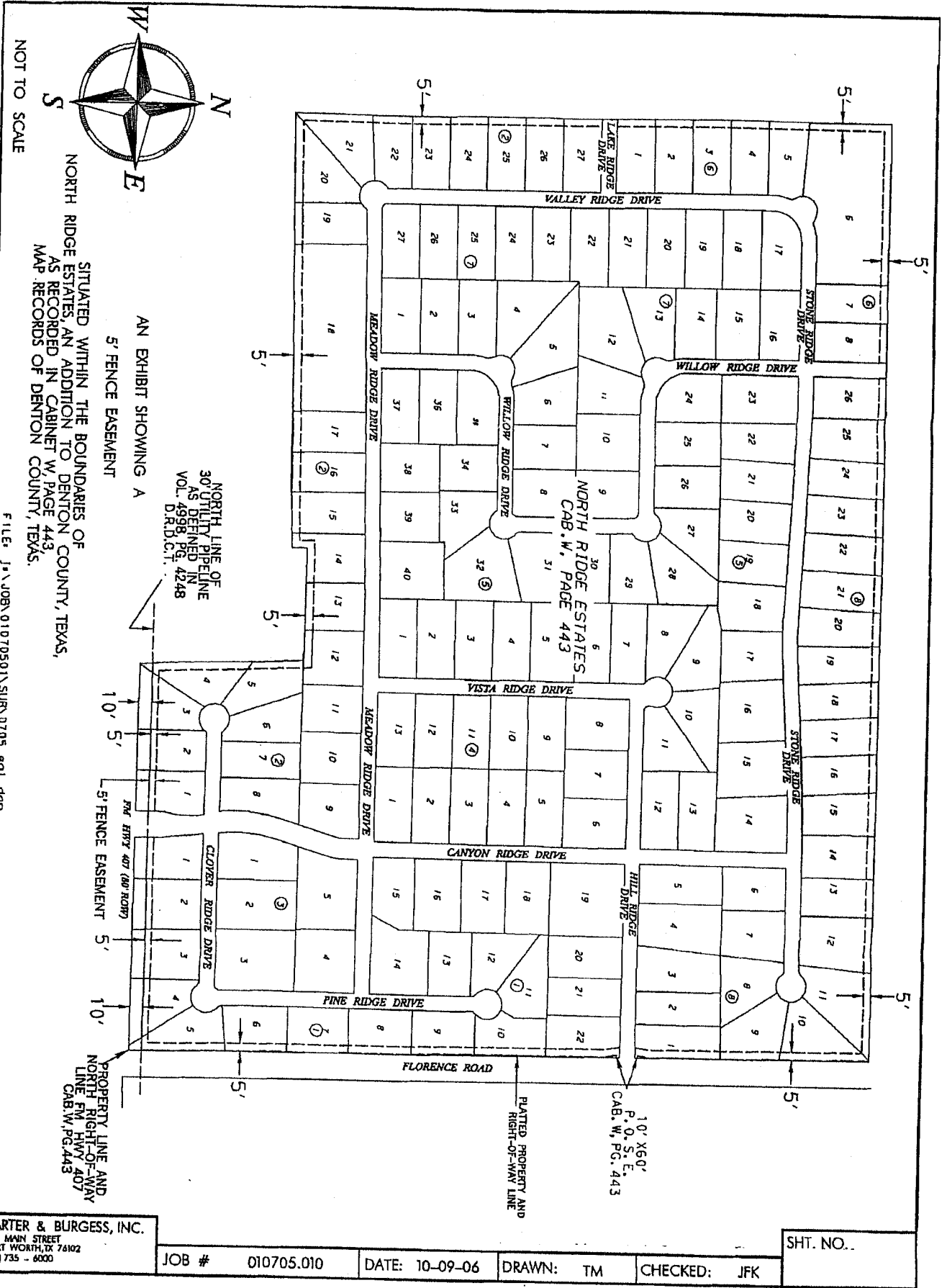
This instrument was acknowledged before me on the 30 day of Nov., 2006, by Mehrdad Moayedi, President of Pars Investments, Inc., a Texas corporation, General Partner of Northlake Estates, L.P., a Texas limited partnership.

[SEAL]



[Signature]
Notary Public, State of Texas

Exhibit A



NOT TO SCALE

SITUATED WITHIN THE BOUNDARIES OF NORTH RIDGE ESTATES, AN ADDITION TO DENTON COUNTY, TEXAS, AS RECORDED IN CABINET W, PAGE 443. MAP RECORDS OF DENTON COUNTY, TEXAS.

FILE: J:\JOB\01070501\SUR\0705.dgn

CARTER & BURGESS, INC.
777 MAIN STREET
FORT WORTH, TX 76102
(817) 735 - 6000

JOB #	010705.010	DATE:	10-09-06	DRAWN:	TM	CHECKED:	JFK
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SHT. NO. .

Denton County
Cynthia Mitchell
County Clerk
Denton, Tx 76202



70 2006 001 46720

Instrument Number: 2006-146720

Recorded On: December 04, 2006

As
Restrictions

Parties: NORTLAKE ESTATES

Billable Pages: 8

To

Number of Pages: 8

Comment:

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

Restrictions	44.00
Total Recording:	44.00

***** DO NOT REMOVE THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2006-146720
Receipt Number: 341622
Recorded Date/Time: December 04, 2006 10:02:43A

Record and Return To:

NORTLAKE ESTATES LP
3901 AIRPORT FRWY STE 200
BEDFORD TX 76021

User / Station: J Morris - Cash Station 1



THE STATE OF TEXAS }
COUNTY OF DENTON }

I hereby certify that this instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Cynthia Mitchell
County Clerk
Denton County, Texas