

FIFTH AMENDMENT
to
DECLARATION OF KRISLAND CORP.

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, Krisland Corp., a Texas corporation, as Declarant, caused the “Declaration of Krisland Corp.” (“**Declaration**”) to be recorded under Clerk’s File No. G537859 in the Official Public Records of Real Property of Harris County, Texas, which instrument imposes various covenants, conditions, restrictions easements, liens and charges upon the real property described as:

Windsong, Section One (1), a subdivision in Harris County, Texas according to the map or plat thereof recorded in Volume 295, Page 1 of the Map Records of Harris County, Texas;

Windsong, Section Two (2), a subdivision in Harris County, Texas according to the map or plat thereof recorded in Volume 314, Page 110 of the Map Records of Harris County, Texas;

Windsong, Section Three (3), a subdivision in Harris County, Texas according to the map or plat thereof recorded in Volume 323, Page 59 of the Map Records of Harris County, Texas;

(collectively, hereinafter referred to as the “**Subdivision**”); and

WHEREAS, the Declaration was amended by instrument entitled “Amendment to Declaration of Krisland Corp.” recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk’s File No. G829749 (the Declaration as amended hereinafter still referred to as “Declaration”); and

WHEREAS, the Declaration was further amended by instrument entitled “Second Amendment to Declaration of Krisland Corp.” recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk’s File No. H949164 (the Declaration as amended hereinafter still referred to as “Declaration”); and

WHEREAS, the Declaration was further amended by instrument entitled “Third Amendment to Declaration of Krisland Corp.” recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk’s File No. J436745 (the Declaration as amended hereinafter still referred to as “Declaration”); and

WHEREAS, the Declaration was further amended by instrument entitled “Fourth Amendment to the Declaration of Krisland Corp.” recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk’s File No. J739502 (the Declaration as amended

hereinafter still referred to as “Declaration”); and

WHEREAS, Article X, Section 10.2, of the Declaration, entitled “Amendments” provides the Declaration may be amended by an instrument executed by the President of Windsong Community Improvement Association (the “**Association**”) certifying that Owners of seventy-five percent (75%) of the Lots in the Subdivision have approved this amendment, if the amendment occurs more than twenty (20) years after the date of the Declaration and must be recorded in the Official Public Records of Real Property of Harris County, Texas; and

WHEREAS, this amendment occurs more than twenty (20) years after the date of the Declaration; and

WHEREAS, Section 209.0041(h) of the Texas Property Code provides that a declaration may be amended only by a vote of sixty-seven percent (67%) of the total votes allocated to property owners entitled to vote on the amendment of the declaration, unless the declaration contains a lower percentage, in which event the percentage in the declaration controls; and

WHEREAS, the Declaration provides for amendment by the approval of a higher percentage of owners than the percentage set forth in Section 209.0041 of the Texas Property Code; therefore, Section 209.0041 controls with respect to the percentage of votes necessary to effect an amendment to the Declaration; and

WHEREAS, Owners subject to the Declaration representing not less than sixty-seven percent (67%) of the total votes entitled to be cast under the Declaration desire to amend the Declaration.

NOW, THEREFORE, the following provision of the Declaration is amended as set forth below:

Article IV, Section 4.14, of the Declaration, entitled “**Vehicles, Equipment and Machinery**”, is amended and restated to read as follows:

SECTION 4.14. Vehicles, Equipment and Machinery. No boat, trailer, camping unit, camper, bus, recreational vehicle, pickup truck larger than a two and one-half ton pickup truck, vehicle that requires a commercial driver’s license to operate, tractor, tractor trailer, tow truck, or self-propelled or towable equipment or machinery of any sort shall be permitted to park, for any amount of time: (a) on any street within the Subdivision; or (b) in public view on any Lot within the Subdivision. This restriction does not apply to any vehicle, machinery, or maintenance equipment temporarily parked on a Lot or on a street in the Subdivision that is in use for construction, repair, or maintenance on a Lot.

No Inoperable Vehicle shall be parked, kept, or stored in public view on a Lot, driveway, easement or a street right-of-way in the Subdivision. An Inoperable Vehicle is a vehicle that: (a) is not in operating condition (including a flat tire); or (b) does not have a current unexpired registration sticker displayed on the vehicle; or (c) is prohibited for any reason from being operated on the streets and highways

of the State of Texas.

Except as amended herein, all provisions in the Declaration, as amended previously, remain in full force and effect. Capitalized terms used herein have the same meanings as ascribed to them in the Declaration, unless otherwise indicated.

IN WITNESS WHEREOF, the President of Windsong Community Improvement Association hereby executes this instrument to certify that Owners representing not less than sixty-seven percent (67%) of the votes entitled to be cast under the Declaration have approved the amendment set forth in this instrument in accordance with Section 209.0041(h) of the Code. A copy of the ballots evidencing such approval is attached to the Amendment as **Exhibit "A"**. This Amendment will be effective upon recording in the Official Public Records of Real Property of Harris County, Texas.

**WINDSONG COMMUNITY
IMPROVEMENT ASSOCIATION**

By: _____
As President of the Association

Name Printed: _____

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this _____ day of _____, 2023, personally appeared _____, as President of Windsong Community Improvement Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for the purpose and in the capacity therein expressed.

Notary Public in and for the State of Texas

FIRST AMENDMENT
to
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
WINDSONG, SECTION FOUR (4)

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, James T. Lynch, Inc. a Texas corporation, as Declarant, caused the “Declaration of Covenants, Conditions and Restrictions Windsong, Section Four (4)” (“**Declaration**”) to be recorded under Clerk’s File No. N453588 in the Official Public Records of Real Property of Harris County, Texas, which instrument imposes various covenants, conditions, restrictions easements, liens and charges upon the real property described as:

Windsong, Section Four (4), a subdivision in Harris County, Texas according to the map or plat thereof recorded under Film Code No. 350135 of the Map Records of Harris County, Texas (the “**Subdivision**”);

WHEREAS, Article IX, Section 9.2, of the Declaration, entitled “Amendments” provides the Declaration may be amended by an instrument executed by the President of Windsong Community Improvement Association (the “**Association**”) certifying that Owners of seventy-five percent (75%) of the Lots in the Subdivision have approved this amendment, if the amendment occurs more than twenty (20) years after the date of the Declaration and must be recorded in the Official Public Records of Real Property of Harris County, Texas; and

WHEREAS, this amendment occurs more than twenty (20) years after the date of the Declaration; and

WHEREAS, Section 209.0041(h) of the Texas Property Code provides that a declaration may be amended only by a vote of sixty-seven percent (67%) of the total votes allocated to property owners entitled to vote on the amendment of the declaration, unless the declaration contains a lower percentage, in which event the percentage in the declaration controls; and

WHEREAS, the Declaration provides for amendment by the approval of a higher percentage of owners than the percentage set forth in Section 209.0041 of the Texas Property Code; therefore, Section 209.0041 controls with respect to the percentage of votes necessary to effect an amendment to the Declaration; and

WHEREAS, Owners subject to the Declaration representing not less than sixty-seven percent (67%) of the total votes entitled to be cast under the Declaration desire to amend the Declaration.

NOW, THEREFORE, the following provision of the Declaration is amended as set forth below:

Article IV, Section 4.14, of the Declaration, entitled “**Vehicles, Equipment and Machinery**”, is amended and restated to read as follows:

SECTION 4.14. Vehicles, Equipment and Machinery. No boat, trailer, camping unit, camper, bus, recreational vehicle, pickup truck larger than a two and one-half ton pickup truck, vehicle that requires a commercial driver’s license to operate, tractor, tractor trailer, tow truck, or self-propelled or towable equipment or machinery of any sort shall be permitted to park, for any amount of time: (a) on any street within the Subdivision; or (b) in public view on any Lot within the Subdivision. This restriction does not apply to any vehicle, machinery, or maintenance equipment temporarily parked on a Lot or on a street in the Subdivision that is in use for construction, repair, or maintenance on a Lot.

No Inoperable Vehicle shall be parked, kept, or stored in public view on a Lot, driveway, easement or a street right-of-way in the Subdivision. An Inoperable Vehicle is a vehicle that: (a) is not in operating condition (including a flat tire); or (b) does not have a current unexpired registration sticker displayed on the vehicle; or (c) is prohibited for any reason from being operated on the streets and highways of the State of Texas.

Except as amended herein, all provisions in the Declaration, as amended previously, remain in full force and effect. Capitalized terms used herein have the same meanings as ascribed to them in the Declaration, unless otherwise indicated.

IN WITNESS WHEREOF, the President of Windsong Community Improvement Association hereby executes this instrument to certify that Owners representing not less than sixty-seven percent (67%) of the votes entitled to be cast under the Declaration have approved the amendment set forth in this instrument in accordance with Section 209.0041(h) of the Code. A copy of the ballots evidencing such approval is attached to the Amendment as **Exhibit “A”**. This Amendment will be effective upon recording in the Official Public Records of Real Property of Harris County, Texas.

**WINDSONG COMMUNITY
IMPROVEMENT ASSOCIATION**

By: _____
As President of the Association

Name Printed: _____

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this _____ day of _____,
2023, personally appeared _____, as President of
Windsong Community Improvement Association, known to me to be the person whose name is
subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for
the purpose and in the capacity therein expressed.

Notary Public in and for the State of Texas