

**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR VILLAGE PARK TOWNHOMES**

THE STATE OF TEXAS

THE COUNTY OF KENDALL

WHEREAS, PG VILLAGE PROPERTIES, LTD. a Texas limited partnership, hereinafter referred to as "Declarant", caused a Declaration of Covenants, Conditions and Restrictions for Village Park Townhomes dated January 30, 2008, and filed of record in Volume 1102, Page 344, Kendall County Official Records, said Declaration creating certain easements, restrictions, covenants and conditions covering the Property described therein; and

WHEREAS, the said Declaration has been amended from time to time, including that certain Amendment dated May 3, 2010, and filed for record in Volume 1212, Page 706 of the Official Records of Kendall County, Texas; and that certain Amendment dated September 17, 2015, and filed for record in Volume 1488, Page 172 of the Official Records of Kendall County, Texas; and

WHEREAS, the Declaration provides for a mechanism to amend its contents as needed; and

WHEREAS, the authority to amend the Declaration has been transferred to Village Park Owners Association (the Association), a Texas Nonprofit Corporation; and

WHEREAS, it has been deemed necessary and advisable, and in the best interests of the Homeowners to amend the said Declaration by the Board of said Association at its annual meeting on June 13, 2016;

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, and in respect of the above stated circumstances, the Declaration is hereby AMENDED as follows:

1. Section 13.3.1, Change in Designation, is hereby amended as stated on Appendix B attached hereto and made a part of for all purposes. The Appendix B attached hereto shall replace in its entirety the previous Appendix B, Maintenance Responsibility Chart and attached notes.

Except as amended herein, the remaining provisions of the Declaration, as previously amended, are ratified and affirmed.

By the signatures affixed hereto, the Directors certify that the required consents of homeowners were obtained in advance in compliance with the provisions of the Declaration, and are reflected in the minutes of the Associations.

Signed the 23 day of June, 2016.



Joe Loving, Director



Tom Boswell, Director

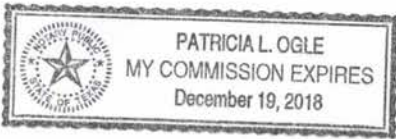



Leslie MacDonald, Director

STATE OF TEXAS

COUNTY OF KENDALL

This instrument was acknowledged before me on the 23 day of June, 2016, by Joe Loving, Director.



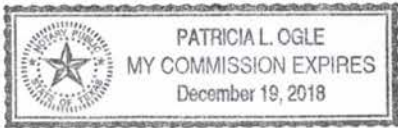



Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF KENDALL

This instrument was acknowledged before me on the 21 day of June, 2016, by Tom Boswell, Director.



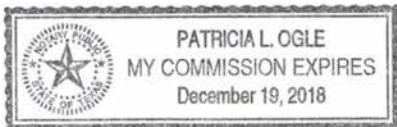



Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF KENDALL

This instrument was acknowledged before me on the 23 day of June, 2016, by Leslie MacDonald, Director.





Notary Public, State of Texas

**APPENDIX B
VILLAGE PARK OWNERS ASSOCIATION
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
MAINTENANCE RESPONSIBILITY CHART**

(See notes on Page 4)

COMPONENT OF PROPERTY	AREA OF COMMON RESPONSIBILITY	OWNER RESPONSIBILITY
Roofs.	None.	All aspects.
Roof-mounted attachments.	None.	All aspects.
Exterior vertical walls of buildings, other exterior fixtures of buildings not specifically listed in chart.	None.	All aspects, including wall cavities and insulation.
Building foundations, patio slabs, and A/C slabs.	None.	All aspects, including tolerance for minor cracks that are inevitable results of the natural movement of soil (expansion and contraction), shrinkage during the curing of the concrete, and settling of the building.
Concrete driveways.	None.	All aspects.
Concrete sidewalks.	All structural aspects.	Routine cleaning and tolerance for minor cracks that are inevitable results of the natural expansion and contraction of the soil, shrinkage during the curing of the concrete, and settling of the building.
Retaining walls.	None.	All aspects.
Displays of street numbers on exterior doors or building surfaces.	None.	All aspects.
Gutters and downspouts.	None.	All aspects.
Grounds outside the fenced yards.	All aspects.	None.
Yard irrigation system outside the fenced yards. (sprinkler)	All aspects.	None.

COMPONENT OF PROPERTY	AREA OF COMMON RESPONSIBILITY	OWNER RESPONSIBILITY
Exterior light fixtures on buildings	None.	All aspects.
Garages	None.	All aspects. Includes routine interior cleaning, interior wall and ceiling materials, garage door, pedestrian door, automatic garage door opener, remote controls, interior light fixture, interior electrical outlets.
Skylights.	None.	All aspects.
Attics.	None.	All aspects.
Insulation and weather-stripping.	None.	All aspects.
Chimneys and fireplaces.	None.	All aspects, including flues, firebox, damper, and periodic flue cleaning.
Fences and gates around private townhome yards.	None	All aspects.
Common area fences and gates, including main gate, fence along Blanco Street, and wood fence around back of property.	All aspects.	None
Townhome interiors, including improvements, fixtures, partition walls, and floors within townhome.	None	All aspects.
Sheetrock in townhomes (walls and ceilings) and treatments on walls.	None	All aspects.
Improvements and grounds in fenced private patios/yards.	None	All aspects.
Surface water drainage systems.	None.	All aspects.

COMPONENT OF PROPERTY	AREA OF COMMON RESPONSIBILITY	OWNER RESPONSIBILITY
Exterior doors of townhomes.	None.	All aspects of exterior doors, including door frame, door, glass panes, hardware, locks, peepholes, thresholds, weather-stripping, and doorbells.
Windows.	None.	All aspects, including window frames, window sill flashings, window seals and sealants, screens, window locks, glass panes, glazing, interior caulking.
Water, sewer, electrical lines and systems.	None.	All aspects of lines and systems serving the lots.
Heating and cooling systems and water heaters.	None.	All aspects.
Intrusion alarms on doors/windows, smoke/heat detectors, monitoring equipment.	None.	All aspects.
Cable for television or internet.	None.	All aspects.
Satellite dishes.	None.	All aspects.

NOTES TO MAINTENANCE RESPONSIBILITY CHART


- NOTE 1** In the event of a conflict between this Maintenance Responsibility Chart and a provision of the Declaration of Village Park Townhomes, the Declaration controls. This Maintenance Responsibility Chart may not be interpreted or amended to create a conflict with a provision of the Declaration.
- NOTE 2** As used in this Maintenance Responsibility Chart, "all aspects" includes maintenance, repair, and replacement, as needed.
- NOTE 3** Each component listed in the first column of the Maintenance Responsibility Chart of Village Park Townhomes is applicable only if the component exists, and may not be construed to create a requirement to have such a component. A skylight is an example of a component that may or may not be on a building.
- NOTE 4** If the owner is responsible for a component of the townhome building that is shared with the owners of the other townhomes in the townhome building, such as roof trusses and the foundation, the responsibility is shared by the owners of all the townhomes in the building. If the owners of the townhomes in the building cannot agree on an equitable division of the costs based on the circumstances, the division will be equal among the townhomes although one townhome may be more affected than the others. If the owners of the townhomes cannot agree on any aspect of maintenance that requires their joint participation, the matter will be decided by a three (3) person ad hoc committee appointed by the Board of Directors.
- NOTE 5** If an owner fails or refuses to perform necessary maintenance, repair, or replacement, the Association may perform the work after giving required notices to the owner.
- NOTE 6** This Maintenance Responsibility Chart may be revised by the Association acting through its Board of Directors, with the approval of owners representing at least a majority of the townhomes in the Property. A revised Maintenance Responsibility chart must be recorded in the Real Property Records of Kendall County, Texas.

(End of Appendix B)

Filed & Recorded in:

**KENDALL COUNTY
DARLENE HERRIN
COUNTY CLERK**

06/23/2016 04:31PM

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Total Fees : \$50.00 

Receipt Number - 67327
By Deputy: Paula Pfeiffer

This Document has been received by this Office for
Recording into the Official Public Records.

We do hereby swear that we do not discriminate due to
Race, Creed, Color, Sex or National Origin.

STATE OF TEXAS, COUNTY OF KENDALL
I hereby certify that this instrument was filed in File Number
Sequence on the date and at the time stamped hereon and
was duly recorded in the OFFICIAL RECORDS Records of
Kendall County, Texas on

06/23/2016
DARLENE HERRIN, COUNTY CLERK
Kendall County, Texas

By:  Deputy