



AFTER RECORDING RETURN TO:

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**FIRST AMENDMENT TO
AMENDED, RESTATED AND CONSOLIDATED
DEVELOPMENT AREA DECLARATION**
[RESIDENTIAL]

DECLARANT: ASTRO SUNTERRA, L.P., a Delaware limited partnership

Cross Reference to (i) Sunterra Amended and Restated Master Covenant, recorded as Document No. RP-2023-3106 in the Official Public Records of Harris County, Texas, and Document No. 2300182 in the Official Public Records of Waller County, Texas, and (ii) Sunterra Amended, Restated and Consolidated Development Area Declaration [Residential], recorded as Document No. RP-2023-5453 in the Official Public Records of Harris County, Texas, and Document No. 2300307 in the Official Public Records of Waller County, Texas

**FIRST AMENDMENT TO SUNTERRA AMENDED, RESTATED AND CONSOLIDATED
DEVELOPMENT AREA DECLARATION
[RESIDENTIAL]**

This First Amendment to Sunterra Amended, Restated and Consolidated Development Area Declaration [*Residential*] (the “**Amendment**”) is made by **ASTRO SUNTERRA, L.P.**, a Delaware limited partnership (the “**Declarant**”), and is as follows:

RECITALS

A. Declarant previously recorded that certain Sunterra Amended, Restated and Consolidated Development Area Declaration [*Residential*], recorded under Document No. RP-2023-5453 in the Official Public Records of Harris County, Texas, and Document No. 2300307 in the Official Public Records of Waller County, Texas (the “**Development Area Declaration**”), pursuant to the terms and conditions of that certain Sunterra Amended and Restated Master Covenant, recorded under Document No. RP-2023-3106 in the Official Public Records of Harris County, Texas, and Document No. 2300182 in the Official Public Records of Waller County, Texas (the “**Covenant**”).

B. Pursuant to *Section 5.2* of the Development Area Declaration, the Development Area Declaration may be amended by Declarant, acting alone.

C. Declarant desires to amend the Development Area Declaration as set forth herein below.

NOW, THEREFORE, Declarant hereby amends and modifies the Development Area Declaration as follows:

1. **Unsightly Articles; Vehicles; Street Parking Restrictions.** *Section 2.6* is hereby deleted in its entirety and replaced with the following:

2.6 Unsightly Articles; Vehicles; Street Parking Restrictions

2.6.1 Unsightly Articles; Vehicles. No article deemed to be unsightly by the Board will be permitted to remain on any Lot so as to be visible from adjoining property or from public or private thoroughfares. Without limiting the generality of the foregoing, trailers, graders, trucks other than pickups, boats, tractors, campers, wagons, buses, motorcycles, motor scooters, all-terrain vehicles and garden maintenance equipment shall be kept at all times except when in actual use, in enclosed structures or screened from view and no repair or maintenance work shall be done on any of the foregoing, or on any automobile (other than minor emergency repairs), except in enclosed garages or other structures.

Service areas, storage areas, compost piles and facilities for hanging, drying or airing clothing or household fabrics shall be appropriately screened from view, and no lumber, grass, plant waste, shrub or tree clippings, metals, bulk materials, scrap, refuse or trash must be kept, stored, or allowed to accumulate on any portion of the Development Area except within enclosed structures or appropriately screened from view. No racing vehicles or any other vehicles (including, without limitation, motorcycles or motor scooters) that are inoperable or do not have a current license tag may be visible on any Lot or may be parked on any roadway within the Development Area. Motorcycles must be operated in a quiet manner.

Parking of recreational vehicles, boats and other watercraft, trailers, stored vehicles or inoperable vehicles in places other than: (i) in enclosed garages; and (ii) behind a fence so as to not be visible from any other portion of the Development Area is prohibited. The foregoing prohibition shall also apply to commercial vehicles; provided, however, passenger commercial vehicles owned by an Owner or Occupant, or utilized in the Owner or Occupant's profession are permitted to be parked in the driveway so long as the vehicle (a) is utilized with regularity in the Owner or Occupant's profession and (b) may serve as the applicable Owner or Occupant's primary means of transportation outside of the business use alone (e.g. running errands).

Commercial vehicles, construction, service and delivery vehicles shall be exempt from this *Section 2.6.1* for the period of time reasonably necessary to provide the applicable service or to make a delivery to a residence.

In the event of any ambiguity regarding this applicability of this *Section 2.6.1*, the determination of the Board shall control.

2.6.2 Street Parking Restrictions. The Association shall enforce restrictions regarding on-street parking on residential streets within the Development in accordance with *Section D.8* of the Development Agreement between the Waller County and Katy 1039, Ltd. This *Section 2.6.2* shall not be amended without the review and favorable vote of the Waller County Commissioner's Court.

2. Miscellaneous. Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Development Area Declaration. Unless expressly amended by this Amendment, all other terms and provisions of the Development Area Declaration remain in full force and effect as written, and are hereby ratified and confirmed.

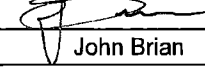
[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective the 22nd day of June, 2023.

DECLARANT:

ASTRO SUNTERRA, L.P.,
a Delaware limited partnership

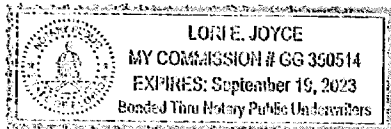
By: ASTRO SUNTERRA GP, L.L.C.,
a Delaware limited liability company
its General Partner

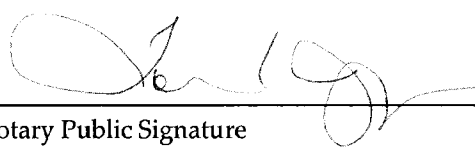
By: 
Printed Name: John Brian
Title: Authorized Signatory

THE STATE OF Florida §
§
COUNTY OF Manatee §

This instrument was acknowledged before me this 22 day of June, 2023,
by John Brian, Authorized Signatory of ASTRO SUNTERRA GP, L.L.C., a
Delaware limited liability company, General Partner of ASTRO SUNTERRA L.P., a Delaware
limited partnership, on behalf of said entities.

(SEAL)




Notary Public Signature

FILED AND RECORDED

Instrument Number: 2307142

Filing and Recording Date: 06/22/2023 03:06:01 PM Pages: 6 Recording Fee: \$32.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



A handwritten signature in cursive script that reads "Debbie Hollan".

Debbie Hollan, County Clerk
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

simplifile, Deputy

Returned To:
WINSTEAD PC - AUSTIN
401 CONGRESS AVENUE, SUITE 21
AUSTIN, TX 78701