



AFTER RECORDING RETURN TO:
ROBERT D. BURTON, ESQ.
MARK D. GROBMYER, ESQ.
WINSTEAD PC
401 CONGRESS AVE., SUITE 2100
AUSTIN, TEXAS 78701
EMAIL: RBURTON@WINSTEAD.COM;
MGROBMYER@WINSTEAD.COM

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS**

CENTRAL PARK SQUARE

GALVESTON COUNTY, TEXAS

Declarant: MERITAGE HOMES OF TEXAS, LLC, an Arizona limited liability company

Cross-reference to Declaration of Covenants, Conditions and Restrictions for Central Park Square, recorded under Document No. 2021005636 in the Official Public Records of Galveston County, Texas, as the same may be amended from time to time.

**FIRST AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
CENTRAL PARK SQUARE**

This First Amendment to Declaration of Covenants, Conditions and Restrictions for Central Park Square (this “**Amendment**”) is made by **MERITAGE HOMES OF TEXAS, LLC**, an Arizona limited liability company (“**Declarant**”), and is as follows:

RECITALS:

A. Declarant previously executed and recorded that certain Declaration of Covenants, Conditions and Restrictions for Central Park Square under Document No. 2021005636 in the Official Public Records of Galveston County, Texas, as the same may be amended from time to time (the “**Declaration**”).

B. Pursuant to *Article 12.2(a)* of the Declaration, during the Development Period, the Declaration may be amended by Declarant acting alone. The Development Period is still in effect.

C. Declarant desires to amend the Declaration as set forth hereinbelow.

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

1. **Swimming Pools**. The following *Section 7.34* is hereby added to *Article VII* of the Declaration:

7.34 **Swimming Pools**. Any swimming pool constructed on a Lot must be enclosed with a fence or other enclosure device completely surrounding the swimming pool which, at a minimum, satisfies all Applicable Law and be approved in advance by the ACA. Nothing in this *Section 7.34* is intended or shall be construed to limit or affect an Owner's obligation to comply with any Applicable Law concerning swimming pool enclosure requirements. Unless otherwise approved in advance by the ACA, above-ground or temporary swimming pools are not permitted on a Lot.

2. **Leasing**. *Article 7.30(a)* of the Declaration is hereby deleted in its entirety and replaced with the following:

(a) **General Rules**. Leasing a Dwelling for a shorter term than acknowledged on the lease, including without limitation operating a boarding house, bed-and-breakfast establishment, motel, hotel, any other means of transient occupancy, and short-term rental of Dwellings through AirBnB.com, VRBO.com or other similar websites, is strictly prohibited. Dwellings must be leased in their entirety. Renting rooms or any portion of a Dwelling less than the

entire Dwelling is strictly prohibited. The leasing of any Dwelling located on the Property shall be permitted and shall be a covenant running with each Lot and by binding on, and enforceable by, all successors of each Lot. An owner is responsible for providing his tenant with copies of this Declaration and rules promulgated by the Association and notifying him of changes thereto.

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

[SIGNATURE PAGE FOLLOWS]

Executed to be effective on the date this instrument is recorded in the Official Public Records of Galveston County, Texas.

DECLARANT:

MERITAGE HOMES OF TEXAS, LLC,
an Arizona limited liability company

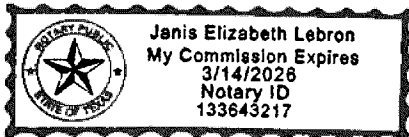
By: *[Signature]*
Printed Name: David Jordan
Title: Senior VP - Leasing

STATE OF Texas §
 §
COUNTY OF Harris §

This instrument was acknowledged before me this 6th day of February, 2021 by David Jordan, Senior VP - Leasing of MERITAGE HOMES OF TEXAS, LLC, an Arizona limited liability company, on behalf of said limited liability company.

(SEAL)

[Signature]
Notary Public Signature



FILED AND RECORDED

Instrument Number: 2024004997

Recording Fee: 37.00

Number Of Pages: 5

Filing and Recording Date: 02/06/2024 9:51AM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



A handwritten signature in black ink that reads "Dwight D. Sullivan". The signature is written in a cursive style with a horizontal line underneath it.

Dwight D. Sullivan, County Clerk
Galveston County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the clerk.

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*