

AMENDMENT NUMBER ONE TO THE
FIRST AMENDED AND RESTATED DECLARATION
OF COVENANTS, CONDITIONS RESERVATIONS AND RESTRICTIONS
OF THE RIVER PLACE SUBDIVISION

After Recording, Return To:
Insert our lawyer's name here

AMENDMENT NUMBER ONE TO THE
FIRST AMENDED AND RESTATED DECLARATION
OF COVENANTS, CONDITIONS RESERVATIONS AND RESTRICTIONS
OF THE RIVER PLACE SUBDIVISION

THE STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

This Amendment Number One (the “Amendment”) to the First Amended and Restated Declaration of Covenants, Conditions Reservations and Restrictions of the River Place Subdivision (the “Declaration”) is made by Owners of at least a majority, fifty percent (50%) plus one (1), of the LOTS in the River Place Subdivision (as same is defined in the Declaration), and shall be effective upon recording in the Real Property Records of Brazos County, Texas.

Existing SECTION III, RESTRICTIONS, Paragraph 4. GENERAL RESTRICTIONS, SUB-PARAGRAPH D. is deleted in its entirety and replaced with the following new SECTION III, RESTRICTIONS, Paragraph 4. GENERAL RESTRICTIONS, SUB-PARAGRAPH D.

- D. No animals, livestock, or poultry of any kind shall be raised, bred, and/or kept on any LOT within RIVER PLACE for commercial purposes. Each LOT shall be allowed one Animal Unit (AU) per every one (1) acre or fraction of an acre in said LOT. No LOT shall have more than 12 Animal Units, regardless of size of acreage. One Animal Unit (AU) is defined as:

1 Cow = 1 AU

1 Horse = 1 AU

1 Dog or Cat = 1/2 AU (Maximum 4 dogs or cats)

1 Chicken = 1/9 AU (Maximum 9 chickens)

There will be no swine, ducks, geese, goats, or sheep allowed or otherwise kept on any LOT within RIVER PLACE. There will be no wild, exotic, or naturally undomesticated animals caged or otherwise kept on any PARCEL within RIVER PLACE.

All Dogs shall be kept on a leash, held by a responsible person, penned, and/or confined to the OWNER’S property. No Dogs shall be allowed to run loose.

A LOT that contains a single-family residential home may keep up to a maximum of nine (9) domestic female Chickens (hens) on that LOT, contingent on the following requirements:

One Henhouse Only. A resident with multiple LOTs is limited to one henhouse.

Personal Use Only. Hens must be used solely for personal egg production. All hens and eggs produced are for personal consumption only and are never to be sold.

Henhouse Enclosure. A humane and properly constructed henhouse, with at least two (2) feet of grade-level ground clearance, shall be provided. The structure must include solid, secure sides, including a solid top, that maintains confinement and prevents entry of predatory animals such as foxes or hawks. Sides should be embedded into the ground no less than one foot in depth. Exterior surfaces, not inherently resistant to deterioration, shall be treated with a protective coating, such as paint or other suitable preservative, and maintained with sufficient frequency to prevent deterioration. The henhouse enclosure must provide access for proper cleaning and maintenance. The henhouse enclosure must provide protection from extreme temperatures, including but not limited to insulation, ventilation, and drainage.

Henhouses must include laying boxes of a minimum surface of fourteen (14) inches by fourteen (14) inches per chicken. The laying boxes must be regularly bedded with sawdust, straw, or like material.

All henhouse enclosures, including but not limited to structures and fencing, shall be constructed or repaired so as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure.

All henhouses must be properly maintained in a safe, clean, sanitary, and substantial condition that poses no health threat to the Chickens or to RIVER PLACE residents, and does not create a public nuisance.

Rodent Controls. All feed and other items associated with the keeping of said Chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with those feed and items.

Disposal of Chicken Waste and Manure. Waste products, including but not limited to chicken manure and bedding materials, generated from the raising of chickens, shall be disposed of in a safe manner that will not endanger the health or welfare of RIVER PLACE residents. When possible and not a public eyesore, the waste products can be composted on-site by the owner. If on-site composting is impractical, the waste products shall be double-bagged by the owner in plastic bags, and the plastic bag placed in the rollout household garbage container, for weekly disposal along with the regular household trash.

Fence Surrounding Henhouse. All hens shall be contained, at all times, within a fence of at least four (4) feet high. Each hen shall have a minimum of four (4) square feet of range area. The range area must be well drained so there is no accumulation of moisture.

Henhouse Location. All henhouses shall be a minimum of twenty-five (25) feet away from any adjoining property line. All henhouse structures, fencing, and hens must be located in the rear 1/3rd of the LOT property and not be visible from the street. A privacy fence enclosure must surround the entire area where Chickens are kept, to include the range area, in order to prohibit view from adjoining neighbors.

Landscape Plan. A landscape plan must be submitted, along with a proposal to keep Chickens, to the RIVER PLACE Architectural Control Committee (the "COMMITTEE"). A landscape plan showing the proposed henhouse location, design of the henhouse, and

enclosure, to include materials used in its construction, must be approved by the COMMITTEE for each property prior to its construction.

No Roosters. Male chickens (roosters) are prohibited.

This First Amendment to the First Amended and Restated Declaration of Covenants, Conditions Reservations and Restrictions of the River Place Subdivision has been approved by the undersigned OWNERS of at least a majority of the LOTS in the RIVER PLACE SUBDIVISION.

CERTIFICATION

I hereby certify that, as Secretary of the River Place Property Owners' Association, d/b/a River Place Association, the foregoing First Amendment to the First Amended and Restated Declaration of Covenants, Conditions Reservations and Restrictions of the River Place Subdivision has been approved by the undersigned OWNERS of at least a majority of the LOTS in the RIVER PLACE SUBDNISION.

DATED, this the ____ day of _____, 2023.

Print Name: _____
Title: SECRETARY

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

BEFORE ME, on this day personally appeared _____, the Secretary of River Place Property Owners' Association, Inc., d/b/a River Place Association known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed and in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the ____ day of _____, 2023.

Notary Public – State of Texas

OWNERS' SIGNATURE PAGES FOLLOW THIS PAGE

OWNERS' APPROVAL

WHEREAS, I, the undersigned record owner (hereinafter the "Owner" whether one or more) of the real property described below, hereby acknowledge and approve the First Amendment to the First Amended and Restated Declaration of Covenants, Conditions Reservations and Restrictions of River Place Subdivision to which this Owners' Approval is attached:

PROPERTY:

Lot _____, Block _____, River Place Phase _____

OWNER:

Signature: _____

Print Name: _____

Address: _____

City, State: _____

Date: _____

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF BRAZOS §

The First Amendment to the First Amended and Restated Declaration of Covenants, Conditions Reservations and Restrictions of River Place Subdivision was approved and acknowledged by _____, before me the undersigned authority on this ____ day of _____, 20__.

Notary Public – State of Texas