

**SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR NORTH CREEK MCKINNEY**

STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF COLLIN §

This Second Amendment to Declaration (this “**Amendment**”) is made by **NORTH CREEK MCKINNEY HOMEOWNERS ASSOCIATION, INC.**, a Texas nonprofit corporation (the “**Association**”), and is as follows:

RECITALS:

A. The Association is the property owners association having jurisdiction over that certain real property (the “**Property**”) located in Collin County, Texas and as more particularly described on Exhibit A to that certain Declaration of Residential Restrictions, recorded as Document No. 20210409000721530 in the Official Public Records of Collin County, Texas (the “**Prior Declaration**”), which Declaration was supplanted by that certain Declaration of Covenants, Conditions and Restrictions for North Creek McKinney, recorded as Document No. 2023000019548 in the Official Public Records of Collin County, Texas, as amended by that certain First Amendment to Declaration of Covenants, Conditions and Restrictions for North Creek McKinney, recorded as Document No. 2024000063572 in the Official Public Records of Collin County, Texas (collectively, the “**Declaration**”).

B. Pursuant to *Section 9.4* of the Declaration, the Declaration may be amended with the affirmative vote or written consent, or any combination thereof, of members representing fifty-one percent (51%) of the total votes in the Association.

C. This Amendment has been approved by the requisite number of Members convened at a duly called meeting of said Members or their proxies and approved in accordance with the bylaws of the Association.

D. The Association desires to amend the Declaration to clarify that the Declaration replaces, in its entirety, the Prior Declaration, as defined in Recital A above.

NOW THEREFORE, the Declaration is modified as follows:

1. Replacement of Prior Declaration. A new *Section 9.15* is hereby added to the Declaration as follows:

9.15 Replacement of Prior Declaration. For the avoidance of doubt, this Declaration shall replace in its entirety that certain Declaration of Residential Restrictions, recorded as Document No. 20210409000721530 in the Official Public Records of Collin County, Texas (the “**Prior Declaration**”). The Prior Declaration

shall be of no further force of effect as of the date this Declaration is recorded in the Official Public Records of Collin County, Texas.

2. **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.

Executed to be effective on the date this instrument is recorded.

ASSOCIATION:

**NORTH CREEK MCKINNEY HOMEOWNERS
ASSOCIATION, INC.,**
a Texas nonprofit corporation

By: _____
Printed Name: _____
Title: President

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me this ____ day of _____, 20____,
by _____, President of NORTH CREEK MCKINNEY
HOMEOWNERS ASSOCIATION, INC., a Texas nonprofit corporation, on behalf of said
corporation.

(SEAL)

Notary Public Signature