

**Kaufman County
Laura Hughes
County Clerk**

Instrument Number: 2023-0033040

**Billable Pages: 4
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FILED AND RECORDED – REAL RECORDS	CLERKS COMMENTS
<p>On: 11/28/2023 at 01:46 PM</p> <p>Document Number: <u>2023-0033040</u></p> <p>Receipt No: <u>23-30842</u></p> <p>Amount: \$ <u>38.00</u></p> <p>Vol/Pg: <u>V:8303 P:330</u></p>	<p>E-RECORDING</p>



**STATE OF TEXAS
COUNTY OF KAUFMAN**

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 Kaufman County, Texas.

Laura A. Hughes

Laura Hughes, County Clerk

Recorded By: Leslie De La Rosa, Deputy

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

Record and Return To:

SILVER STAR TITLE, LLC DBA SENDERA TITLE
1409 SUMMIT AVENUE
FORT WORTH, TX 76102





AFTER RECORDING RETURN TO:
KRISTI STOTTS, ESQ.
WINSTEAD PC
401 CONGRESS AVE., SUITE 2100
AUSTIN, TEXAS 78701
KSTOTTS@WINSTEAD.COM

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

WALDEN POND

[KAUFMAN COUNTY, TEXAS]

Declarant: MM WALDEN POND, LLC, a Texas limited liability company

Cross-reference to Declaration of Covenants, Conditions and Restrictions for Walden Pond, recorded under Document No. 2023-0004883 in the Official Public Records of Kaufman County, Texas, as amended.

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WALDEN POND

This Second Amendment to Declaration of Covenants, Conditions and Restrictions for Walden Pond (this "**Amendment**") is made by MM WALDEN POND, LLC, a Texas limited liability company ("**Declarant**"), and is as follows:

RECITALS:

A. Declarant is the "Declarant" under that certain Declaration of Covenants, Conditions and Restrictions for Walden Pond, recorded under Document No. 2023-0004883, in the Official Public Records of Kaufman County, Texas, as amended by that certain First Amendment to Declaration of Covenants, Conditions and Restrictions for Walden Pond, recorded under Document No. 2023-0017246, in the Official Public Records of Kaufman County, Texas (collectively, the "**Declaration**").

B. Section B.3.4 of Appendix "B" to the Declaration provides that the Declaration may be amended unilaterally by the Declarant during the Development Period for the purpose of complying with the requirements of an underwriting lender.

C. The Development Period is defined in *Section 1.15* of the Declaration as the period of time beginning on the date the Declaration is recorded in the real property records of Kaufman County, Texas, and ending on the earlier of (i) fifty (50) years after the date the Declaration was recorded, or (ii) the date on which the Declarant records a written notice of termination of the Development Period in the real property records of Kaufman County, Texas. The Declaration was recorded in the Official Public Records of Kaufman County, Texas, on February 27, 2023, and the Declarant has not recorded a termination of Development Period. Accordingly, the Development Period is still in effect.

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

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

1. FHA, VA and USDA Requirements. The following provision is hereby added to *Article 17* of the Declaration as *Section 17.11*:

17.11 FHA, VA and USDA Requirements. Notwithstanding any inconsistent or contrary provision in this Declaration, if there are any FHA, VA, or USDA insured loans affecting a Lot, and only for so long as any such loans affect the Lot, any restrictions in this Declaration regarding renting, subleasing, or reconveyance that violate any FHA, VA or USDA requirements will not apply to such Lot or its Owner.

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.

[SIGNATURE PAGE FOLLOWS]

EXECUTED TO BE EFFECTIVE on the 26th day of November 2023.

DECLARANT:

MM WALDEN POND, LLC, a Texas limited liability company

By: MMM Ventures, LLC, a Texas limited liability company, its Manager

By: 2M Ventures, LLC, a Delaware limited liability company, its Manager

DocuSigned by:

By: 

Printed Name: Mehrdad Moayed

Title: Manager

THE STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me this 28 day of November, 2023, by M. Mehrdad Moayed, the Manager of 2M Ventures, LLC, a Delaware limited liability company, the Manager of MMM Ventures, LLC, a Texas limited liability company, Manager of MM Walden Pond, LLC, a Texas limited liability company, on behalf of said companies.

(SEAL)


Notary Public Signature

