

**THIRD AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
ON AND FOR WESTMONT
A SUBDIVISION IN LUBBOCK COUNTY, TEXAS**

STATE OF TEXAS }
 }
COUNTY OF LUBBOCK } **KNOW ALL MEN BY THE PRESENTS:**

Westmont Village, LLC executed an Declaration of Covenants, Conditions, Restrictions and Easements ("The Declaration") on June 15, 2020, for said property being Lots One (1) through Lots Seventy One (71), inclusive, Westmont, an Addition to the City of Lubbock, Lubbock County, Texas, according to the Map, Plat and/or Dedication Deed thereof recorded in Clerk's Document No. 2020022700, of the Official Public Records of Lubbock County, Texas. The Declaration was filed of record in Clerk's Document No. 2020023894 of the Official Public Records of Lubbock County, Texas.

Whereas, Westmont Village, LLC executed an First Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements ("The Declaration") on August 13, 2020, for said property being Lots One (1) through Lots Seventy One (71), inclusive, Westmont an Addition to the City of Lubbock, Lubbock County, Texas. The Declaration was filed of record in Clerk's Document No. 2020034792 of the Official Public Records of Lubbock County, Texas.

Pursuant to this Declaration, Westmont Village, LLC assigned to RED SPIKE Development, LLC, a Texas limited liability company ("RED SPIKE") on September 11, 2020, all of Westmont Village, LLC, Easements in, to and under the Declaration, pursuant to that certain General Warranty Deed by and between Westmont Village, LLC and RED SPIKE Development, LLC. The General Warranty Deed was filed of record in Clerk's Document No. 2020040214 of the Official Public Records of Lubbock County, Texas.

Whereas, Westmont Village, LLC executed a Second Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements ("The Declaration") on March 25, 2022, for said property being Lots Seventy Two (72) through Lots One Hundred Eighty Nine (189), inclusive, Westmont an Addition to the City of Lubbock, Lubbock County, Texas. The Declaration was file of record in Clerk's Document No. 2022014376 of the Official Public Records of Lubbock County, Texas.

Article III, Section 2 (a) of the Declaration permits the Declarant (without the joinder and consent of any person or entity) to add or annex additional real property to the scheme of the Declaration, within the "Development Period" (as "Development Period" is defined in the Declaration), by filing or record an appropriate enabling declaration, generally similar to the Declaration, extending the scheme of the Covenants (as "Covenants" is defined in Article I of the Declaration) to such additional property. In addition, Article III, Section 2 (a) of the Declaration allows the Declarant, during the Development Period, to amend the Declaration, unilaterally, for any purpose.

Declarant desires to add additional property (the "Additional Property") as described on Exhibit "A" to this THIRD Amendment (being Lots 190 through 295, inclusive, Westmont, an Addition to the City of Lubbock, Lubbock County, Texas); and, Declarant desires that the Additional Property described on Exhibit "A" to this THIRD Amendment shall be added to the scheme of the Declaration, subject to the modifications and amendments as contained within this THIRD Amendment pertaining to said Additional Property.

Article III, Section 1, the Assessment Fees for these Single Family Lots is herein amended as follows:

Lots 190-295, inclusive, the maximum per lot regular assessment for these Single Lots shall be \$50 per Undeveloped Lot; \$100 per Developed Lot; \$200 per Improved Lot.

Article V, Section 2, the Minimum Floor Space for these Single Family Lots is here amended as follows:

Except as otherwise provided in this Declaration, Lots 190-295, inclusive, contain not less than 1,800 square feet of air-conditioned floor space, exclusive of garage, open or screened porch, storage rooms, basement and other space not equipped with heating and cooling.

Article V, Section 4, Setback Requirements is herein amended as follows:

Each Dwelling Unit constructed on Lots 190-295, inclusive, shall have a front yard setback of twenty (20) feet.

Article V, Section 6(m), Mail Cluster Boxes per United States Postal Service ("USPS") are required at the locations described on Exhibit "B" attached hereto.

The Declaration of Covenants, Conditions and Restrictions on and for Westmont, a subdivision in Lubbock County, Texas previously imposed and herein described are not amended, changed, modified or altered in any way other than as specifically and expressly set out herein.

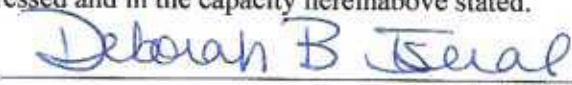
In WITNESS WHEREOF, Declarant and the other parties have executed this Amendment to be effective as of **March 3, 2025** (the "Effective Date").

DECLARANT:

RED SPIKE DEVELOPMENT, LLC, A Texas limited liability company


Thomas K. Payne, Manager

THE STATE OF TEXAS {}
COUNTY OF LUBBOCK {}



Before me, the undersigned authority on this 3rd day of March, 2025 personally appeared THOMAS K. PAYNE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the instrument as the act of RED SPIKE DEVELOPMENT, LLC, a Texas limited liability company and that he executed the instrument on behalf of the limited liability company for the purposes and consideration expressed and in the capacity hereinabove stated.



Notary Public, State of Texas

LENDERS:
PLAINS CAPITAL BANK

By: Mark Rosenberg
PRINT NAME: Mark Rosenberg
TITLE: Executive Vice President

THE STATE OF TEXAS }
COUNTY OF LUBBOCK }

Before me, the undersigned authority on this 3rd day of March, 2025 personally appeared Mark Rosenberg, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the instrument as the act of Plains Capital Bank, a state banking association and that he executed the instrument on behalf of the limited liability company for the purposes and consideration expressed and in the capacity hereinabove stated.




Notary Public, State of Texas

EXHIBIT "A"

ADDITIONAL PROPERTY

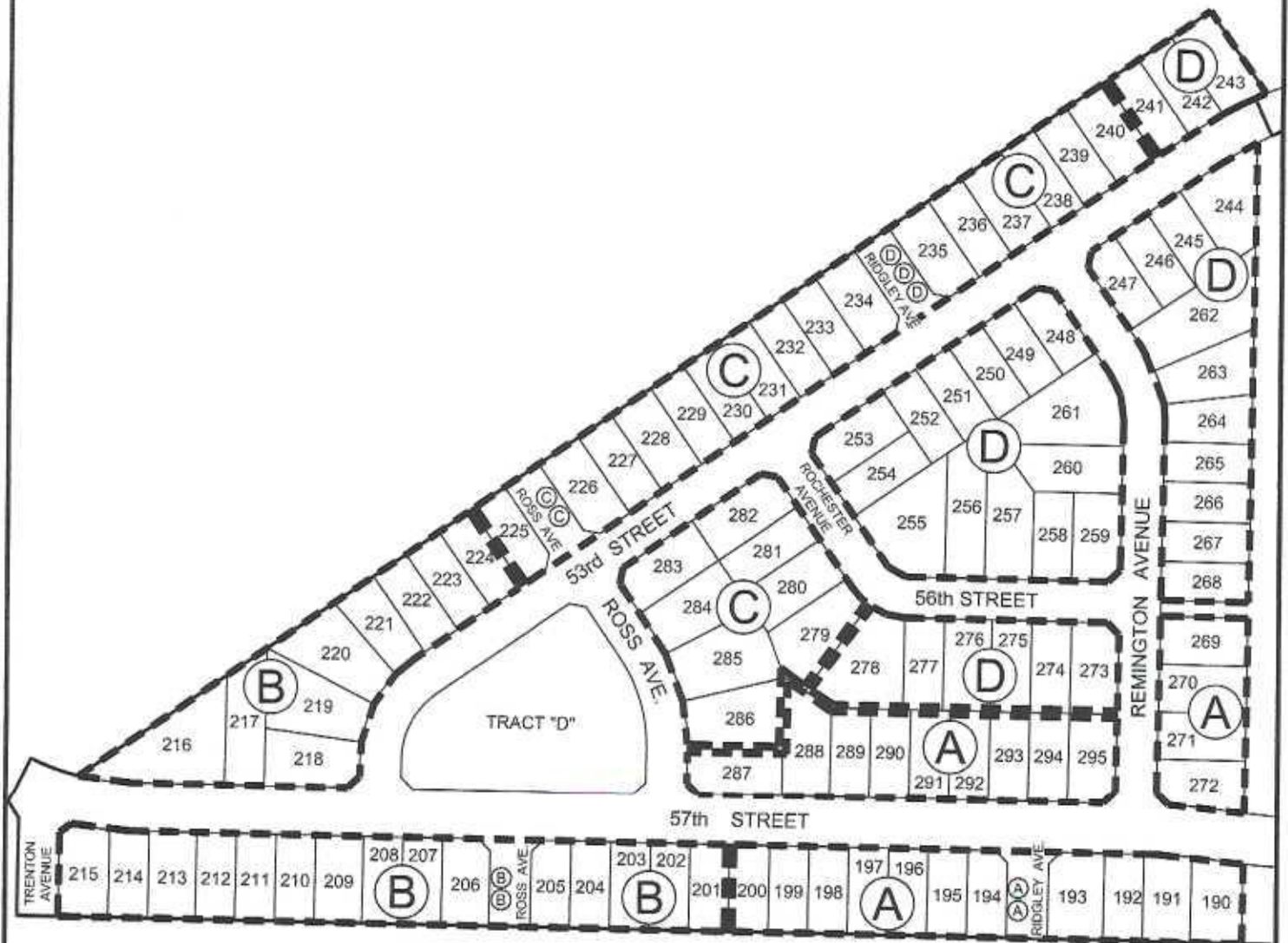
Lots One Hundred Ninety (190) through Two Hundred Ninety-Five (295), inclusive, WESTMONT, an addition to the City of Lubbock, Lubbock County, Texas, according to the map, plat and or dedication deed thereof recorded in Clerk's Document No. 2025005857, as to, of the Official Public Records of Lubbock County, Texas.

EXHIBIT "B"
USPS CLUSTER BOX LOCATIONS

LOTS 190 - 295

WESTMONT

CLUSTER MAIL BOX CONFIGURATION



Ⓐ - Ⓓ CLUSTER MAIL BOX LOCATIONS

Ⓐ - LOTS 190-200; 269-272; 287-295

Ⓑ - LOTS 201-205; 206-215; 216-224

Ⓒ - LOTS 225-234; 235-240; 279-282; 283-286

Ⓓ - LOTS 241-243; 244-247; 248-261; 262-268; 273-278



FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Kelly Pinion

Kelly Pinion, County Clerk
Lubbock County, TEXAS
03/06/2025 09:36 AM
FEE: \$49.00
2025008049