

**SECOND AMENDMENT TO
THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE VILLAGE AT WESTSIDE CROSSINGS**

This Second Amendment to Declaration of Covenants, Conditions and Restrictions For The Village At Westside Crossings is made on the date hereinafter set forth by EPWCV, LLC., a Texas limited liability company, hereinafter referred to as "Declarant".

WHEREAS, Declarant has previously caused to be filed that Certain Declaration of Covenants, Conditions and Restrictions For The Village At Westside Crossings hereinafter referred to as "Declaration" being recorded under Clerk's File No. 20200037948, Real Property Records of El Paso County, Texas; and

WHEREAS Declarant desires to amend the Declaration;

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

Article 5, Section 5.05 is deleted in its entirety and replaced with the following:

5.05 Fences; Sidewalks. All fences and walls shall comply with all Applicable Law. Unless otherwise approved by the ACC, no fence, wall or hedge will be erected or maintained on any Lot nearer to the street than the front elevation of the Dwelling constructed on the Lot, except for fences erected in conjunction with the model homes or sales offices. The ACC will have the sole discretion to determine the front elevation of the Dwelling for the purpose of this Section. Fences constructed on corner lots may be installed one (1) foot from the sidewalk and/or curb along the side yard adjacent to the street provided that such fencing complies with applicable governmental ordinances. All perimeter fences must be approved in advance by the ACC. All such perimeter fences will be six (6) feet in height unless otherwise approved by the ACC. No chain-link, metal cloth or agricultural fences may be installed or maintained on the Lot. If required by the Plat, the Owner of each Lot shall construct, at such Owner's sole cost and expense and prior to occupying any Improvement, a sidewalk on such Owner's Lot, located and designed in conformance with the Plat. All rear and side rockwalls shall have a minimum height of four feet six inches (4'6").

Article 5, Section 5.09 is deleted in its entirety and replaced with the following:

5.09 Building Location. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines required for these lots as set in the City of El Paso Zoning Ordinance. In any event, no building shall be located on any lot nearer than 20 feet from the front lot line, and, in no event shall the garage be located closer than 20 feet from the property line. No building shall be nearer than 10 feet from the side streets lines; nor nearer than 8 feet to interior lot lines except, however, of setback waivers granted by the City of El Paso for this subdivision and/or that a garage located at least 65 feet from the property line may be placed not nearer than 3 feet from the lot line of interior lots. For the purposes of this covenant, boxed and bay windows, eaves, steps, and open porches or stoops, and projections of fireplaces and windows shall not be considered as a part of the building, provided, however, that

this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.

Article 6, Section 6.01 is deleted in its entirety and replaced with the following:

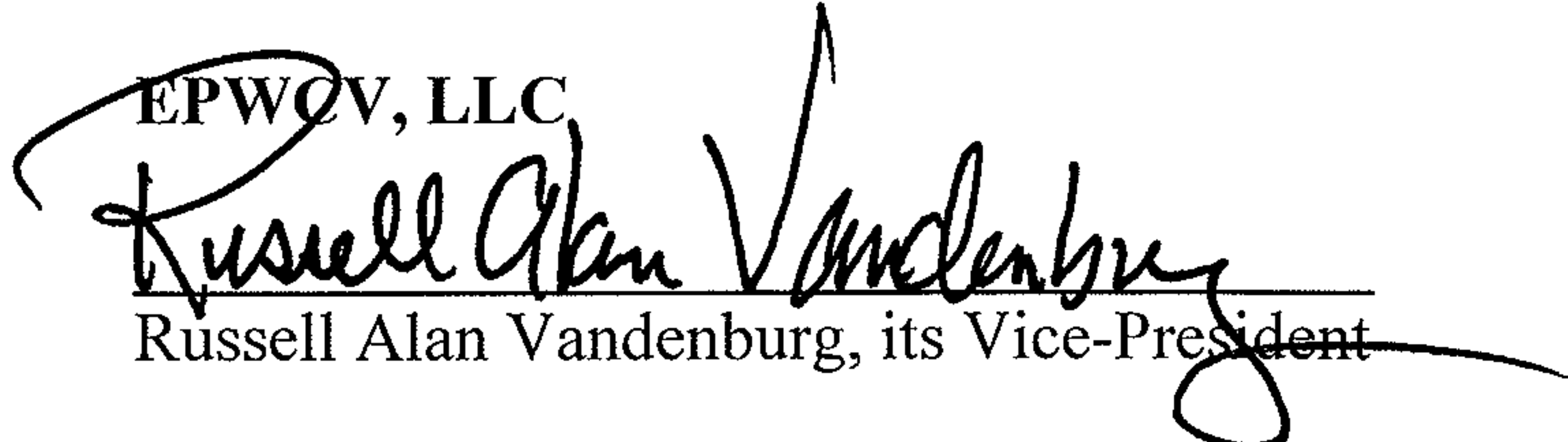
6.01a. The Association. For the efficient preservation of the value and amenities in the Property, Declarant deems it desirable to provide for an agency to which will be delegated and assigned the powers of maintaining and administering all common properties and amenities, and enforcing and administering the covenants and restrictions and collecting and disbursing the assessments and charges hereinafter created, and therefore Declarant shall cause a nonprofit corporation to be incorporated under the laws of the State of Texas hereafter referred to as the "Association". The duties and powers of the Association are those set forth in this Declaration, together with general and implied powers of a property Owners association and a nonprofit corporation organized under the laws of the State of Texas. The Association comes into existence on the earlier of (1) issuance of its corporate charter or (2) the initial levy of assessments against the Lots and Owners. The Association will continue to exist at least as long as the Declaration is effective against the Property, regardless of whether its corporate charter lapses from time to time.

6.01b. Organization. The Association will be a nonprofit corporation created for the purposes, charged with the duties, and vested with the powers of a Texas non-profit corporation. Neither the Certificate nor Bylaws will for any reason be amended or otherwise changed or interpreted so as to be inconsistent with this Declaration.

Except as amended by this Second Amendment to the Declaration of Covenants, Conditions and Restrictions for the Village at Westside Crossings, the Declaration of Covenants, Conditions and Restrictions for the Village at Westside Crossings as amended from time to time shall continue in full force and effect under its original terms.

Terms not otherwise defined herein shall have the same meaning as in the Declaration.

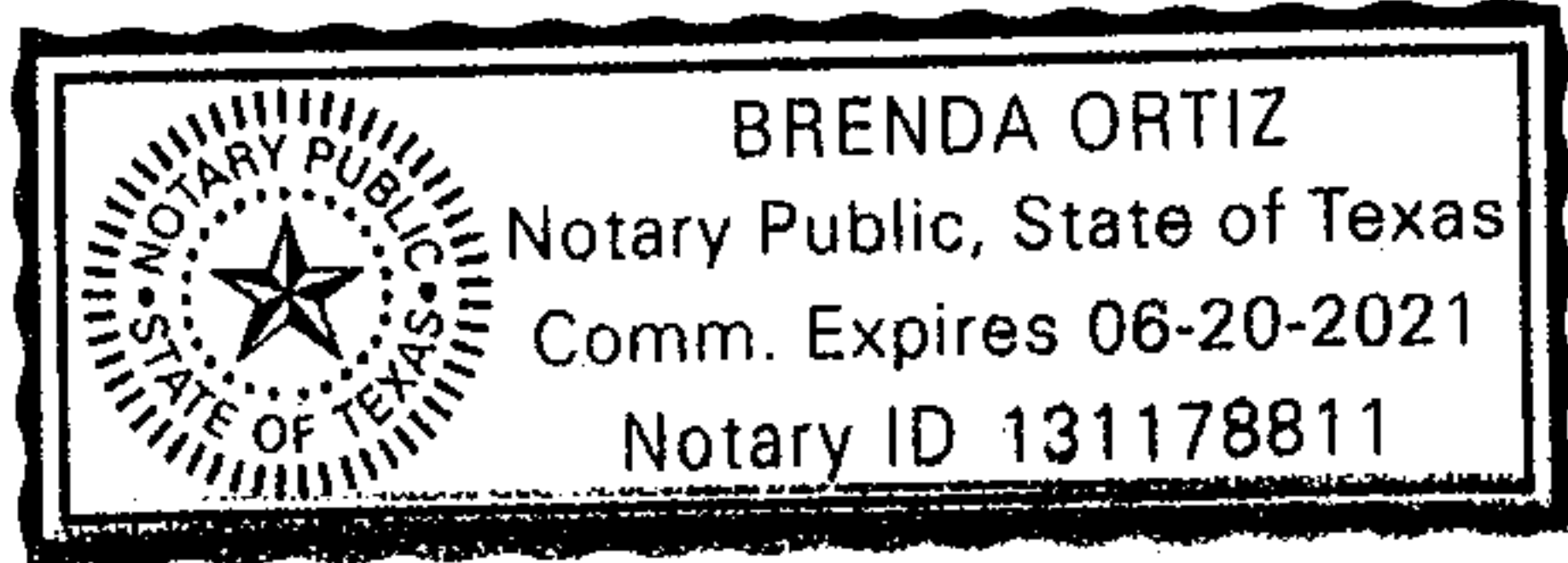
IN WITNESS WHEREOF, the undersigned Declarant has executed this Second Amendment to the Declaration of Covenants, Conditions and Restrictions for the Village at Westside Crossings to be effective as of the 31 day of July, 2020.

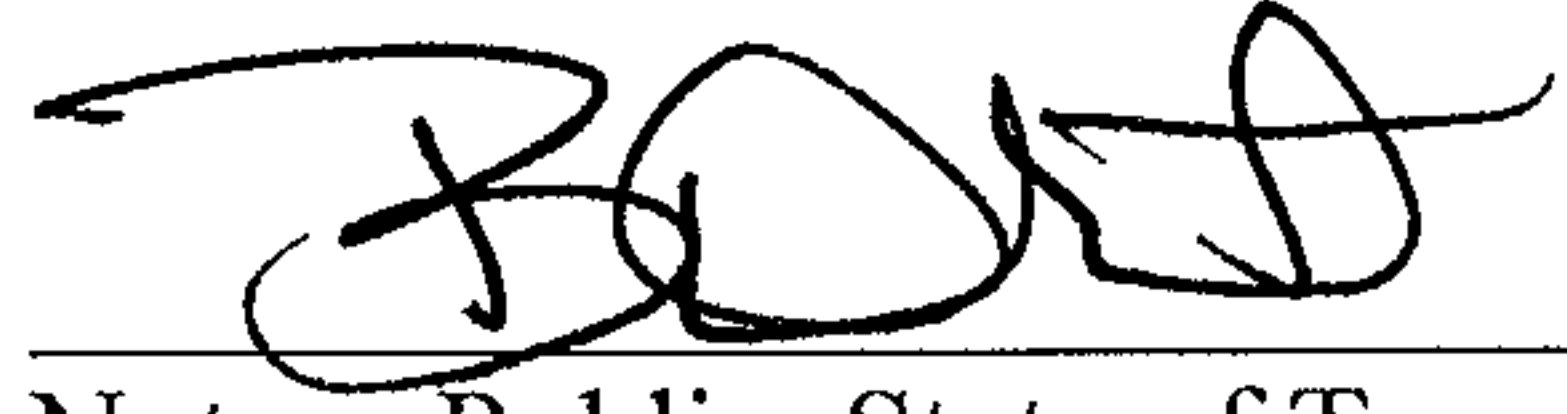
EPWCV, LLC

Russell Alan Vandenburg, its Vice-President

JURAT TO FOLLOW

STATE OF TEXAS §
 §
COUNTY OF EL PASO §

BEFORE ME, the undersigned authority, on this day personally appeared Russell Alan Vandenburg, as Vice-President of EPWCV, LLC, on behalf of said entity,





Notary Public, State of Texas

Doc # 20200059252
#Pages 3 #NFPages 1
07/31/2020 11:16 AM
Filed & Recorded in
Official Records of
El Paso County
Delia Briones
County Clerk
Fees \$34.00

eRecorded

I hereby certify that this instrument was filed on the date and time stamped
heron by me and was duly recorded by document number in the Official
Public Records of real Property in El Paso County.



Delia Briones

EL PASO COUNTY, TEXAS