



*Dana DeBeauvoir*

Dana DeBeauvoir, County Clerk  
Travis County, Texas

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\*Electronically Recorded\*

**THIRTEENTH AMENDMENT  
to  
SCOFIELD PHASE VIII RESIDENTIAL AREA  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

THE STATE OF TEXAS       §  
  §  
COUNTY OF TRAVIS       §

WHEREAS, Mellon Properties Company, a Louisiana corporation, as Declarant, caused the instrument entitled "Scofield Phase VIII Residential Area Declaration of Covenants, Conditions and Restrictions" (the "Declaration") to be recorded in Volume 12255, Page 1, *et seq.* of the Official Public Records of Real Property of Travis County, Texas, which Declaration imposes various covenants, conditions, restrictions, easements, liens and charges on the Subdivision (as defined in the Declaration); and

WHEREAS, the Declaration was amended by instrument entitled "First Amendment to Scofield Phase VIII Residential Area Declaration of Covenants, Conditions and Restrictions" recorded in Volume 12427, Page 588, *et seq.* of the Official Public Records of Real Property of Travis County, Texas; and

WHEREAS, the Declaration was supplemented and further amended by instrument entitled "Second Amendment to Scofield Phase VIII Residential Area Declaration of Covenants, Conditions and Restrictions" recorded in Volume 12627, Page 604, *et seq.* of the Official Public Records of Real Property of Travis County, Texas, which instrument subjects the following real property to the provisions of the Declaration, as supplemented and amended, and the jurisdiction of Scofield Phase VIII Residential Owners Association, Inc. (the "Association"):

Scofield Farms, Phase 8, Section 2, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 95, Pages 220-222 of the Plat Records of Travis County, Texas

and,

WHEREAS, the Declaration was further supplemented and amended by instrument entitled "Third Amendment to Scofield Phase VIII Residential Area Declaration of Covenants, Conditions and Restrictions" recorded in Volume 12769, Page 141, *et seq.* of the Official Public Records of Real Property of Travis County, Texas, which instrument subjects the following real property to the provisions of the Declaration, as supplemented and amended, and the jurisdiction of the Association:

Scofield Farms, Phase 8, Section 3, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 97, Pages 1-4 of the Plat Records of Travis County, Texas

and,

WHEREAS, the Declaration was further supplemented and amended by instrument entitled "Fourth Amendment to Scofield Phase VIII Residential Area Declaration of Covenants, Conditions and Restrictions" recorded in Volume 13071, Page 438, *et seq.* of the Official Public Records of Real Property of Travis County, Texas, which instrument subjects the following real property to the provisions of the Declaration, as supplemented and amended, and the jurisdiction of the Association:

Scofield Farms, Phase 3, Section 3, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 99, Pages 305-307 of the Plat Records of Travis County, Texas

and

Scofield Farms, Phase 8, Section 4, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 100, Pages 15-17 of the Plat Records of Travis County, Texas

and,

WHEREAS, the Declaration was further supplemented and amended by instrument entitled "Fifth Amendment to Scofield Phase VIII Residential Area Declaration of Covenants, Conditions and Restrictions" recorded in Volume 13347, Page 2918, *et seq.* of the Official Public Records of Real Property of Travis County, Texas, which instrument subjects the following real property to the provisions of the Declaration, as supplemented and amended, and the jurisdiction of the Association:

Scofield Farms, Phase 10, Section 1, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 101, Pages 375-378 of the Plat Records of Travis County, Texas

and,

WHEREAS, the Declaration was further amended by instrument entitled "Sixth Amendment to Scofield Phase VIII Residential Area Declaration of Covenants, Conditions and Restrictions" recorded in the Official Public Records of Real Property of Travis County, Texas under Clerk's File No. 1999053332; and

WHEREAS, the Declaration was further supplemented and amended by instrument entitled "Seventh Amendment to Scofield Phase VIII Residential Area Declaration of Covenants, Conditions and Restrictions" recorded in the Official Public Records of Real Property of Travis County, Texas under Clerk's File No. 1999146686, which instrument subjects the following real property to the provisions of the Declaration, as supplemented and amended, and the jurisdiction of the Association:

Scofield Farms, Phase 8, Section 7, a subdivision in Travis County, Texas according to the map or plat thereof recorded under Document No. 199900303 of the Plat Records of Travis County, Texas

and,

WHEREAS, the Declaration was further supplemented and amended by instrument entitled "Eighth Amendment to Scofield Phase VIII Residential Area Declaration of Covenants, Conditions and Restrictions" recorded in the Official Public Records of Real Property of Travis County, Texas under Clerk's File No. 2000020847, which instrument subjects the following real property to the provisions of the Declaration, as supplemented and amended, and the jurisdiction of the Association:

Scofield Farms, Phase 10, Section 2, a subdivision in Travis County, Texas according to the map or plat thereof recorded under Document No. 200000035 of the Plat Records of Travis County, Texas

and,

WHEREAS, the Declaration was further supplemented and amended by instrument entitled "Ninth Amendment to Scofield Phase VIII Residential Area Declaration of Covenants, Conditions and Restrictions" recorded in the Official Public Records of Real Property of Travis County, Texas under Clerk's File No. 2000184248, which instrument subjects the following real property to the provisions of the Declaration, as supplemented and amended, and the jurisdiction of the Association:

Scofield Farms, Phase 10, Section 3, a subdivision in Travis County, Texas according to the map or plat thereof recorded under Document No. 200000245 of the Plat Records of Travis County, Texas

and,

WHEREAS, the Declaration was further amended by instrument entitled "Tenth Amendment to Scofield Phase VIII Residential Area Declaration of Covenants, Conditions and Restrictions" recorded in the Official Public Records of Real Property of Travis County, Texas under Clerk's File No. 2005068079; and

WHEREAS, the Declaration was further amended by instrument entitled "Eleventh Amendment to Scofield Phase VIII Residential Area Declaration of Covenants, Conditions and Restrictions" recorded in the Official Public Records of Real Property of Travis County, Texas under Clerk's File No. 2012204961; and

WHEREAS, the Declaration was further amended by instrument entitled "Twelfth Amendment to Scofield Phase VIII Residential Area Declaration of Covenants, Conditions and Restrictions" recorded in the Official Public Records of Real Property of Travis County, Texas under Clerk's File No. 2012103529; and

WHEREAS, Article 10, Section 10.2(b), of the Declaration, provides in pertinent part:

... this Declaration may be amended by the recording in the Travis County Real Property Records of an instrument executed and acknowledged by the President and Secretary of the Association, setting forth the

amendment and certifying that such amendment has been approved by at least three-fourths (3/4) of the votes for each Member who is voting in person or by proxy at a meeting duly called to vote on such matter.

WHEREAS, Section 209.0041 of the Texas Property Code, which became effective on September 1, 2015, provides that a declaration may be amended only by a vote of sixty-seven percent (67%) of the total votes allocated to property owners entitled to vote on the amendment of the declaration, unless the declaration contains a lower percentage, in which case the lower percentage controls; and

WHEREAS, the Declaration provides for amendment by the approval of a lower percentage of owners than the percentage set forth in Section 209.0041 of the Texas Property Code; therefore, the Declaration controls with respect to the percentage of votes necessary to effect an amendment to the Declaration; and

WHEREAS, at a meeting of the Members of the Association duly called and held on December 3, 2019, at which a quorum was established, this amendment to Declaration was approved by at least three-fourths (3/4ths) of the votes for each Member present and voting at such meeting, in person or by proxy.

NOW, THEREFORE, based upon the approval by the requisite number of Members of the Association, as certified by the President and Secretary of the Association by executing this instrument, the Declaration is amended as set forth below:

1. Article 3, Section 3.7 of the Declaration entitled "Construction of Improvements" is hereby amended to read as follows:

3.7 Construction of Improvements. No Improvements shall hereafter be constructed upon any of the Property without the prior written approval of the Architectural Control Committee.

2. The Declaration is amended to add Section 3.33, of the Declaration, entitled "Land Use and Building Type", to read as follows:

3.33 Land Use and Building Type. No building shall be erected, altered, placed or permitted to remain on any Lot other than one single-family residential dwelling not to exceed two stories in height and a private garage for not more than three cars not to exceed one story in height.

Each Lot shall be used for single-family residential use only. With regard to use of a Lot, the term "single-family residential use" specifically excludes, without limitation, any business use (whether for profit or not), commercial use, industrial use, apartment homes, duplex, multi-family dwellings, hospitals, clinics, transient housing, hotels, motels, tourist home, rooming house, renting or leasing of a room(s) in the single-family residential dwelling on a Lot, or boarding house.

Except as amended herein, all provisions in the Declaration, as previously amended, remain in full force and effect.

Capitalized terms used herein have the same meanings as that ascribed to them in the Declaration, unless otherwise indicated.

*[The remainder of this page was intentionally left blank.]*

IN WITNESS WHEREOF, the President and Secretary of Scofield Phase VIII Residential Owners Association, Inc. ("Association") hereby execute this Amendment confirming that the requisite number of Members of the Association have approved this Amendment to be effective upon its filing of record in the Official Public Records of Real Property of Travis County, Texas.

SCOFIELD PHASE VIII RESIDENTIAL OWNERS ASSOCIATION, INC.

By: Richard B. Ward

By: Christine Rasche

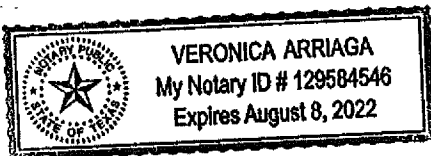
Printed: Richard B. Ward

Printed: CHRISTINE RASCHE

Its: Secretary

Its: President

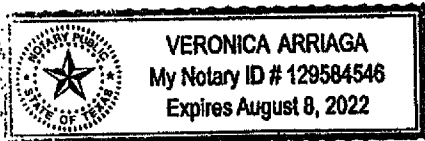
THE STATE OF TEXAS §  
§  
COUNTY OF Travis §



BEFORE ME, the undersigned notary public, on this 4<sup>th</sup> day of December, 2019, personally appeared Christine Rasche, as President of Scofield Phase VIII Residential Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.

Veronica Arriaga  
Notary Public in and for the State of Texas

THE STATE OF TEXAS §  
§  
COUNTY OF Travis §



BEFORE ME, the undersigned notary public, on this 4<sup>th</sup> day of December, 2019, personally appeared Richard Ward, as Secretary of Scofield Phase VIII Residential Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.

Veronica Arriaga  
Notary Public in and for the State of Texas