

*Title One  
County*

2023002303 3 PGS RESTR



**FIFTH AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS AND EASEMENTS FOR  
STRATFORD POINTE HOMEOWNERS ASSOCIATION**

This Fifth Amended Declaration ("Amendment") is made by Stratford Pointe, Inc., a Texas corporation ("Declarant"). Stratford Pointe Homeowners Association, Inc. is hereinafter referred to as the "Association".

WHEREAS, a certain instrument entitled Declaration of Covenants, Conditions, Restrictions and Easements for Stratford Pointe Homeowners Association ("Original Declaration") was executed by Declarant and recorded as Document No. 2017035686, in the Official Public Records of Lubbock County, Texas; and amended as Document No. 2018006576, recorded in the Official Public Records of Lubbock County, Texas; and amended as Document No. 2019012492, recorded in the Official Public Records of Lubbock County, Texas; and amended as Document No. 2019027247, recorded in the Official Public Records of Lubbock County, Texas; and further amended as Document No. 2022056759, recorded in the Official Public Records of Lubbock County, Texas;

WHEREAS, Section 6.02 of the Declaration provides for certain requirements related to Residential Use of the lots; and

WHEREAS, Declarant desires to amend Section 6.02 to change the Residential Use allowed:

Paragraph 6.02 of the Declaration is hereby deleted in its entirety and is replaced with the following:

**"Use of Residential Lots.**

**"A. Single Family Residential Use.** All Lots shall be used and occupied for single-family residential purposes only. As for design, no building or structure shall be erected, altered, placed or permitted to remain on any Lot other than a private single-family detached residence unless approved in writing by the Architectural Control Committee. No building or structure on any Lot shall exceed two (2) stories in height. No exterior addition or alteration be made until a set of building plans, specifications, and a plot plan showing the location, nature, height, shape and materials of such improvements have been approved in writing as to its compliance with these restrictive covenants by the Declarant. No residence, house, dwelling, or other building, or any part of any other building, shall ever be moved from outside of Property onto any lot in the Property. As for use, the following uses are prohibited: duplex, apartment, multi-family dwelling, garage apartment, or any other apartment or for any multi-family use, vacation rental by Owner, boarding house, "AirBnB"-type short-term rental business, or bed and breakfast.

**"B. Leasing.** Owners may lease their Lot, provided the lease is for the entire land and improvements located on the Lot. "Leasing", for purposes of this Declaration, is defined as occupancy of a residence for single family residential use by any person other than the Owner, for which the Owner receives any consideration or benefit, including a fee, service, gratuity, or emolument. No fraction or portion of any Lot may be leased or rented. No Lot, or any portion thereof, may be used as a short-term rental (including for illustration purposes but without limitation: AirBnB, VRBO, bed and breakfast, or youth hostel). Any lease of a Lot must be for single family residential use only for a minimum period of three (3) months. The advertising of a Lot for lease for a period of less than three (3) months will be considered a violation of this Declaration."

This Amendment shall be effective on the recordation of this Amendment in the office of the County Clerk of Lubbock County, Texas.


IN WITNESS WHEREOF, the Declarant has executed this Amendment as of the date written below.

EXECUTED this 16<sup>th</sup> day of January, 2023.

**DECLARANT:**

**STRATFORD POINTE, INC.**

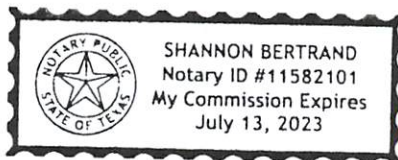
a Texas corporation

By:   
R.J. Pipes, President

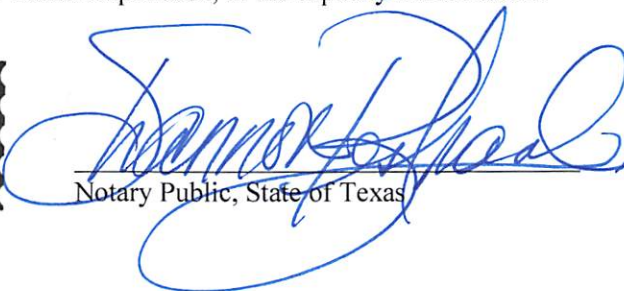
STATE OF TEXAS §

COUNTY OF Dallas §

This instrument was acknowledged before me on January 16<sup>th</sup>, 2023, by R.J. Pipes, President of Stratford Pointe, Inc., a Texas corporation, in the capacity herein stated.



(seal)

  
Notary Public, State of Texas

# FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



*Kelly Pinion*

Kelly Pinion, County Clerk  
Lubbock County, TEXAS  
01/18/2023 02:27 PM  
FEE: \$30.00  
023002303

