

**NINTH AMENDMENT  
TO THE DECLARATION OF  
COVENANTS, CONDITIONS AND  
RESTRICTIONS  
FOR THE VILLAGE AT FRISCO LAKES**

STATE OF TEXAS           §  
  §     **KNOW ALL MEN BY THESE PRESENTS:**  
COUNTY OF DENTON     §

**INTRODUCTORY PROVISIONS**

**WHEREAS**, the Declaration of Covenants, Conditions and Restrictions for The Village at Frisco Lakes was executed by Pulte Homes of Texas, L.P., as Declarant, and filed of record on March 27, 2006, as Instrument No. 2006-34621 in the Official Public Records of Denton County, Texas (the “**Declaration**”); and

**WHEREAS**, the Declaration was amended by virtue of that certain First Amendment to the Declaration of Covenants, Conditions and Restrictions for The Village at Frisco Lakes, filed on January 22, 2008, and recorded as Instrument No. 2008-6641 of the Official Public Records of Denton County, Texas (the “**First Amendment**”); and

**WHEREAS**, the Declaration was amended by virtue of that certain Second Amendment to the Declaration of Covenants, Conditions and Restrictions for The Village at Frisco Lakes, filed on October 8, 2008, and recorded as Instrument No. 2008-109874 of the Official Public Records of Denton County, Texas (the “**Second Amendment**”); and

**WHEREAS**, the Declaration was amended by virtue of that certain Third Amendment to the Declaration of Covenants, Conditions and Restrictions for The Village at Frisco Lakes,

filed on November 1, 2010, and recorded as Instrument No. 2010-109315 of the Official Public Records of Denton County, Texas (the “**Third Amendment**”); and

**WHEREAS**, the Declaration was amended by virtue of that certain Fourth Amendment to the Declaration of Covenants, Conditions and Restrictions for The Village at Frisco Lakes, filed on February 28, 2011, and recorded as Instrument No. 2011-18186 of the Official Public Records of Denton County, Texas (the “**Fourth Amendment**”); and

**WHEREAS**, the Declaration was amended by virtue of that certain Fifth Amendment to the Declaration of Covenants, Conditions and Restrictions for The Village at Frisco Lakes, filed on January 20, 2012, and recorded as Instrument No. 2012-6192 of the Official Public Records of Denton County, Texas (the “**Fifth Amendment**”); and

**WHEREAS**, the Declaration was amended by virtue of that certain Sixth Amendment to the Declaration of Covenants, Conditions and Restrictions for The Village at Frisco Lakes, filed on April 25, 2012, and recorded as Instrument No. 2012-43146 of the Official Public Records of Denton County, Texas (the “**Sixth Amendment**”); and

**WHEREAS**, the Declaration was amended by virtue of that certain Seventh Amendment to the Declaration of Covenants, Conditions and Restrictions for The Village at Frisco Lakes, filed on October 3, 2013, and recorded as Instrument No. 2013-122662 of the Official Public Records of Denton County, Texas (the “**Seventh Amendment**”); and

**WHEREAS**, the Declaration was amended by virtue of that certain Eighth Amendment to the Declaration of Covenants, Conditions and Restrictions for The Village at Frisco Lakes, filed on October 30, 2015, and recorded as Instrument No. 2015-126424 of the Official Public Records of Denton County, Texas (the “**Eighth Amendment**”); and

WHEREAS, the Declaration, as amended by the First Amendment through and including the Eighth Amendment, are hereinafter referred to, collectively, as the “Village at Frisco Lakes Declaration”; and

WHEREAS, Village at Frisco Lakes Declaration affects certain tracts or parcels of real property located in Denton County, Texas, more particularly described on Exhibit “A” attached hereto and incorporated herein by reference for all purposes (the “Properties”); and

WHEREAS, pursuant to and in accordance with the provisions of Article XXI, Section 21.1 of the Village at Frisco Lakes Declaration, Declarant has the right to amend the Village at Frisco Lakes Declaration, without joinder of any person, for any purpose; and

WHEREAS, Pulte Homes of Texas, L.P. (“Declarant”) desires to amend certain provisions of the Village at Frisco Lakes Declaration as evidenced by its duly authorized representative’s signature below.

NOW, THEREFORE, the Village at Frisco Lakes Declaration is hereby amended as follows (the “Ninth Amendment”):

(a) Section 2.13 of Article II of the Village at Frisco Lakes Declaration is amended to read, in its entirety, as follows:

*2.13 “Common Expenses”: The expenses (both capital and non-capital expenditures) of administering, operating, maintaining, repairing, replacing and landscaping the Common Area and the Area of Common Responsibility (including, without limitation, costs incurred for management, administrative, legal and other professional services); which include, without limitation, the cost of insurance, water, electricity, telephone, gas, and other necessary utility expenses associated with the Common Area; the cost of real estate taxes and assessments levied or assessed against any portion of the Common Area owned by the Association; the cost of, and the expenses (both capital and non-capital expenditures) incurred for, the maintenance, repair and replacement of personal property acquired and used by the Association; the cost of maintenance of the landscaping of the rights-of-way and medians of streets, roads or highways, within or adjoining the Properties which are or may be designated by the Board as Areas of Common Responsibility or as may be*

*determined from time to time by the Board to be in the best interest of the Association; if not specifically charged to the Owners, the cost of waste removal and scavenger services to the Properties; and any other expenses lawfully incurred by the Association for the common benefit of all of the Owners. As used herein, "capital expenditures" means funds spent to acquire, repair, upgrade or replace buildings, machinery, equipment and other assets of the Association.*

(b) Section 8.18 of Article VIII of the Village at Frisco Lakes Declaration is amended to read, in its entirety, as follows:

**8.18 Litigation.** *The Association shall not commence any judicial or administrative proceeding unless first approved by 67% of the total votes of the Association, except that no such approval will be required for actions or proceedings: (i) initiated with Declarant's approval during the Class B Control Period; (ii) initiated to enforce the easements, architectural control, maintenance and use restrictions or rules contained in the Declaration or other Governing Documents (including, without limitation, to collect assessments or foreclose liens); (iii) initiated to challenge ad valorem taxation or condemnation proceedings; (iv) initiated against any contractor, vendor, or supplier of goods or services to the Association arising out of a contract for goods or services entered into between the Association and such contractor, vendor or supplier; or (v) initiated against the owner or operator of a Golf Course to enforce agreements between the Association and the owner or operator of such Golf Course or enjoin actions harmful to the Association or its Members by the owner or operator of such Golf Course; or (vi) to defend claims filed against the Association or to assert counterclaims in proceedings instituted against the Association.*


The terms and provisions of the Village at Frisco Lakes Declaration, as amended hereby, are declared to be in full force and effect with respect to the Properties. The changes to the Village of Frisco Lakes Declaration effectuated by this Ninth Amendment shall only have prospective application. The Properties shall continue to be held, occupied, sold and conveyed subject to the terms and conditions of the Village at Frisco Lakes Declaration, as amended by this Ninth Amendment, which shall run with title to the Properties, and are binding on all parties having any right, title or interest in and to the Properties or any part thereof, including their heirs, representatives, successors, transferees and assigns, and shall inure to the benefit of each Owner thereof.

IN WITNESS WHEREOF, the Declarant has caused this Ninth Amendment to the Declaration of Covenants, Conditions and Restrictions for The Village at Frisco Lakes to be filed of record with the office of the Denton County Clerk.

**DECLARANT:**

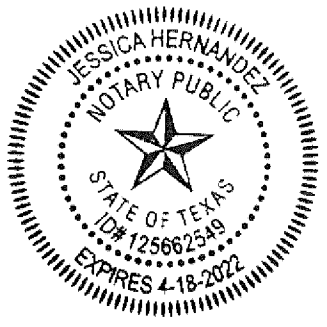
**PULTE HOMES OF TEXAS, L.P.,**  
a Texas limited partnership

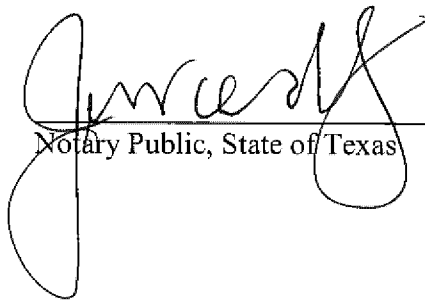
By: Pulte Nevada I, LLC, its General Partner

By:   
Name: CLINT VINCENT  
Its: VP OF LAND DEVELOPMENT

STATE OF TEXAS §  
  §  
COUNTY OF DALLAS §

This instrument was acknowledged before me on the 19th day of September, 2019, by Clint Vincent, VP of Land Development of Pulte Nevada I, LLC, as general partner of Pulte Homes of Texas, L.P., a Texas limited partnership, on behalf of said limited partnership.



  
Notary Public, State of Texas

## EXHIBIT A

Those lots, blocks, tracts and parcels of real property located in the City of Frisco, Denton County, Texas more particularly described as follows:

- (i) **Frisco Lakes Drive**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded as Document No. 2007-107073 in the Map Records of Denton County, Texas;
- (ii) **Frisco Lakes by Del Webb, Village 1**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded as Document No. 2014-380 in the Map Records of Denton County, Texas;
- (iii) **Frisco Lakes by Del Webb, Phase 1A**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded in Cabinet W, Page 911 of the Map Records of Denton County, Texas;
- (iv) **Frisco Lakes by Del Webb, Village 2**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded as Document No. 2015-234 in the Map Records of Denton County, Texas;
- (v) **Frisco Lakes by Del Webb, Village 3**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded as Document No. 2016-2215 in the Map Records of Denton County, Texas;
- (vi) **Frisco Lakes by Del Webb, Village 4**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded as Document No. 2014-189 in the Map Records of Denton County, Texas;
- (vii) **Frisco Lakes by Del Webb, Village 5, Phase 1A**, an Addition to the City of Frisco, Denton County, Texas, according to the Map thereof recorded as Document No. 2016-69 in the Map Records of Denton County, Texas;
- (viii) **Frisco Lakes by Del Webb, Village 5, Phase 2**, an Addition to the City of Frisco, Denton County, Texas, according to the Map thereof recorded as Document No. 2016-69 in the Map Records of Denton County, Texas, as amended by Amending Plat recorded as Document No. 2016-2030;
- (ix) **Frisco Lakes by Del Webb Village 6**, an Addition to the City of Frisco according to the Plat thereof recorded as Document No. 2013-246 in the Map or Plat Records of Denton County, Texas;

- (x) **Frisco Lakes by Del Webb, Village 7**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded as Document No. 2014-305 in the Map Records of Denton County, Texas;
- (xi) **Frisco Lakes by Del Webb Village 8**, an Addition to the City of Frisco according to the Plat thereof recorded as Document No. 2012-274 in the Map or Plat Records of Denton County; Texas, as amended by Amending Plat recorded as Document No. 2013-43;
- (xii) **Frisco Lakes by Del Webb Village 9**, an Addition to the City of Frisco according to the Plat thereof recorded as Document No. 2012-114 in the Map or Plat Records of Denton County, Texas;
- (xiii) **Frisco Lakes by Del Webb Village 10**, an Addition to the City of Frisco according to the Plat thereof recorded as Document No. 2017-26 in the Map or Plat Records of Denton County, Texas
- (xiv) **Frisco Lakes by Del Webb Village 11**, an Addition to the City of Frisco according to the Plat thereof recorded as Document No. 2011-47 in the Map or Plat Records of Denton County, Texas;
- (xv) **Frisco Lakes by Del Webb Village 12**, an Addition to the City of Frisco according to the Plat thereof recorded as Document No. 2011-145 in the Map or Plat Records of Denton County, Texas;
- (xvi) **Frisco Lakes by Del Webb Village 13**, an Addition to the City of Frisco according to the Plat thereof recorded as Document No. 2011-192 in the Map or Plat Records of Denton County, Texas;
- (xvii) **Frisco Lakes by Del Webb Village 14**, an Addition to the City of Frisco according to the Plat thereof recorded as Document No. 2010-161 in the Map or Plat Records of Denton County, Texas;
- (xviii) **Frisco Lakes Del by Webb Village 15**, Phase 1, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded in Cabinet Y, Page 128 of the Map Records of Denton County, Texas;
- (xix) **Frisco Lakes by Del Webb, Village 15 Phase 2**, an Addition to the City of Frisco according to the Plat thereof recorded as Document No. 2010-58 in the Map or Plat Records of Denton County, Texas;

- (xx) **Frisco Lakes by Del Webb Village 16**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded in Cabinet X, Page 555 of the Map Records of Denton County, Texas;
- (xxi) **Frisco Lakes by Del Webb Village 17**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded in Cabinet X, Page 557 of the Map Records of Denton County, Texas;
- (xxii) **Frisco Lakes by Del Webb Village 18**, an Addition to the City of Frisco according to the Plat thereof recorded as Document No. 2010-202 in the Map or Plat Records of Denton County, Texas;
- (xxiii) **Frisco Lakes by Del Webb Village 19**, an Addition to the City of Frisco, Denton County, Texas, according to the plat thereof recorded in Cabinet Y, Page 753 of the Map Records of Denton County, Texas;
- (xxiv) **Frisco Lakes by Del Webb Village 20 Phase 1**, an Addition to the City of Frisco according to the Plat thereof recorded as Document No. 2010-25 in the Map or Plat Records of Denton County, Texas;
- (xxv) **Frisco Lakes by Del Webb Village 20 Phase 2**, an Addition to the City of Frisco according to the Plat thereof recorded as Document No. 2010-184 in the Map or Plat Records of Denton County, Texas;
- (xxvi) **Frisco Lakes by Del Webb Village 21**, an Addition to the City of Frisco, Denton County, Texas, according to the plat thereof recorded in Cabinet X, Page 559 of the Map Records of Denton County, Texas;
- (xxvii) **Frisco Lakes by Del Webb, Phase 1B, Village 22**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded in Cabinet X, Page 44 of the Map Records of Denton County, Texas;
- (xxviii) **Frisco Lakes by Del Webb, Phase 1B, Village 23**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded in Cabinet X, Page 64 of the Map Records of Denton County, Texas;
- (xxix) **Frisco Lakes by Del Webb Village 24, Phase 2A**, an Addition to the City of Frisco, Denton County, Texas, according to the plat thereof recorded as Document No. 2012-213 in of the Map Records of Denton County, Texas;



- (xxx) **Frisco Lakes by Del Webb Village 24, Phase 2B**, an Addition to the City of Frisco, Denton County, Texas, according to the plat thereof recorded as Document No. 2015-206 in of the Map Records of Denton County, Texas;
- (xxxii) **Frisco Lakes by Del Webb, Phase 1B, Village 25**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded in Cabinet X, Page 45 of the Map Records of Denton County, Texas;
- (xxxiii) **Frisco Lakes by Del Webb Village 26**, an Addition to the City of Frisco according to the Plat thereof recorded as Document No. 2013-245 in the Map or Plat Records of Denton County, Texas;
- (xxxiiii) **Frisco Lakes by Del Webb Village 27**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded in Cabinet X, Page 179 of the Map Records of Denton County, Texas;
- (xxxv) **Frisco Lakes by Del Webb, Phase 1B, Village 28**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded in Cabinet X, Page 68 of the Map Records of Denton County, Texas;
- (xxxvi) **Frisco Lakes by Del Webb, Phase 1B, Village 29**, an Addition to the City of Frisco, Denton County, Texas, according to the Plat thereof recorded in Cabinet X, Page 66 of the Map Records of Denton County, Texas; and
- (xxxvii) **Frisco Lakes by Del Webb, Village 30**, an Addition to the City of Frisco, Denton County, Texas, according to the Map thereof recorded as Document No. 2015-191 in the Map Records of Denton County, Texas;
- (xxxviii) **Frisco Lakes by Del Webb, Village 31**, an Addition to the City of Frisco, Denton County, Texas, according to the Map thereof recorded as Document No. 2016-215 in the Map Records of Denton County, Texas, as amended by Amending Plat recorded as document No. 2016-2200;
- (xxxix) **Frisco Lakes by Del Webb, Village 32**, an Addition to the City of Frisco, Denton County, Texas, according to the Map thereof recorded as Document No. 2018-440 in the Map Records of Denton County, Texas;
- (xl) **Frisco Lakes by Del Webb, Village 33**, an Addition to the City of Frisco, Denton County, Texas, according to the Map thereof recorded as Document No. 2017-330 in the Map Records of Denton County, Texas; and

- (xl) **Frisco Lakes by Del Webb, Village 34**, an Addition to the City of Frisco, Denton County, Texas, according to the Map thereof recorded as Document No. 2018-110 in the Map Records of Denton County, Texas;
- (xli) **Frisco Lakes by Del Webb, Village 35**, an Addition to the City of Frisco, Denton County, Texas, according to the Map thereof recorded as Document No. 2017-355 in the Map Records of Denton County, Texas; and
- (xlii) **Frisco Lakes by Del Webb, Village 36**, an Addition to the City of Frisco, Denton County, Texas, according to the Map thereof recorded as Document No. 2018-194 in the Map Records of Denton County, Texas; and
- (xlii) All common area or open space owned by the Village at Frisco Lakes Community Association, Inc. as set forth in the Official Public Records of Denton County, Texas.

Denton County  
Juli Luke  
County Clerk

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Instrument Number: 120436

ERecordings-RP

AMENDMENT

Recorded On: September 25, 2019 09:18 AM

Number of Pages: 11

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" Examined and Charged as Follows: "

Total Recording: \$66.00

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\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

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.

**File Information:**

Document Number: 120436  
Receipt Number: 20190925000107  
Recorded Date/Time: September 25, 2019 09:18 AM  
User: Connor B  
Station: Station 10

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Simplifile



STATE OF TEXAS  
COUNTY OF DENTON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke  
County Clerk  
Denton County, TX