

3  
UNRECORDED

**THIRD AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR  
WESTMONT**

FILED  
TARRANT COUNTY TEXAS

2007 JUL 17 PM 1:32

TARRANT COUNTY TEXAS

STATE OF TEXAS §  
COUNTY OF TARRANT §

**KNOW ALL MEN BY THESE PRESENTS:**

WHEREAS, Goodacre Limited Partnership, Texas limited partnership (the "Declarant"), filed that certain Declaration of Covenants, Conditions and Restrictions for Westmont executed August 17, 2000 (as heretofore amended, the "Declaration"), recorded in Volume 14481, Page 0249.001 of the Deed Records of Tarrant County, Texas, subsequently amended by that certain Amendment dated January 17, 2003, recorded February 3, 2003 in Volume 16362, Page 46 of the Deed Records of Tarrant County, Texas, subsequently amended by that certain Second Amendment dated April 20, 2007, recorded April 23, 2007 as Instrument #D207140013 in the Deed Records of Tarrant County, Texas; and

WHEREAS, Section 5.15 of the Declaration as amended provides that until the sale by Declarant of the total number of lots in the Addition to entities unrelated to Declarant, Declarant may amend the Declaration in whole or in part; and

WHEREAS, As of the date hereof, Declarant has not sold the total number of lots in the Addition to entities unrelated to Declarant; and

WHEREAS, Declarant desires to amend the Declaration;

NOW, THEREFORE, Declarant hereby amends ARTICLE I of the Declaration by adding thereto a new Section 1.0 immediately preceding Section 1.1 as follows:

"Section 1.0 Approved Builders. The Committee shall maintain and provide upon request a list of currently approved builders who may be employed by property owners in Westmont to perform home construction and/or modifications to structures in the Addition (the "Approved Builders"). Only Approved Builders may perform home construction and/or modifications to structures in the Addition, other than minor repairs, to structures, as distinguished by the Committee in its sole judgment. Builders not included among those on the approved builders list are not approved for employment to perform home construction and/or modifications to structures in the Addition. Committee authority "

NOW, THEREFORE, Declarant hereby amends ARTICLE II, Section 2.3 Authority by adding the following language to the end of said Section 2.3:

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~~The Committee may elect to create, modify, and maintain or discontinue a full or partial list of contractors and subcontractors by trade or craft that are approved to provide aspects of construction and landscaping services in Westmont, that are identified on the list for example, contractors for swimming pool and related installation. Contractors and subcontractors not named on any such list kept by the Committee or not otherwise specifically approved in writing to provide aspects of construction and landscaping services identified on contractor and subcontractor lists in Westmont, are not permitted. For example, if there is a list of Committee approved pool contractors and/or subcontractors for Westmont and a particular contractor or subcontractor is not named on it, then that contractor or subcontractor is not permitted to provide the related services in Westmont, unless approved specifically for a particular installation or construction in writing by the Committee."~~

**NOW, THEREFORE,** Declarant hereby amends ARTICLE III, Section 3.2 Landscaping by adding the following language to the beginning of said Section 3.2:

~~"The Committee shall maintain and provide upon request a list of each house designer currently approved to provide house design services in Westmont ("Approved House Designer") and a list of each currently approved Texas-licensed landscape architect ("Approved Landscape Architect") currently approved to provide landscape design services, including respectively modifications to existing house construction or existing landscaping in the Addition. House plans, other than for minor house modifications, as distinguished by the Committee in its sole judgment, are required to be prepared by an Approved House Designer. Landscape plans, other than for minor landscape matters, as distinguished by the Committee in its sole judgment, are required to be prepared by an Approved Landscape Architect. Irrigation plans must be prepared an Approved Landscape Architect or by a Texas-licensed irrigation contractor. Installation of landscape improvements, including swimming pools, must be overseen either by an Approved Landscape Architect or by an Approved Builder."~~

Except as specifically set forth hereinabove, the Declaration is unchanged and shall remain in full force and effect and shall govern the Addition.

Executed this 22nd day of June 2007.

DECLARANT:

GOODACRE LIMITED PARTNERSHIP

By: The David Bagwell Company, its general partner

By: *David S. Bagwell*  
David S. Bagwell, President

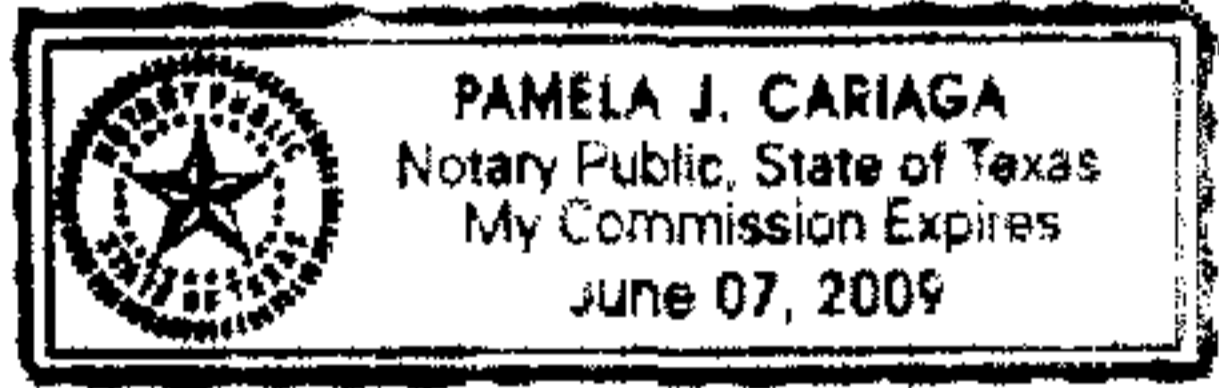
STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on the 22nd day of June 2007, by David S. Bagwell, in his capacity as the President of The David Bagwell Company, a Texas corporation, on behalf of said corporation in its capacity as general partner of Goodacre Limited Partnership, a Texas limited partnership, on behalf of such partnership.

*Pamela J. Cariaga*  
Notary Public, State of Texas

(Notary Seal)



DAVID BAGWELL  
8222 DOUGLAS AVE 605

DALLAS TX 75225

Submitter: DAVID BAGWELL



SUZANNE HENDERSON  
TARRANT COUNTY CLERK  
TARRANT COUNTY COURTHOUSE  
100 WEST WEATHERFORD  
FORT WORTH, TX 76196-0401

**DO NOT DESTROY**

**WARNING - THIS IS PART OF THE OFFICIAL RECORD.**

Filed For Registration: 07/17/2007 01:32 PM  
Instrument #: D207249082  
OPR 4 PGS \$24.00

By: \_\_\_\_\_



**D207249082**

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE  
OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR  
RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.