LT1-1-2011077200-1

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AMENDMENT TO

RESTRICTIONS FOR RIVER PLANTATION SECTION TWO

STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §

WHEREAS, the Restrictions for River Plantation, Section Two, an addition in Montgomery County, Texas, according to the map or plat thereof recorded under Volume 7, Page 409, of the Map Records of Montgomery County, Texas, (the "Subdivision"), are recorded in the Real Property Records of Montgomery County, Texas, under Clerk's File No. 203928 and Volume 639, Page 267 (the "Restrictions"); and

WHEREAS, the River Plantation Community Improvement Association, Inc. (the "Association") is the governing entity of the Subdivision; and

WHEREAS, Paragraph 18 of the Restrictions, provides that the Restrictions may be amended by an instrument signed by a majority of the then Owners of the building sites covered by the Restrictions;

NOW THEREFORE, in accordance with the foregoing and as evidenced by the attached Certification of the Association and the attached signatures of a majority of the owners of the building sites in the Subdivision covered by the Restrictions, the Restrictions for River Plantation, Section 2, are hereby amended as follows:

SECTION 16. "MAINTENANCE OF APPEARANCE", which had previously read:

Grass, vegetation and weeds on each lot shall be cut as often as may be necessary in order to maintain the same in a near and attractive appearance. If the owner of any lot fails to do so, the River Plantation Community Improvement Association may have the same cut, and the owner shall be obligated to pay for the cost of such work. Likewise, all drainage ditches shall be maintained in the same manner and shall be unobstructed at all times. Any bridge or culvert on any lot must be approved by the Architectural Control Committee as to design, capacity and width.

Is hereby amended to read as follows:

Grass, vegetation and weeds on each lot shall be cut as often as may be necessary in order to maintain the same in a near and attractive appearance. Each owner of a lot shall maintain his lot and the improvements thereon in a neat and attractive appearance, including the prompt removal of any tree(s) that falls on the lot or any improvements to a lot, and the prompt repair of any damages to the residential structure that result from such fallen trees or lack of other maintenance. The Board of Directors shall have discretionary authority to determine whether a lot and/or any improvement on a lot is in need of such maintenance, removal of tree, and/or repair of damages. If the owner of any lot fails to comply with the foregoing, the River Plantation Community Improvement Association may proceed with performing the maintenance required to bring the lot into compliance with this Section, the cost of performing such maintenance shall be charged to the owner of the lot on which the maintenance and other work is

LT2-14

performed, and said cost shall become an assessment charge secured by the vendor's lien retained in favor of the Association as set forth in Section 23 herein. For the purposes of this Section, the word "lot" has the same meaning as "building site" used in Section 23 hereof.

Likewise, all drainage ditches shall be maintained in the same manner and shall be unobstructed at all times. Any bridge or culvert on any lot must be approved by the Architectural Control Committee as to design, capacity and width.

SECTION 23. "PERMANENT MAINTENANCE FUND – RIVER PLANTATION COMMUNITY IMPROVEMENT ASSOCIATION", the first two sentences, which had previously read:

Each building site shall be subject to an annual maintenance charge at a rate not to exceed five (5) mills per square foot per year of the area of each building site, or $5.00 per lot per month, but not to exceed $60.00 per year, for the purpose of creating a fund known as "Maintenance Fund", which said charge shall be payable by each building site owner to River Plantation Community Improvement Association in advance in quarterly installments in each year, commencing July 1, 1965. To secure payment of such maintenance charge, a vendor's lien shall be retained against the building sites, premises and improvements thereon in favor of River Plantation Community Improvement Association, its successors and assigns, and each deed conveying a building site shall contain appropriate restrictions imposing the maintenance charge and creating the vendor's lien.

Is hereby amended to read as follows:

Each building site shall be subject to an annual maintenance charge at a rate not to exceed five (5) mills per square foot per year of the area of each building site, or $5.00 per lot per month, but not to exceed $60.00 per year, for the purpose of creating a fund known as "Maintenance Fund", which said charge shall be payable by each building site owner to River Plantation Community Improvement Association in advance in quarterly installments in each year, commencing July 1, 1965. In addition, each building site shall be subject to all charges for maintenance pursuant to Section 16 hereof.

To secure payment of such maintenance charge and to secure payment of any maintenance performed pursuant to Section 16 hereof, a vendor's lien shall be retained against the building sites, premises and improvements thereon in favor of River Plantation Community Improvement Association, its successors and assigns, and each deed conveying a building site shall contain appropriate restrictions imposing the maintenance charge and creating the vendor's lien. The association may bring an action at law against the owner of the building site and foreclose the association's lien by all methods available for the enforcement of such liens, including foreclosure brought in the name of the association either judicially or nonjudicially by power of sale, and each building site owner hereby expressly grants to the River Plantation Community Improvement Association a power of sale in connection with the nonjudicial foreclosure of the Association's lien and the right to appoint trustees and do all other things necessary to lawfully exercise said power of sale.

CERTIFICATION

"I, the undersigned, being the President of River Plantation Community Improvement Association, Inc., hereby certify that the foregoing amendment was approved by the owners of at least a majority of the building sites in the Subdivision as evidenced by the signatures attached hereto."

RIVER PLANTATION COMMUNITY IMPROVEMENT ASSOCIATION, INC.

By: Nicole Zimmerman, President,

NICOLE ZIMMERMAN, Aug. 12, 2011
Print Name, Date

STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on the day personally appeared NICOLE ZIMMERMAN, President of the River Plantation Community Improvement Association, Inc., and known by me to be the person whose name is subscribed to the foregoing document and being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 12 day of Aug. 2011.

Patsy A. Salinas
NOTARY PUBLIC, STATE OF TEXAS

After recording return to:
HOLT & YOUNG, P.C.
11200 Richmond Ave., Suite 450
Houston, Texas 77082

PATSY A. SALINAS
Notary Public, State of Texas
My Commission Expires
September 16, 2014

SIGNATURES IN FAVOR OF ADOPTING

THE AMENDMENT TO RESTRICTIONS FOR RIVER PLANTATION SECTION TWO

Print Name	Address (Street Name / #)	Signature	Date
Kurt D Suther	483 Old Hickory Drive		7/21/11
Susan Heffner	480 Old Hickory Dr	Susan Heffner	7/21/11
Mike Lee	454 Old Hickory Dr	Mike Lee	7/21/11
Ron Shouse	453 Old Hickory Dr		7/21/11
RANDALL COLMER	456 OLD HICKORY DR		7/21/11
NANCY BLACKWELL	458 Old Hickory	Nancy R Blackwell	7/21/11
May Etge	460 Old Hickory	May Etge	7/21/11
JERRY FRIEDMAN	462 OLD HICKORY		7/21/11
John Huseman	463 Old Hickory Dr		7/21/11
WALT PAUL	479 OLD HICKORY	Walt Paul	7/21/11
C Hill	482 Old Hickory		7/22/11
Robert Zee	474 OLD Hickory		7/22/11
Portirio Ramos	473 old hickory		7/22/11
G J Autrement	471 Old Hickory	G.J. Autrement	7/22/11
Paul Lewis	468 Old Hickory		7/22/11
Paschalis	472 Old Hickory		7/22/11
Eva Sewell	452 Old Hickory	Eva Sewell	7/22/11
Carolyn Phelps	476 Old Hickory	Carolyn Phelps	7/22/11
Shannon Schaffer	461 Old Hickory	Shannon Schaffer	7/22/11
MIKE GALLOWAY	470 OLD HICKORY RD		7/24/11

SIGNATURES IN FAVOR OF ADOPTING

THE AMENDMENT TO RESTRICTIONS FOR RIVER PLANTATION SECTION TWO

Print Name	Address (Street Name / #)	Signature	Date
John "Robert" Powell	459 Old Hickory Dr	[illegible]	7/25/11
Sonja Renee Powell	459 Old Hickory Dr.	[illegible]	7/25/11

SIGNATURES IN FAVOR OF ADOPTING

THE AMENDMENT TO RESTRICTIONS FOR RIVER PLANTATION SECTION TWO

Print Name	Address (Street Name / #)	Signature	Date
John Huseman	463 Old Hickory Dr	[illegible]	7/23/11
Lindsay Huseman	463 old Hickory	[illegible]	7/23/11

SIGNATURES IN FAVOR OF ADOPTING

THE AMENDMENT TO RESTRICTIONS FOR RIVER PLANTATION SECTION TWO

Print Name	Address (Street Name / #)	Signature	Date
ROBERT DARWIN	467 Old Hickory Dr		7-25-11

SIGNATURES IN FAVOR OF ADOPTING

THE AMENDMENT TO RESTRICTIONS FOR RIVER PLANTATION SECTION TWO

Print Name	Address (Street Name / #)	Signature	Date
Kimberly Willcoxon	454 Lexington Ct.	[illegible]	7/23/11
Kirk Willcoxon	454 Lexington Ct	Kirk Willcoxon	7/23/11

SIGNATURES IN FAVOR OF ADOPTING

THE AMENDMENT TO RESTRICTIONS FOR RIVER PLANTATION SECTION TWO

Print Name	Address (Street Name / #)	Signature	Date
Bette Hope	456 Lexington Ct.	Bette Hope	7/25/2011

SIGNATURES IN FAVOR OF ADOPTING

THE AMENDMENT TO RESTRICTIONS FOR RIVER PLANTATION SECTION TWO

Print Name	Address (Street Name / #)	Signature	Date
Stephen Prins	567 Hampton Rd	[illegible]	7/23/11
Ron Christiansen	557 " "	[illegible]	
DON AYRES	550 GUNSTON Ct.	[illegible]	7/23/11
Bonnie Busbee	551 Gunston Ct.	Bonnie Busbee	7/23/11

SIGNATURES IN FAVOR OF ADOPTING

THE AMENDMENT TO RESTRICTIONS FOR RIVER PLANTATION SECTION TWO

Print Name	Address (Street Name / #)	Signature	Date
ALTA BECKTELL	504 RIVER PLANTATION		7/22/2011
JOHN LABARBE	506 RIVER PLANTATION		7/22/2011
STAN LILLEY	510 RP DRIVE		7/22/2011
Tom Foy	518 River Plantion Dr.		7/22/11
Laurie Wilson Dent	534 Hampton		7/22/11
Rebecca Boles	508 River Plantation		7/23/11
Karla Lawrence	514 R P Dr		23 July 2011
DON BEUTOW		552 HAMPTON RD	7/26/11

SIGNATURES IN FAVOR OF ADOPTING

THE AMENDMENT TO RESTRICTIONS FOR RIVER PLANTATION SECTION TWO

Print Name	Address (Street Name / #)	Signature	Date
	551 GUNSTON COURT	Already Sign another Sheet	7/23/11
Brian & Ginny Baker	550 HERMITAGE COURT	Ginny Baker Brian D. Baker	7-24-11
	552 HERMITAGE COURT		
STEVE PRUST	554 HERMITAGE COURT	[illegible]	7-23-11
Elmo & Karen Clark	556 HERMITAGE COURT	[illegible]	
NOT Home	557 Hermitage Court		
—	555 HERMITAGE COURT	Business Admit w/special needs Home	
Edd H. Schrimsher	553 HERMITAGE COURT	Edd H. Schrimsher	7-23-11
OUT OF TOWN	551 HERMITAGE COURT		

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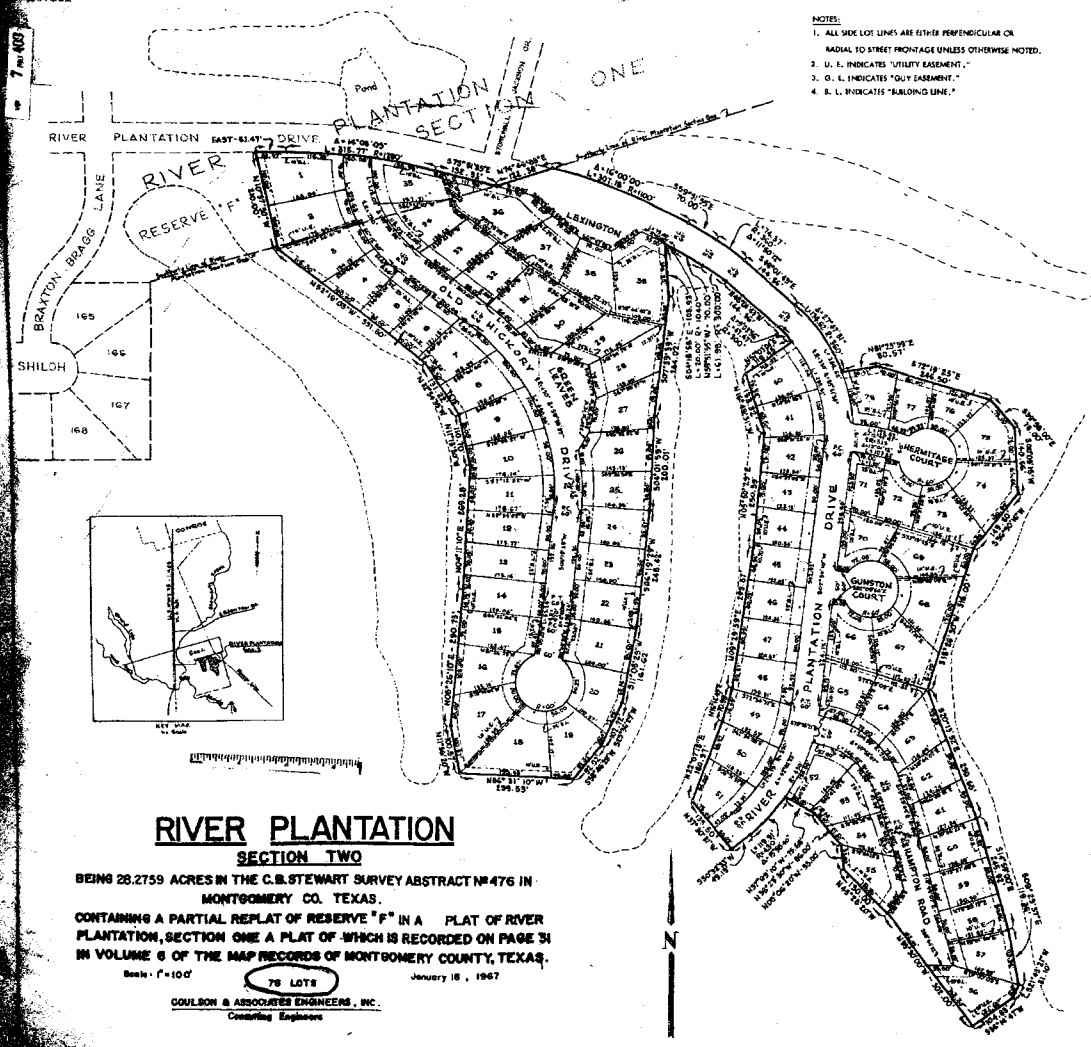

NOTES:

1. ALL SIDE LOT LINES ARE EITHER PERPENDICULAR OR RADIAL TO STREET FRONTAGE UNLESS OTHERWISE NOTED.
2. U. E. INDICATES "UTILITY EASEMENT."
3. G. E. INDICATES "GUY EASEMENT."
4. B. L. INDICATES "BUILDING LINE."

RIVER PLANTATION

SECTION TWO

BEING 28.2759 ACRES IN THE C.B. STEWART SURVEY ABSTRACT Nº 476 IN MONTGOMERY CO. TEXAS.

CONTAINING A PARTIAL REPLAT OF RESERVE "F" IN A PLAT OF RIVER PLANTATION, SECTION ONE A PLAT OF WHICH IS RECORDED ON PAGE 31 IN VOLUME 6 OF THE MAP RECORDS OF MONTGOMERY COUNTY, TEXAS.

Scale: 1"=100' 76 LOTS January 18, 1967

COULSON & ASSOCIATES ENGINEERS, INC.
Consulting Engineers

STATE OF TEXAS)
COUNTY OF MONTGOMERY)

WALTER M. MISCHER COMPANY, TRUSTEE, ACTING BY AND THROUGH ITS DULY ELECTED OFFICERS, DOES HEREBY PRESENT THE ATTACHED MAP SHOWING RIVER PLANTATION SECTION TWO, A SUBDIVISION LOCATED IN THE C. B. STEWART SURVEY, ABSTRACT NO. 476, MONTGOMERY COUNTY, TEXAS, FOR FILING WITH THE COUNTY CLERK OF MONTGOMERY COUNTY, TEXAS, FOR RECORD IN THE MAP RECORDS OF SAID COUNTY AND SAID WALTER M. MISCHER COMPANY, TRUSTEE, DOES HEREBY DEDICATE THE STREETS, ALLEYS, PARKS AND EASEMENTS AS SHOWN ON THE ATTACHED MAP.

WE, TENNESSEE LIFE INSURANCE COMPANY, OWNER AND HOLDER OF A LIEN UPON SAID PROPERTY, DO HEREBY RATIFY, CONFIRM AND JOIN IN SAID SUBDIVISION AND DEDICATION AND DO HEREBY IN ALL THINGS SUBORDINATE SAID LIEN IN DEDICATION TO THE LIEN AGAINST SAID LAND OWNED AND HELD BY US; PROVIDED THAT OUR SAID LIEN IS NOT HEREBY RELEASED AND IS NOT MADE SUBORDINATE, SECONDARY OR INFERIOR TO ANY LIENS OR RIGHTS TO LIENS ARISING OR ATTACHING SUBSEQUENT TO OUR SAID LIEN.

OWNER: WALTER M. MISCHER COMPANY, TRUSTEE
BY R H Barden
ATTEST Gerald E. Buford

LIEN HOLDER: TENNESSEE LIFE INSURANCE COMPANY
BY
ATTEST

STATE OF TEXAS)
COUNTY OF HARRIS)

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 3 DAY March, 1967.

Linda Pound
NOTARY PUBLIC IN AND FOR HARRIS COUNTY, TEXAS

STATE OF TEXAS)
COUNTY OF HARRIS)

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____ R H Barden KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 3rd DAY March, 1967.

Lydia M. Lammerson
NOTARY PUBLIC IN AND FOR HARRIS COUNTY, TEXAS.

STATE OF TEXAS)
COUNTY OF HARRIS)

THIS IS TO CERTIFY THAT I, BENNETT COULSON, A REGISTERED PROFESSIONAL ENGINEER OF THE STATE OF TEXAS, HAVE PLATTED THE ABOVE SUBDIVISION FROM AN ACTUAL SURVEY ON THE GROUND, AND THAT ALL BLOCK CORNERS, ANGLE POINTS, AND POINTS OF CURVE ARE PROPERLY MARKED WITH 5/8-INCH IRON RODS, 24 INCHES LONG, AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME.

ENGINEER, TEXAS REGISTRATION NO. 4000

STATE OF TEXAS
COUNTY OF MONTGOMERY)
THIS IS TO CERTIFY THAT THE CITY PLANNING COMMISSION OF THE CITY OF CONROE, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF RIVER PLANTATION SECTION TWO, AS SHOWN HEREON.
IN TESTIMONY WHEREOF, WITNESS THE OFFICIAL SIGNATURE OF THE CHAIRMAN AND SECRETARY OF THE CITY PLANNING COMMISSION OF THE CITY OF CONROE, TEXAS, THIS 3 DAY OF March, 1967

Melvin Wade
SECRETARY

CHAIRMAN

STATE OF TEXAS
COUNTY OF MONTGOMERY)
I, _____ CLERK OF THE COUNTY COURT OF MONTGOMERY COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON March 3, 1967 AT 3:30 O'CLOCK P M., AND DULY RECORDED ON March 3, 1967 AT 4:30 O'CLOCK P M., VOLUME 7, PAGE 409 OF RECORD OF Maps FOR SAID COUNTY.

FILED FOR RECORD AT 4:30 O'CLOCK P. M.
MAR 3 1967
ROY HARRIS, Clerk
County Court, Montgomery Co., Tex.

Roy Harris
CLERK, COUNTY COURT OF MONTGOMERY COUNTY, TEXAS
BY Mellina Witherspoon

Doc# 2011077200

FILED FOR RECORD
08/31/2011 12:42PM

COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY
I hereby certify this instrument was filed in file number sequence on the date and at the time stamped herein by me and was duly RECORDED in the Official Public Records of Montgomery County, Texas.

08/31/2011

County Clerk
Montgomery County, Texas

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded.