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142-38-2329

AMENDMENT TO THE DECLARATION OF

COVENANTS, CONDITIONS AND RESTRICTIONS OF

KIRKWOOD COUNTRY, SECTION I, HARRIS COUNTY, TEXAS

STATE OF TEXAS S
COUNTY OF HAPRIS S

THIS AMENDMENT to the Declaration made on the date hereinafter set forth by KIRKWOOD COUNTRY, INC. and all of the undersigned
owners of property and lienholders of property contained within '
KIRKWOOD COUNTRY, SECTION I, Harris County, Texas.

WHEREAS, the undersigned, the owners and lienholders of certain property heretofore platted and subdivided into that certain subdivision known as Kirkwood Country, Section I, a subdivision in Harris County, Texas, described in the plat recorded in Volume 285, Page 1 of the Map Records of Harris County, Texas; and

WHEREAS, KIRKWOOD COUNTRY, INC. and other parties did cause the Declaration of Covenants, Conditions and Restrictions of Kirkwood Country, Section I. Harris County, Texas, to be recorded in the office of the County Clerk of Harris County, Texas under Clerk's File No. #993952; and

WHEREAS, the undersigned, being all of the owners and lienholders of Kirkwood Country, Section I, Harris County, Texas, desire to cause the Declaration of Covenants, Conditions and Restrictions to be amended as follows:

The first and last paragraphs of Section 4 appearing on page 23 of the Declaration shall be amended to read as follows:

Section 4. Location of Improvements Upon the Lot. No building shall be located on any Lot nearer to the front Lot line or side street Lot line than the minimum building setback lines shown on the recorded plat. If no building setback lines are shown on the recorded plat, the building may not be located closer than ten (10') feet to front or side street building setback lines. Garages which face the street may not be located closer than twenty (20') feet from the front Lot line. Garages which are constructed so as

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to face ninety (90°) degrees or more coincident to the street may not be located closer than ten (10') feet from the front fot line. Bach residence dwelling shall be designed so as to provide that a minimum of fifty percent (50%) of the linear distance of one (1) wall of the residence structure shall be constructed adjacent to and abutting a side Lot Line. This side lot line shall be hereinafter referred to as the "Zero Lot Line". Provided, however, that an open court or patio may be built adjacent and abutting the aforementioned Zero Lot Line but said open court or patio must be enclosed by a masonry wall having a minimum height of Six (6') feet. This wall must, as in the case with the residence wall, he corretyunted adjacent to and abutting the Zero Lot Line and enclose the court or patio in such a manner as to appear to be an extension of the residence dwelling. In addition, a masonry or wood fence having a minimum height of Six (6') feet shall be constructed adjacent and abutting the Zero Lot Line and extand from the rear of the residence or court/patio wall to the rear Lot Line. The Zero Lot line walls shall have no exterior objects or appurtenances such as, for example, electric panels, vents, plumbing cleanouts, windows or opening of any kind.

There shall be established, a ten foot (10') setback line between the Zero Lot Line and the Residence dwelling situated upon the adjoining Lot.

No residence shall be constructed on any lot nearer than ten feet (10°) to the rear Lot Line, excluding patios, patio covers, trellises and similar improvements.

A masonry or wood fence having a minimum height of six feet (6') shall be constructed along the entire length of each roar property line. During original construction, the Architectural Control Committee, or its assignee, at its sole discretion, is hereby permitted to approve deviations in the location of improvements upon the Lot, subject to setbacks shown on the recorded plat and previous recorded instruments.

142-86-2331

IN WITNESS WHEREOF, the undersigned being the Declarant herein has hereunto set its hand and seal this mile day of October, 1979.

WIRKWOOD COUNTRY, INC.

By Daugh Seller,

UNIVERSITY SAVINGS ASSOCIATION

BY DACKIE CAMPBE

AUSTIN NORTHHEST DEVELOPMENT CONFANY

BY HENRY KINSTINN III WILE PRES.

ASPEN BUILDERS, INC.

BY PRESIDENT CAMPBE

PRAIMOUT JCHAN A. ONDER
NASH PHILIPS COPUS, INC.

BY VICE-PRESIDENT KINNIE HAMMONE'S

MORTGAGE AND TRUST, INC.

BY CALLED THE PRESIDENT

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142-88-2332

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COUNTY OF HARRIS S

appeared WHERE Edites, the Vic and personally of KIRKWOOD COUNTRY, INC., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN under my hand and seal of office, this the 23 day of October, 1979.

Hotary Public in and Cor. Harris County, Te. 5 a s

THE STATE OF TEXAS 5 COUNTY OF HARRIS 5 Harry BLITY & WRIGHT

appeared the undersigned authority, on this day personally of UNIVERSITY SAVINGS ASSOCIATION, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the fact and dead of said corporation.

GIVEN under my hand and seal of office, this the day my

Notary Public in and for Harris County, Te ALICE SHEPARD

THE STATE OF TEXAS 5 COUNTY OF HARRIS \$

APPEARS MB, the undersigned authority, on this day personally appeared HENRY I MARTYN III the <u>unce Presument</u> of AUSTIN MORTHWEST DEVELOPMENT COMPANY, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN under my hand and seal of office, this the 17th day of. October, 1979.

Notary Public in and for Harris County, Te of a serial PAISY SWINK My Cananason Lipites 8-83-6

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142-88-2333

THE STATE OF TEXAS S

appeared the undersigned authority, on this day personally of ASPEN BUILDERS, INC., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

October, 1979.

Notary Public in short for Harris County, To See a Second Public in and by Harris County, Toward Public in and By Harris County, Toward

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THE STATE OF TEXAS SCOUNTY OF HAPPIS

appeared the undersigned authority, on this day personally of PARKLANE CORPORATION, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act

GIVEN under my hand and seal of office, this the 18 day of

Rotary Public in the for Harris County, Tax as

THE STATE OF TEXAS SCOUNTY OF HARRIS S

Notory Public in and for Harits County Public in and for Harits County Photos My Communication Spoints April 5, 1980

appeared (Annual Parameters), on this day personally of MASH PHILIPS COPIS, INC., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to the the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN under my hand and seal of office, this the

Motary Public in an Harris County, Take

MOTOR M. BOVER

Course Water & 1980

142-88-2334

THE STATE OF TEXAS COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared C. Robney Brossens , the Assurant vice Paraprint of MORTGAGE AND TRUST, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed

GIVEN under my hand and soal of office, this the 17th day of October, 1979.

> Harris County, PAISY SWINK My Carrichtone Con-

THE STATE OF TEXAS COUNTY OF HARRIS

appeared Sam D. Amsonkey, the interest of PANNIN BANK, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN under my hand and seal of office, this the 17th October, 1979.

Notary Public in and Harris County, T e x

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IN WITNESS WHEREOF, we, being all of the trustees of the Kirkwood Country Homeowners Association, have hereunto set our hands this 28 day of March, 1979.

Charles N. Schwarz Jr.)

W. Harold Sellers

Floyd L. Dellinger

Harold C. Wallace

Henry J. Martyn III