

Amendment

MAR-14-83 10 44 14 • 463400 — A 10 11:00

AMENDMENT TO DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
WESTBOURNE, SECTION ONE

153-83-1542

6463400

THE STATE OF TEXAS }
COUNTY OF HARRIS }

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, LANDAR CORPORATION and UNIT DEVELOPMENT COMPANY, both Texas corporations, hereinafter referred to collectively as 'Declarant', by instrument filed for record under Harris County Clerk's File No. G-071434, reference to which is here made for all purposes, did impose that certain Declaration of Covenants, Conditions and Restrictions, hereinafter referred to as "Declaration", on that certain residential subdivision in the County of Harris, State of Texas, known as WESTBOURNE, SECTION ONE, which subdivision is more particularly described in the map or plat thereof recorded in Volume 287, Page 39 of the Map Records of Harris County, Texas; and

WHEREAS, it now appears that Section 3(b), Article III of the Declaration of Covenants, Conditions and Restrictions for WESTBOURNE, SECTION ONE is inconsistent with VA regulations, and that such inconsistency should be corrected by amendment to the Declaration; and

WHEREAS, it is the desire of Declarant that the hereinafter described amendment be carried out and effected in accordance with the provisions of Section 4, Article IX of said Declaration.

NOW, THEREFORE, Declarant does hereby amend the instrument filed for record under Harris County Clerk's File No. G-071434, as heretofore amended by instrument filed for record under Harris County Clerk's File No. G-238945, in the following particular:

Section 3(b), Article III is hereby amended by deletion and substitution of words therein to read as follows:

"(b) The amount assessed each year against a Lot which has never had a Living Unit thereon occupied as a residence, but which is an Assessable Tract because the FHA or the VA has guaranteed a loan on one or more Living Units in the Subdivision, shall be one-half (1/2) of the Base Assessment Sum for such year."

HENCEFORTH, the said Declaration filed for record under Harris County Clerk's File No. G-071434, as amended by instrument filed for record under Harris County Clerk's File No. G-238945, shall be construed as though said Section 3(b), Article III had

153-83-1543

been written as herein provided.

The original Declaration of Covenants, Conditions and Restrictions for WESTBOURNE, SECTION ONE, except as herein and as previously specifically amended, shall remain effective and unchanged.

WESTBOURNE HOMEOWNERS ASSOCIATION, INC., a Texas non-profit corporation, and SUPERIOR HOMES, INC., a Texas corporation, join in the execution of this instrument for the purpose of evidencing their consent and agreement to the amendment herein made.

IN WITNESS WHEREOF, the parties hereto have executed this instrument this 28th day of February, A. D., 1980.

ATTEST:

Kathryn Corazzi
Kathryn Corazzi Secretary

ATTEST:

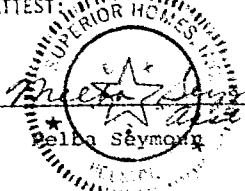
Inez H. Grange
Inez H. Grange Asst. Secretary

ATTEST:

R. Grysinski
R. Grysinski Secretary

ATTEST:

Bella Seymour
Bella Seymour Secretary



LANDAR CORPORATION

BY: Jon Shumway
Jon Shumway President

UNIT DEVELOPMENT COMPANY

BY: P. R. M. Brooks
P. R. M. Brooks Vice President

WESTBOURNE HOMEOWNERS ASSOCIATION, INC.

BY: R. D. Darnell
R. D. Darnell President

SUPERIOR HOMES, INC.

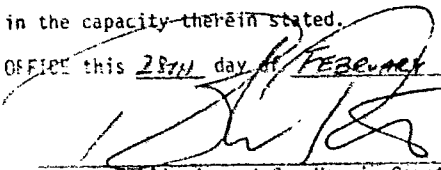
BY: Donald A. Hall
Donald A. Hall President

153-83-1544

THE STATE OF TEXAS |
COUNTY OF HARRIS |

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared JOE SHUMWAY, President, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said LANDAR CORPORATION, a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28TH day of FEBRUARY, A. D., 1980.

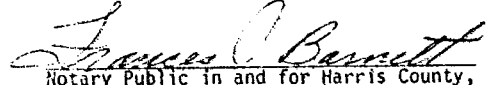

Notary Public in and for Harris County,
TEXAS.

BARBARA RICKETTS
Notary Public in and for Harris County, Texas
My Commission Expires 9-21-81

THE STATE OF TEXAS |
COUNTY OF HARRIS |

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared P.R.M. BROOKS, Vice President, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said UNIT DEVELOPMENT COMPANY, a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28th day of February, A. D., 1980.


Notary Public in and for Harris County,
TEXAS.

FRANCES J. BARNETT
Notary Public in and for Harris County, Texas
My Commission Expires July 8, 1981

153-83-1545

THE STATE OF TEXAS |
COUNTY OF HARRIS |

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared R. D. DARNELL, President, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said WESTBOURNE HOMEOWNERS ASSOCIATION, INC., a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 14th day of March, A. D., 1980.



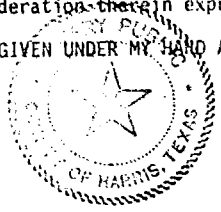
Kathryn Corazzi
Notary Public in and for Harris County,
TEXAS.

KATHRYN CORAZZI S.S. 505-54-9216
Notary Public in and for Harris County, Texas
My Commission Expires 12-11-80

THE STATE OF TEXAS |
COUNTY OF HARRIS |

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Donald A. Hall, President, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said SUPERIOR HOMES, INC., a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28th day of February, A. D., 1980.



Wanda Opatowich
Notary Public in and for Harris County,
TEXAS.

WANDA OPATOWICH
Notary Public in and for Harris County, Texas
My Commission Expires 6-30-80

153-83-1546

JOINDER OF MORTGAGEE

The undersigned, TEXAS COMMERCE BANK, being the owner and holder of an existing mortgage and liens upon and against the real property described in the foregoing Amendment to Declaration of Covenants, Conditions and Restrictions for WESTBOURNE, SECTION ONE, as such mortgagee and lienholder does hereby consent to and join in said Amendment to said Declaration.

This consent and joinder shall not be construed or operate as a release of said mortgage or liens owned or held by the undersigned, or any part thereof, but the undersigned agrees that its said mortgage and liens shall hereafter be upon and against said real property, subject to the foregoing Amendment to said Declaration.

EXECUTED this 10 day of March, A. D., 1980.

ATTEST:
Gordon S. Nassie
Banking Officer
Gordon S. Nassie

TEXAS COMMERCE BANK
BY: W. H. Davis
Senior Vice President
W. H. Davis

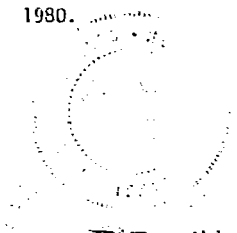
RECORDER'S MEMORANDUM
ALL BLACKOUTS, ADDITIONS AND CHANGES
WERE PRESENT AT THE TIME THE INSTRUMENT
WAS FILED AND RECORDED.

THE STATE OF TEXAS |
COUNTY OF HARRIS |

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared W. H. Davis SR. President, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said TEXAS COMMERCE BANK, a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 10 day of March, A. D., 1980.

Sally Clark
Notary Public in and for Harris County,
TEXAS.



RETURN

WALSH, SQUIRES, TOMPKINS
& McCULLOUGH
4200 WESTHEIMER RD. 150
HOUSTON, TX 77027

EXEMPTED
FROM RECORDING
BY CHAPTER 121, ACTS
1989, SEPTEMBER 1, 1989

FILED
MAR 14 3 02 PM 1980
COUNTY CLERK
HARRIS COUNTY, TEXAS

153-83-1547

STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in
File Number Subance on the date and at the time stamped
Hereon by me; and was duly RECORDED, in the Official
Public Records of said Property of Harris County, Texas on

MAR 14 1980



Quita Lusk
COUNTY CLERK,
HARRIS COUNTY, TEXAS