

ANNEXATION AND SUPPLEMENTAL
DECLARATION OF RESTRICTIONS FOR
GLEN LAUREL SECTION FIVE

THIS ANNEXATION AND SUPPLEMENTAL DECLARATION OF RESTRICTIONS is made as of the date set forth on the signature page hereof, by GLEN LAUREL, L.L.C., a Texas Limited Liability Company, herein referred to and acting as Declarant.

WHEREAS, Declarant has executed a Declaration of Covenants, Conditions and Restrictions for GLEN LAUREL, SECTIONS ONE AND TWO (the "Original Declaration"), and the same was filed for record under Clerk's File No. 9892298 in the Real Property Records of Fort Bend County, Texas;

WHEREAS, Declarant is the owner of that tract of land containing 23.423 acres, more or less, situated in Fort Bend County, Texas as described on Exhibit "A" attached (the "Annexation Tract");

WHEREAS, Section 9 of Article V of the Original Declaration grants Declarant the unilateral right, privilege and option to annex additional real property owned by Declarant adjacent to the real property currently under the jurisdiction of the Association (as defined in the Original Declaration) into the Association and to be covered by the covenants, conditions and restrictions set forth in the Original Declaration;

WHEREAS, Sections 7 and 10 of Article I of the Original Declaration grant Declarant the right to impose additional covenants, conditions and restrictions on particular portions of the real property subject to the Original Declaration, and to designate certain portions of such property as "Neighborhoods" as defined in the Original Declaration; and

WHEREAS, Declarant desires to annex the Annexation Tract into the Association and to make the Neighborhood (as defined herein) subject to the restrictions, covenants and conditions and assessments set forth in the Original Declaration and to make the Neighborhood further subject to the additional covenants, conditions and restrictions set forth in this Annexation and Supplemental Declaration of Restrictions and to designate a portion of the Annexation Tract as a "Neighborhood" as defined in the Original Declaration.

NOW, THEREFORE, Declarant does hereby declare as follows:

- 1) The Annexation Tract is hereby annexed into the Association and is hereby made subject to the restrictions, covenants and conditions and assessments set forth in the Original Declaration, as to those portions of the Annexation Tract herein defined as the Neighborhood. All capitalized terms used herein which are not otherwise defined shall have the meanings set forth

This instrument is being re-recorded to attach Exhibit "A"

FBC 2000094930 7 p FBC 2001020494 10 pgs

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for such terms in the Original Declaration.

2) A final plat of the Annexation Tract named GLEN LAUREL SECTION FIVE, a subdivision in Fort Bend County, Texas has been recorded on Slide Nos. 2043B and 2044A of the Plat Records of Fort Bend County, Texas ("Plat"). The Neighborhood as used herein shall be those portions of the Annexation Tract designated on the Plat as residential lots, landscape reserves and all other lands, save and except those areas out of the Annexation Tract dedicated by the Plat as public streets or roads.

3) The Neighborhood shall be held, transferred, sold, conveyed, used and occupied subject to the covenants, restrictions, easements, charges and liens set forth in this Annexation and Supplemental Declaration of Restrictions, in addition to those contained in the Original Declaration.

4) The Neighborhood shall be subject to the following use limitations and restrictions in addition to those set forth in the Original Declaration:

Section 1. WALLS AND FENCES.

a) All fences or walls must be approved in writing by the New Construction Committee or the Modifications Committee, as the case may be. Each Lot must have Committee-approved fencing constructed thereon, not to exceed eight (8') feet in height along and immediately adjacent to all rear and side property lines of such Lots, not to be constructed closer to the street than the front building set-back line of such Lots. Specific guidelines for all fencing materials and styles for use on all Lots in the Neighborhood will be established and enforced by the New Construction Committee or Modifications Committee, as the case may be.

b) In order to maintain the theme and character of the Properties subject to the Original Declaration in general, and the uniform plan and character of West Airport, Burney Road and Florence Road in particular, all fences adjacent to Burney Road and Florence Road installed by the Declarant shall be maintained in the original style and location specified by the New Construction Committee, unless a change is subsequently approved in writing in the sole discretion of the Modifications Committee.

c) The following Lot that abuts Imperial Canyon Lane shall have constructed and maintained thereon, at all times, a uniform wood fence not to exceed seven feet (7') in height, the style of which shall be established by the New Construction Committee. The fence shall begin at the rear of the house on the corner side of the Lot and extend to the rear of the Lot line, parallel and immediately adjacent to the side setback line indicated on the Plat:

Glen Laurel Section Five: Lot Eleven (11), Block Three (3)

Section 2. ROOFING MATERIALS. All roofs shall be composition shingles of a type and weight approved in writing by the New Construction Committee or the Modifications Committee, as the case may be, and shall be weathered wood or gray in color.

Section 3. GARAGES AND GARAGE ACCESS.

a) All detached garages shall be no more than one and one-half (1 1/2) stories in height, unless otherwise specifically approved in writing by the New Construction Committee or the Modifications Committee, as the case may be. All overhead garage doors must be constructed of real wood or metal, approved as to style and appearance by the New Construction Committee or Modifications Committee, as the case may be.

b) Certain Lots in the Neighborhood shall be restricted in their driveway access to certain adjacent streets. The following Lots in the Neighborhood are prohibited from having garage and driveway access onto Imperial Canyon Lane:

Glen Laurel Section Five: Lot Eleven (11), Block Three (3)

c) The minimum setback lines for detached garages facing (or up to a forty five degree angle away from) the street on which such Lot fronts shall be fifty feet (50').

d) All attached garages shall be utilized solely for parking of vehicles and storage; no attached garage shall be used for living space unless a replacement garage is constructed.

Section 4. MINIMUM SQUARE FOOTAGE. The living area of each dwelling unit (exclusive of open porches, terraces, and garages) shall not be less than one thousand six hundred (1,600) square feet of living area.

Section 5. LANDSCAPING AND TREE PLANTING. All Landscaping Plans for Lots must be submitted to the New Construction Committee for approval. All Lots having a detached garage shall have a minimum of two (2) oak trees at least four inches (4") in diameter planted in the front yard (or two (2) trees preserved from the existing trees); corner Lots having a detached garage shall have a minimum of three (3) oak trees in the aggregate, at least four inches (4") in diameter, planted in the front and side yards (or three (3) trees preserved from the existing trees). All Lots having attached garages with at least a sixteen foot (16') wide driveway extending to the street shall have a minimum of one (1) oak tree at least four inches (4") in diameter planted in the front yard (or one (1) tree preserved from the existing trees); corner Lots having attached garages with at least a sixteen foot (16') wide driveway extending to the street shall have a minimum of two (2) oak trees in the aggregate, at least four inches (4") in diameter, planted in the front and side yards (or two (2) trees preserved from the existing trees). Any such trees that die shall promptly be replaced by the Owner of the Lot.

Section 6. NEIGHBORHOOD ASSESSMENT. No specific Neighborhood Assessment is mandated by this Supplemental Declaration. Therefore, Owners of Lots within the Neighborhood may be assessed and are liable to pay a Neighborhood Assessment in addition to the Base Annual Assessment only if levied by the Association's Board of Directors in accordance with a ninety percent (90%) vote of Neighborhood Members as provided in Article IV, Section 6 of the Original Declaration.

Section 7. AGREEMENT. Each Owner of a Lot in the Neighborhood by acceptance of a deed therefor, whether or not is shall be so expressed in such deed, shall be deemed to covenant and agree to accept and abide by this Supplemental Declaration or Restrictions as well as all restrictions, obligations, requirements and liabilities set forth in the Original Declarations.

This Annexation and Supplemental Declaration of Restrictions shall remain in full force and effect for the term as described in Article 5, Section 7 of the Original Declaration, and shall be subject to the renewal and other provisions, of the Original Declaration.

EXECUTED this the 13 day of OCTOBER, 2000.

DECLARANT:

GLEN LAUREL L.L.C.

By: W. E. DALTON, JR.

Name: W. E. DALTON SR

Title: PRESIDENT

RETURN TO:

GLEN LAUREL HUA
% RIVINGTON DEVELOPMENT CO.
1001 WEST LOOP SOUTH, STE 100
HOUSTON TX 77027

THE STATE OF TEXAS

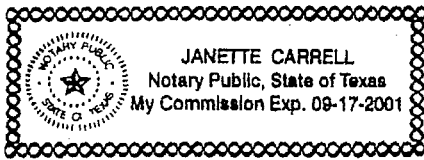
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COUNTY OF FORT BEND

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This instrument was acknowledged before me on this the 13th day of OCTOBER, 2000, by W.E. DARTON SR, President of Glen Laurel, L.L.C., a Texas limited liability company, on behalf of said company.



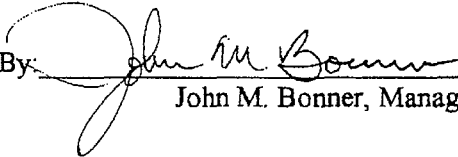
Janette Carrell
Notary Public in and for the State of Texas

LIENHOLDER'S CONSENT AND SUBORDINATION
TO SUPPLEMENTAL DECLARATION OF RESTRICTIONS
FOR GLEN LAUREL SECTION FIVE

First Continental Investment Co., Ltd., a Texas Limited Partnership ("First Continental"), the owner and holder of that certain promissory note dated May 15, 2000 in the original principal amount of \$1,320,000, executed by Glen Laurel, LLC., a Texas limited liability company, payable to the order of the undersigned, secured by a deed of trust lien on the Property as evidenced by deed of trust instrument filed under Fort Bend County Clerk's File No. FBC 200004418 and recorded in the Official Public Records of Real Property of Fort Bend County, Texas, hereby executes this instrument to subordinate the lien of such deed of trust to the foregoing Declaration of Covenants, Conditions and Restrictions for Glen Laurel.

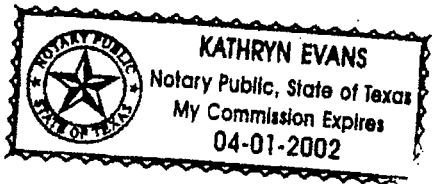
EXECUTED the 17th day of October, 2000.

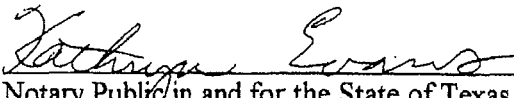
FIRST CONTINENTAL INVESTMENT CO., LTD.
BY: FCC MANAGEMENT INVESTMENT CO., LLC,
ITS GENERAL PARTNER

By: 
John M. Bonner, Manager

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on this the 17th day of October, 2000, by John M. Bonner, Manager of FCC Management Investment Co., a Texas limited liability company, on behalf of said company.




Notary Public in and for the State of Texas

After filing return to:
Commerce Land Title
10333 Richmond Ave. #110
Houston, Tx 77042
Attn: Brenda

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Return to:
Commerce Land Title / Houston / AD
1415 North Loop W Ste 1000
Houston TX 77008

Dianne Wilson

11-03-2000 02:45 PM 2000094930

DBC \$19.00

DIANNE WILSON, COUNTY CLERK
FORT BEND COUNTY, TEXAS

EXHIBIT "A"

Page 1 Of 3 Pages

County: Fort Bend
Project: Glen Laurel Section Five
C.I. No.: 1182-00
Job Number: 20-00003-03

METES AND BOUNDS FOR 23.5525 ACRES

Being a 23.5525 acre tract of land located in the John Hodge Labor, A-192, in Fort Bend County, Texas; said 23.5525 acre tract being out of the remainder of a call 63.600 acre tract of land recorded in Clerk's File Number 9778397 of the Official Records of Fort Bend County, Texas and a call 36.083 acre tract of land recorded in Clerk's File Number 9778398 of the Official Records of Fort Bend County, Texas; said 23.5525 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the northwest line of Glen Laurel Section Four recorded on Slide Number's 1931B and 1932 A of the Plat Records of Fort Bend County, Texas):

Beginning at a railroad spike found in asphalt for the northwest corner of said 36.083 acre tract, same being at the intersection of Florence Road and Burney Road, both described as Public Road Right-of-Way Easement (undefined width) recorded in Volume 254, Page 285 and Volume 970, Page 853 both of the Deed Records of Fort Bend County, Texas;

1. Thence, with the north line of said 36.083 acre tract, North 89 degrees 44 minutes 00 seconds East, a distance of 1,335.02 feet to a 5/8-inch iron rod found for the northeast corner of said 36.083 acre tract, same being the northwest corner of a call 39.0 acre tract of land recorded in Volume 609, Page 72 of the Deed Records of Fort Bend County, Texas;
2. Thence, with the east line of said 36.083 acre tract and the west line of said 39.0 acre tract, South 00 degrees 01 minutes 00 seconds West, a distance of 1,040.11 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" set;
3. Thence, South 59 degrees 29 minutes 02 seconds West, a distance of 173.87 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" set;
4. Thence, South 68 degrees 39 minutes 22 seconds West, a distance of 136.96 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" set;
5. Thence, South 43 degrees 07 minutes 44 seconds East, a distance of 12.96 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" set;

6. Thence, 291.55 feet along the arc of a curve to the right, said curve having a central angle of 34 degrees 48 minutes 04 seconds, a radius of 480.00 feet and a chord that bears South 25 degrees 43 minutes 42 seconds East, a distance of 287.09 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" found on the north line of Glen Laurel Section Two recorded on Slide Number's 1746A and 1746B of the Plat Records of Fort Bend County, Texas, same being at the terminus of the east right-of-way of Imperial Canyon Lane (60-feet wide) in said Glen Laurel Section Two;

7. Thence, with said north line, South 81 degrees 40 minutes 20 seconds West, a distance of 60.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" found for the terminus of the west right-of-way line of said Imperial Canyon Lane, same being an angle point on the northeast line of Tract "A" in aforesaid Glen Laurel Section Four;

Thence, with said northeast line the following three (3) courses and distances:

8. 271.76 feet along the arc of a curve to the left, said curve having a central angle of 37 degrees 04 minutes 22 seconds, a radius of 420.00 feet and a chord that bears North 26 degrees 51 minutes 51 seconds West, a distance of 267.04 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" found;

9. North 45 degrees 24 minutes 28 seconds West, a distance of 67.04 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" found;

10. Thence, 105.61 feet along the arc of a curve to the right, said curve having a central angle of 18 degrees 20 minutes 11 seconds, a radius of 330.00 feet and a chord that bears North 36 degrees 14 minutes 22 seconds West, a distance of 105.16 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" found for the north corner of aforesaid Tract "A";

11. Thence, North 20 degrees 50 minutes 57 seconds West, a distance of 26.56 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" set;

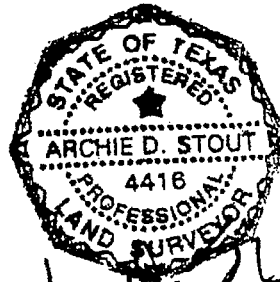
12. Thence, 72.19 feet along the arc of a curve to the right, said curve having a central angle of 12 degrees 32 minutes 03 seconds, a radius of 330.00 feet and a chord that bears North 16 degrees 58 minutes 11 seconds West, a distance of 72.05 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" set;

13. Thence, North 79 degrees 17 minutes 50 seconds East, a distance of 60.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" set;

14. Thence, 42.20 feet along the arc of a curve to the left, said curve having a central angle of 96 degrees 42 minutes 52 seconds, a radius of 25.00 feet and a chord that bears South 59 degrees 03 minutes 36 seconds East, a distance of 37.37 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" set;

15. Thence, 42.71 feet along the arc of a curve to the right, said curve having a central angle of 07 degrees 24 minutes 58 seconds, a radius of 330.00 feet and a chord that bears North 76 degrees 17 minutes 27 seconds East, a distance of 42.68 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" set;
16. Thence, North 79 degrees 59 minutes 56 seconds East, a distance of 37.41 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" set;
17. Thence, North 00 degrees 01 minutes 00 seconds East, a distance of 353.27 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" set;
18. Thence, South 89 degrees 44 minutes 00 seconds West, a distance of 1,036.36 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC. RPLS 4416" set on the west line of aforesaid 36.083 acre tract;
19. Thence, with said west line, North 00 degrees 19 minutes 00 seconds West, a distance of 628.00 feet to the **Point of Beginning** and containing 23.5525 acres of land.

This description is based on the Subdivision Plat of Glen Laurel Section Five made by Archie D. Stout, Registered Professional Land Surveyor number 4416, in June, 2000.



7-14-2000

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COMMERCE LAND TITLE INC
2707 N LOOP W #300
HOUSTON, TEXAS 77008

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

03-13-2001 01:01 PM 2001020494
DM \$27.00
DIANNE WILSON, COUNTY CLERK
FORT BEND COUNTY, TEXAS