

AFFIDAVIT FOR FILING DEDICATORY INSTRUMENTS

STATE OF TEXAS)
)
COUNTY OF MONTGOMERY) **KNOW ALL BY THESE PRESENTS:**

WHEREAS section 202.006 of the Texas Property Code requires that a property owners' association file its dedicatory instruments in the real property records of the county in which the property is located, and

WHEREAS the The Village at High Meadow Community Association, Inc. is a property owners' association as the term is defined in the Texas Property Code and has property located in Montgomery County, Texas,

NOW THEREFORE, true copies of the following dedicatory instruments of the The Village at High Meadow Community Association, Inc. which have not been previously filed in the public records of Montgomery County are attached hereto, including:

AMENDMENT TO DECLARATIONS OF COVENANTS, CONDITIONS AND DECLARATIONS VILLAGE AT HIGH MEADOW, SECTIONS 1,2,3,4,5,5-A, 5 Reserve A, 5 Reserve B, 6, and 6-A

FURTHER, other dedicatory instruments of the The Village at High Meadow Community Association, Inc. have already been filed in the public records of Montgomery County and these documents supplement the previously filed documents.

SIGNED on this 20th day of August, 2012.

Signature: *Susan Gonzales*
By: Susan Gonzales
Title: CKM Property Management, Managing Agent for The Village at High Meadow Community Association, Inc.

STATE OF TEXAS)
)
COUNTY OF MONTGOMERY)

This instrument was acknowledged before me on this 20th day of August, 2012 by Susan Gonzales.

Signature: *Linda Schaefer*
By: Linda Schaefer
Title: Notary in and for the State of Texas
My commission expires on 05/15/14



Return to: C.K.M. Property Management, Inc.
P.O. Box 160
Tomball, TX 77377-0160
281-255-3055

**AMENDMENT TO
DECLARATIONS OF COVENANTS, CONDITIONS AND DECLARATIONS
VILLAGE AT HIGH MEADOW,
SECTIONS 1, 2, 3, 4, 5, 5-A, 5 Reserve A, 5 Reserve B, 6, and 6-A**

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF MONTGOMERY §

WHEREAS, JACK FREY PROPERTIES, INC. a Texas Corporation (the "Declarant") was the sole owner of that certain property in Montgomery County, Texas known as: THE VILLAGE AT HIGH MEADOW, **SECTIONS 1, 2, 3, 4, 5, 5-A, 5 Reserve A, 5 Reserve B, 6, and 6-A** (the "Property"); and

WHEREAS, the Declarant did respectively impose on each section of the Property all those certain covenants, conditions, restrictions, and easements set forth in the instruments listed below, which are filed of record in the Official Public Records of Real Property of Montgomery County, Texas:

Section 1	Montgomery County Clerk's File No. 2004-004140
Section 2	Montgomery County Clerk's File No. 2004-058237
Section 3	Montgomery County Clerk's File No. 2005-017997
Section 4	Montgomery County Clerk's File No. 2006-006126
Section 5	Montgomery County Clerk's File No. 2006-079175
Section 5 Res A	Montgomery County Clerk's File No. 2006-079175
Section 5 Res B	Montgomery County Clerk's File No. 2006-079175
Section 5-A	Montgomery County Clerk's File No. 2007-024311
Section 6	Montgomery County Clerk's File No. 2007-110690
Section 6-A	Montgomery County Clerk's File No. 2008-072251

(the "Declarations"); and

WHEREAS, Article VIII, Section 8.8 of the Declarations provides the Association, acting through its Board of Directors, shall have the right to amend or modify or abandon any of the provisions of Articles VI, VII, VIII of the Declarations provided that (i) such changes shall be consistent with and in furtherance of the general plan and scheme of development as evidenced by the Declarations, and (ii) such changes must: 1) prior to January 1, 2013, have the written approval of the Declarant; 2) be recorded in the Book of Resolutions of VILLAGE AT HIGH MEADOW Community Association, Inc. (the "Association"); 3) be evidenced by Notice to all Members of the Association; and 4) become effective six (6) months after the date of Notice to the Members, unless a "Petition for Referendum" signed by fifteen percent (15%) of the Members of the Association is received prior to the effective date; and

WHEREAS, the Board of Directors of the Association is of the opinion the changes to the Declaration set forth below are consistent with and in furtherance of the general plan and scheme of development as evidenced by the Declarations; and

WHEREAS, the changes to the Declarations, which were made prior to January 1, 2013, have been approved in writing by the Declarant, as evidenced by Declarant's signature below; and

WHEREAS, the changes to the Declarations were evidenced by Notice to all Members of the Association on September 15, 2011 and on February 21, 2012 as evidenced by Exhibit "A" attached hereto and incorporated herein for all purposes and

WHEREAS, the Association did receive a "Petition for Referendum" signed by fifteen percent (15%) of the Members of the Association within six (6) months after the date of Notice to the Members,

NOW, THEREFORE, the Declarations are amended to read as follows:

Section 6.01 (C.)(3.) entitled "Permanent Outbuildings" will be amended by changing subparagraph (j.) to read as follows:

- j. Exterior finish is compatible with main residence or painted in earth tones. No Metal buildings will be allowed.

Section 6.01 (C.)(3.) entitled "Permanent Outbuildings" will include a new subparagraph (k.) and shall read as follows:

- k. All Outbuildings shall be a maximum of 1250 square feet as approved by the Architectural Control Committee.

Section 6.01 (D.) entitled "SIGNS" will include a new subparagraph (5.) and shall read as follows:

- 5. Undeveloped lots for sale by owners may be advertised as such only as follows: A clear plastic tube approximately 4" in diameter for flyers and a white plastic sign approximately 4" by 12" with the street address numbers on it attached to a 6' by 2' metal post will be permitted. The post must be located on the undeveloped lot with the street address sign perpendicular to the road and no closer to the road than the lot side of the drainage culvert.

Section 6.02 (C.) entitled "MOTOR VEHICLES" will be amended to include the following sentence at the end of said paragraph:

Golf Carts are allowed on the public streets as permitted by Texas law.

Section 6.04 (C.) entitled "ESTOPPEL CERTIFICATE" has a clerical error in line four, and shall be corrected as follows: "home sit eat time" will read "home site at time".

Section 7.01 (A.) entitled "Minimum Setback Lines - EXCEPTION" has a clerical error in line ten leaving out the word "No" and will be corrected as follows: "there are no existing easements on the plat or required by the Declarant."

Section 7.05 (C.) of the Declarations entitled "FENCE MATERIALS" is amended to read as follows:

All fences or walls shall be decorative wood, masonry, vinyl, or wrought iron as approved by the Architectural Control Committee. No freestanding chain link or wire fencing shall be allowed. Wooden frame or split rail style fences may be backed with galvanized wire fencing as necessary to confine small animals. All wooden fences shall be constructed of cedar, redwood, or treated or painted lumber. All fences shall be maintained in a fully repaired, neat and presentable manner. No fences shall be higher than six (6) feet.

Provided, however, in Section VI-A of the Village at High Meadow, chain link fencing is allowed except where fence lines front on other Village at High Meadow property lines.

Section 8.01 of the Declarations entitled "General" is amended to add the following sub-section (H.) entitled "FOUNDATIONS" and shall read as follows:

H. All foundations must be engineered and the plans must have an Engineer Stamp. The foundations must be within the Council of American Building Officials guidelines and standards and are subject to approval by the Architectural Control Committee.

Section 8.02 of the Declarations is amended to add sub-section (C.) entitled "DEFINITION OF A PORTICO AND CARPORT". It shall read as follows:

1. A portico is a roofed passageway through part of the home designed to let vehicles pass from the street to an interior courtyard. The portico must be structurally part of the home and is subject to the same construction standards as the home. In order for a home to include a portico and a garage that faces any street, the garage must be on the opposite side of a courtyard with a portico on the street side of the courtyard.
2. A carport is a roofed structure, which is structurally part of the home and is subject to the same construction standards and minimum set back lines as the home that shelters a garage entrance. A carport must be at least 20 feet in length and equal in width as the garage entrance it shelters. The foundation of the carport must be an integral part of the foundation of the home.
3. Homes built on corner lots, specifically defined as those LOTS that have a street contiguous with two or more sides of the LOT, because of their unique situation of having streets on at least two sides of the LOT, can be granted a specific exclusion for a side loading garage (garage that is perpendicular to the front of the home). If the home is set on the LOT or is constructed such that the garage opening is at a 45-degree angle or more to any street, as defined below, the home submittal will be approved by the ACC. The angle of the garage opening will be measured from the plot plan of the home on the LOT with the streets identified per the official plat of the subdivision. One side of the angle will be the center line of the street that the garage faces and is so identified on the plat plan and the other will be a line parallel to the opening of the garage, the inside angle of the intersection

of these two lines must be 45 degrees or more for the house submittal to be approved.

Section 8.04 entitled "Outbuildings" is amended to delete the last sentence in its entirety and to replace it with: "No metal buildings are allowed."

IN WITNESS WHEREOF, the President of the Association, for the purpose of acknowledging the consent and approval of the Board of Directors of the Association to this amendment of the Declarations and the recitals set forth above, has executed this instrument as of the date set forth below to be effective upon its filing of record in the Official Public Records of Real Property of Montgomery County, Texas.

Dated this 26th day of July, 2012.

VILLAGE AT HIGH MEADOW COMMUNITY ASSOCIATION, INC.

Attest:

[Signature]
Signature
Darrel Weidner
Printed name

By: [Signature]
Signature
Dave McLendon
Printed Name

Its: Secretary

Its: President

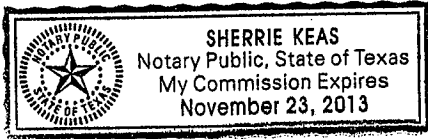
THE STATE OF TEXAS
COUNTY OF MONTGOMERY

§
§
§

Before me, a notary public, on this day personally appeared Dave McLendon, President of VILLAGE AT HIGH MEADOW Community Association, Inc. known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he/she executed same in the capacity and consideration therein expressed.

Given under my hand and seal of office this 26th day of July, 2012.

[Signature]
NOTARY PUBLIC - STATE OF TEXAS



APPROVAL OF DECLARANT

Declarant joins in the execution of this instrument to evidence its approval of the Amendment to the Declaration set forth above.

Dated this 31st day of July, 2012.

JACK FREY PROPERTIES, INC.,
a Texas Corporation

By: _____

Signature

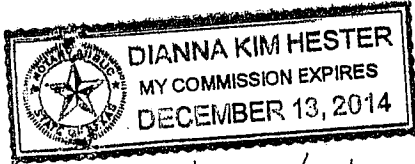
David Frey

Printed Name

David M. Frey

Its: _____

President



Dianna Kim Hester

Return to:

**Village At High Meadow
P. O. Box 160
Tomball, Texas 77377**

Village at High Meadow Community Association

September 15, 2011

Dear Property Owners:

On January 12, 2011 the Board of Directors notified you that an amendment of the Restrictions had been approved. In March 2011 a Petition of Referendum was received from at least 15% of the members voting against the language in the amendment concerning fencing. The Board voted to accept the recommended changes and approve the revised amendment to the Restrictions. Therefore, the amendments to the Restrictions as referenced in the January 12, 2011 letter are withdrawn and hereby reissued to incorporate the fencing verbiage as delineated in the March 2011 Petition of Referendum.

According to Section 8.08 of the Restrictions, the Board of Directors have the right to amend, modify or abandon any of the provisions of **Articles VI, VII and VIII**. Article VI pertains to Protective Covenants - Use Restrictions, Article VII pertains to Home site Improvements and Article VIII pertains to Construction Standards.

The requirements of Section 8.08 are spelled out in the amendment attached. The intent of the Board of Directors and the Architectural Control Committee is to improve the quality of construction and value of homes in the Village at High Meadow Community Association.

This letter and the attached amendment serve as notice to the members of The Village at High Meadow. Should you have any questions, please call Susan Gonzales at 281-255-3055.

Sincerely,

Lowell Norris
Lowell Norris
President

Enclosure:

Amendment to the Declaration of Covenants, Conditions and Declarations Village at High Meadow
Section 1, 2, 3, 4, 5, 5-A, 5 Reserve A, 5 Reserve B, 6 and 6-A. Board Resolution

Village at High Meadow
PO Box 160
Tomball, TX 77377
281-255-3055 bus. 281.255.3056 fax.
ckm1@ckm1.com

Notice Exhibit "A" to the Amendment

A-1

THE VILLAGE AT HIGH MEADOW COMMUNITY ASSOCIATION

P. O. Box 160 Tomball, Texas 77377-0160
281.255.3055 FAX 281.255.3056 Email: ckml@ckml.com

February 21, 2012

«addr1»
«addr2»
«addr3» «addr4»

Dear «addr1»,

The purpose of this letter is to inform you of a special vote to be held at the March 28, 2012 Village at High Meadow Homeowner's Association meeting. The vote is in response to a Petition for Referendum submitted at the February 7, 2012 The Village at High Meadow Homeowner's Association meeting.

On September 15, 2011, all property owners were mailed a notice of proposed Amendments to the Declarations of Covenants, Conditions and Declarations. These proposed Amendments would become effective on March 15, 2012 provided no Petition for Referendum was received prior to that date. A copy of the September 15, 2011 notice is enclosed with this letter in case you do not have the previous mailing. The proposed Amendments include several changes to the Deed Restrictions as well as some clarifications and corrections to the language in the original Deed Restrictions. One of the changes is related to Article 7.05 (C) "FENCE MATERIALS" and states:

All fences or walls shall be decorative wood, masonry, or wrought iron as approved by the Architectural Control Committee. No freestanding chain link or wire fencing shall be allowed. Wooden frame or split rail style fences may be backed with galvanized wire fencing as necessary to confine small animals. All wooden fences shall be constructed of cedar, redwood, or treated or painted lumber. All fences shall be maintained in a fully repaired, neat and presentable manner. No fences shall be higher than six (6) feet.

Provided, however, in Section VI-A of the Village at High Meadow, chain link fencing is allowed except where fence lines front on other Village at High Meadow property lines.

Please note that the proposed Amendment would not allow chain link fencing, except in Section VI-A, but would allow galvanized wire backing to confine small animals. It specifies fences shall be decorative wood, masonry or wrought iron and therefore does not allow vinyl fencing.

A Petition for Referendum was submitted at the February 7, 2012 The Village at High Meadow Homeowner's Association meeting that requested a change in the wording of the proposed Amendment with respect to fencing. None of the other changes in the proposed Amendments were requested to be changed. The Petition requests that the wording regarding fencing be changed to the following:

All fences or walls shall be decorative wood, masonry, vinyl [emphasis added], or wrought iron as approved by the Architectural Control Committee. No freestanding chain link or wire fencing shall be allowed. Wooden frame or split rail style fences may be backed with galvanized wire fencing as necessary to confine small animals. All wooden fences shall be constructed of cedar, redwood, or treated or painted lumber. All fences shall be maintained in a fully

repaired, neat and presentable manner. No fences shall be higher than six (6) feet.

Provided, however, in Section VI-A of the Village at High Meadow, chain link fencing is allowed except where fence lines front on other Village at High Meadow property lines.

Please note that the Petition is asking that vinyl fencing be explicitly allowed.

Also note that any changes to the Deed Restrictions, whether the proposed Amendments or the revised language according to the Petition for Referendum, only apply to future building in the Village. Any homeowner that currently has a fence, building or other structure that would not be allowed under the changes will not be required to remove or modify the fence, building or other structure. Furthermore, the Architectural Control Committee will continue to have the right, as specified in Article 5.08 of the Deed Restrictions, to grant Variances to the Deed Restrictions.

Article 3.04 (C) of the Deed Restrictions requires that a meeting be held to have a vote on the Petition with notice of the meeting being sent within 15 days of receipt of the Petition. Therefore, the Board is sending this notice that the vote will be held on the Petition at the next Homeowners Association meeting which is scheduled for 7 PM on March 28, 2012 at the Ranch House at High Meadow Ranch Golf Club.

If you are unable to attend the meeting in person please return the enclosed proxy ballot to CKM Property Management prior to the meeting. The Community Association Board wants to encourage you to vote, either in person or by proxy, to make sure your views are heard.

Sincerely,

The Village at High Meadow Board of Directors

Proxy Ballot for Petition for Referendum Submitted on February 7, 2012

Mark one of the following to indicate your choice in the special vote regarding the Petition for Referendum:

YES, I support the proposed revision to Article 7.05 (C) entitled "FENCE MATERIALS" to explicitly allow vinyl fencing as specified in the Petition for Referendum

NO, I do not support the proposed revision to Article 7.05 (C) entitled "FENCE MATERIALS" to explicitly allow vinyl fencing as specified in the Petition for Referendum

Signature(s): _____

Date: _____

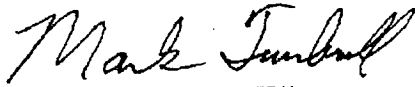
«addr1»

PLEASE RETURN PRIOR TO MARCH 28, 2012

Return to: Village at High Meadow Community Association
C/o: CKM Property Management
P.O. Box 160
Tomball, Texas 77377

FILED FOR RECORD

08/24/2012 1:13PM

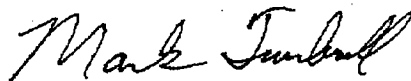


COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

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.

08/24/2012



County Clerk
Montgomery County, Texas