

FIRST AMENDMENT TO
DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
WATERBROOK WEST

COPY
ORIGINAL filed on 3-10-97
in the OFFICIAL records.
Copies NOT compared.
DIANNE WILSON, County Clerk
By [Signature]

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

WHEREAS on September 6, 1979, that certain instrument titled "Declaration of Covenants, Conditions and Restrictions for Waterbrook West" was filed of record under Clerk's File No. 106416 of the Official Public Records of Real Property of Fort Bend County, Texas, being also recorded in the Deed Records of Fort Bend County, Texas, at Vol. 859, Page 456, ("the Declaration"), said Declaration having been supplemented by a Supplemental Declaration filed of record on June 16, 1981, under Clerk's File No. 62108 of the Official Public Records of Fort Bend County, being also recorded at Vol. 971, Page 444 of the Deed Records of Fort Bend County, Texas, and said Declaration having been supplemented by a Second Supplemental Declaration which was filed for record on or about December 30, 1992, in Volume 2614, Page 1950, and also at Volume 2622, Page 214, and at Volume 2648, Page 2000, of the Deed Records of Fort Bend County, and also recorded under Clerk's File No. 9403814 of the Official Records of Fort Bend County, Texas, which subjected all of the lots in the following subdivision to the terms of said Declaration:

"All lots in Waterbrook West Subdivision, Fort Bend County, Texas, according to the Map or Plat thereof, recorded in Volume 23, Page 29 of the Map Records of Fort Bend County;"

WHEREAS Article VII Section 2 provides that "By written approval of two-thirds of the then Owners of Lots in Waterbrook West (each Owner having one (1) vote for each Lot owned in Waterbrook West but limited to one (1) vote per Lot) these Restrictive Covenants may, at any time, be altered, amended or extended, but no party shall be charged with notice or inquiry in connection with any amendment, modification or termination until the instrument embodying the same shall actually be filed for record in the Office of the County Clerk of Fort Bend County, Texas."

WHEREAS the undersigned represent at least two-thirds of the votes of the Owners, and hereby desire to amend certain provisions of the Declaration applicable to Waterbrook West;

- NOW THEREFORE, the undersigned, constituting at least two-thirds of the votes in Waterbrook West Community Association, do make and file the following restrictions, reservations, protective covenants; limitations and conditions and restrictions regarding the use and/or improvement of Lots located in the said Waterbrook West subdivision, and do hereby amend or

change and restate the following provisions of the previous Declaration on file in the Official Public records of Fort Bend County, Texas, as follows:

Article II Sections 2 and 3 of said Declaration are now amended and restated in their entirety as follows:

2. BUILDING TYPE. No structure, excluding fences, shall be located nearer to the street than 60 feet on any fronting street, 60 feet to any side street or 10 feet to any side line.

All residences shall have floor space of not less than 2,600 square feet with interior ceiling heights of not less than 8 feet. This floor space shall be exclusive of one-story open porches, garages, carports, and finished basements, and may be modified as follows: two-story residences must have not less than 1,800 square feet of floor space on the first floor; split-level residences must have not less than 1,800 square feet on the two lower levels; and story-and-a-half residences must have not less than 1,800 square feet on the first level. No residence or appurtenant structure shall exceed 45 feet in height.

Any exposed concrete block or other fabricated masonry block unit must be veneered with brick, natural stone, stucco, or other finishing material. No structure made of corrugated iron or scrap metal shall be allowed.

3. GARAGES. All residences must have a minimum of a 2-car carport or garage and no vehicles will be allowed to be parked so as to be visible from the street for periods of more than seven (7) days. The term vehicles, as used herein, shall include, without limitation, motor homes, recreational vehicles, boats, trailers and trucks, in addition to automobiles.

All garages shall have openings for such structures to the side or to the rear, so that said openings shall not be visible from the street. Corner lots shall construct their garages so that they will not be visible from either street, the intent being to insure that all garage openings are not visible from the street.

EXECUTED by each individual Owner on the date indicated, to be effective when recorded in the Official Public Records of Real Property of Fort Bend County, Texas. This document may be executed in multiple counterparts, each of which is and shall be construed as an original, being one and the same document for all purposes. For the purpose of recording this instrument, all signature pages may be attached to one (1) counterpart. See legal descriptions of Lots owned by Owners in Waterbrook West Subdivision in Fort Bend County, Texas, attached as Exhibit A.

WATERBROOK WEST COMMUNITY ASSOCIATION


By: *Ronald McCormick*

Title: *PRESIDENT*

Ronald McCormick

STATE OF TEXAS §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on April 2, 1996,
by Ronald McCormick, President of Waterbrook West Community Association, Inc.


Notary Public, State of Texas



return to : Cheryl R. Johnston
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