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**SECOND AMENDMENT TO  
DECLARATION OF  
RESTRICTIONS, COVENANTS AND EASEMENTS FOR WATERBROOK WEST,  
A Subdivision in Fort Bend County, Texas**

THE STATE OF TEXAS   §  
  §  
COUNTY OF FORT BEND§

WHEREAS on September 6, 1979, that certain instrument titled "Declaration of Restrictions, Covenants and Easements 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, Texas, being also recorded at Vol. 971, Page 444 of the Deed Records of Fort Bend County, Texas, 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, Texas, and also recorded under Clerk's File No. 9403814 of the Official Records of Fort Bend County, Texas, and said Declaration having been supplemented by a First Amendment to Declaration which was filed for record on March 10, 1997, under Clerk's File No. 9713907 of the Official Public Records of Fort Bend County, Texas being also recorded at Volume 2974, Page 463 of the Deed 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 Section 4 MISCELLANEOUS BUILDING REQUIREMENTS Paragraph 2 of said Declaration is now amended and restated in its entirety as follows:

“Any fences or fencing placed on any Lot shall not exceed a height of 8 feet, and shall be approved prior to erection by Declarant, its successors or assigns. It is expressly understood that hurricane fencing shall not be permitted under any circumstances.”

Executed on the dates set forth on the attached consents, to become effective upon recording in the Official Public Records of Real Property in Fort Bend County, Texas.

CERTIFICATE

THE STATE OF TEXAS   §  
                                 §  
COUNTY OF FORT BEND§

BEFORE ME, the undersigned authority, on this day personally appeared Ben Campbell, known to me to be the person whose name is subscribed below, who, upon oath, did depose and state as follows:

My name is Ben Campbell. I am the President of the Waterbrook West Community Association, Inc. (the “Association”). I am over the age of twenty-one (21) years. I have never been convicted of a crime and I am fully competent to make this affidavit. Attached hereto are consents executed by the Owners of Lots in Waterbrook West, a residential subdivision in Fort Bend County, Texas. I certify that the attached consents constitute the written agreement of Owners (as that term is defined in the Declaration of Restrictions, Covenants, and Easements for Waterbrook West) of not less than two-thirds (2/3) of the Lots in the Subdivision. This certification is based upon the ownership records of the Association.

\_\_\_\_\_  
Signature  
Ben Campbell  
Printed Name

Given under my hand and seal of office this 1<sup>st</sup> day of September, 2020.

  
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Notary Public in and for the State of Texas