

G481403

AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS

154-86-0184

*Amend.*

THE STATE OF TEXAS ) MAR-31-80 145574 • 481403 LST A PD 11.00  
COUNTY OF HARRIS ) KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS by that certain instrument designated as Declaration of Covenants, Conditions and Restrictions, executed by Eden Corporation, a Texas Corporation, hereinafter referred to as Eden, on June 20, 1979 and recorded in the Office of Harris County Clerk under File No. G185506, Deed Records of Harris County, Texas, those certain tracts and parcels therein described and referred to as:

*11  
15*

All the lots in Kenswick, Section III, Subdivision, Harris County, Texas, according to the Map or Plat thereof recorded in Volume 289, Page 50, in the Map Records of Harris County, Texas:

*16*

Lots One (1) through Sixteen (16), Block One (1); Lots One (1) through Thirty-Seven (37), Block Two (2); Lots One (1) through Twenty-Five (25), Block Three (3); Lots One (1) through Eighteen (18), Block Four (4); Lots One (1) through Ten (10), Block Five (5); Lots One (1) through Fifteen (15), Block Six (6).

WHEREAS, it is the desire of Eden Corporation, as Declarant, to amend said Declaration of Covenants, Conditions and Restrictions for Kenswick Section III, Subdivision, by adding the following section to Article II of the existing document by execution of this Amendment. This Amendment will be controlling where inconsistent with such Declaration of Covenants, Conditions and Restrictions, dated June 20, 1979.

NOW THEREFORE, Eden Corporation hereby adopts, establishes and imposes upon the lots described in Exhibit "A", which is hereto attached, the following restrictions titled Article II, Section 4, Lots Having Type B Drainage. This section is for the purpose of enhancing and protecting the value, desirability and attractiveness of the land, which reservations shall run with the land, and shall be binding upon all parties having or acquiring any right, title or interest therein, or any part thereof, and shall inure to the benefit of each owner thereof, and shall supercede and be controlling over any previously executed and recorded Restrictions, Covenants and Conditions:

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.  
THE STATE OF TEXAS )  
COUNTY OF HARRIS )

The above is a full, true, and correct photographic copy of the original record now in my lawful custody and possession, as the same is recorded in the Official Public Records of Real Property in my office and Preserved on Microfilm, and having Microfilm Identification Number as stamped thereon. I hereby certify on

JUL 31 1980



ANITA RODEHEAVER  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

By *[Signature]*  
Deputy  
BILLY W. GAGE

Article II, Section 4. Lots having Type B Drainage:

No ground level fence, wall, masonry work, landscaping, earthwork, or any other obstruction or structure that may impede the sheet flow of water to the back of any lot having Type B drainage, as described in Exhibit "A", attached hereto, shall be commenced, erected or maintained upon the Properties, nor shall any change, alteration or addition to existing fence, wall, masonry work, landscaping, earthwork, or any other existing structures therein be made, until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to, and approved in writing as to design and location in relation to surrounding structures and topography by, the Board of Directors of the Association, or by the Architectural Control Committee. The Board of Directors of the Association or the Architectural Control Committee shall have complete authority to decide whether or not the request for addition, alteration or improvements will impede or will not impede the planned water flow and drainage from the lots as described as Exhibit "A", attached hereto.

Pursuant to Article VII, Section 3 of the Original Declaration, the Federal Housing Administration and the Veterans Administration have evidenced their approval of the terms and provisions hereof.

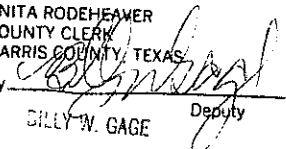
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THE STATE OF TEXAS  
COUNTY OF HARRIS

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JUL 31 1990



ANITA RODEHEAVER  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

By   
Deputy  
BILLY W. GAGE

IN WITNESS WHEREOF, this Amendment of Declaration of Covenants, Conditions and Restrictions is executed this 24th day of March, 1980.

GENERAL HOMES CONSOLIDATED COMPANIES, INC., dba EDEN CORPORATION

By: S. H. Yager  
S. H. Yager, Vice President

Attest:

By: Mary B. Revatte  
Mary B. Revatte  
Assistant Secretary

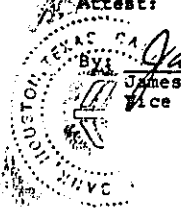


CAPITAL NATIONAL BANK

By: Gary A. Brown  
Gary A. Brown, Vice President

Attest:

By: James E. Smith  
James E. Smith  
Vice President



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THE STATE OF TEXAS  
COUNTY OF HARRIS

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APR 31 1980



ANITA RODEHEAVER  
COUNTY CLERK  
HARRIS COUNTY, TEXAS  
By: Gilly W. Gage  
GILLY W. GAGE Deputy

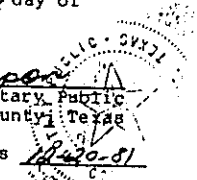
154-86-0187

THE STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared S. H. YAGER, Vice President of General Homes Consolidated Companies, Inc., dba Eden Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 24th day of MARCH, 1980.

Nancy C. Creppon  
Nancy C. Creppon, Notary Public  
in and for Harris County, Texas  
My commission expires 12-20-81

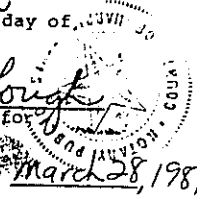


THE STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared GARY A. BROWN, Vice President of Capital National Bank, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

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

Sherril P. Lough  
Notary Public in and for  
Harris County, Texas  
Sherril P. Lough  
My commission expires March 28, 1981



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THE STATE OF TEXAS }  
COUNTY OF HARRIS }

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JUL 31 1990

ANITA RODEHEAVER  
COUNTY CLERK  
HARRIS COUNTY, TEXAS



By [Signature]  
CILEY W. GAGE Deputy

EXHIBIT "A"

Those lots described in Kenswick Section III, Subdivision, Harris County, Texas, according to the Map or Plat thereof recorded in Volume 289, Page 50, in the Map Records of Harris County, Texas:

- Block Two (2), Lots 15, 16, 17, 18, 24, 25, 26, 31, 32;
- Block Four (4), Lots 6, 7, 12, 13;
- Block Six (6), Lots 9, 10.

FILED  
 MAR 31 10 29 AM '80  
 Anita Rodeheaver  
 COUNTY CLERK  
 HARRIS COUNTY, TEXAS

STATE OF TEXAS  
 COUNTY OF HARRIS  
 I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas on

MAR 31 1980



*Anita Rodeheaver*  
 COUNTY CLERK,  
 HARRIS COUNTY, TEXAS

Return to:

Eden Corporation  
 7111 Harwin Drive, #200  
 Houston, Texas 77036  
 C.K.

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 (THE STATE OF TEXAS)  
 COUNTY OF HARRIS }

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JUL 31 1990

ANITA RODEHEAVER  
 COUNTY CLERK  
 HARRIS COUNTY, TEXAS

By *Gilly W. Gage*  
 GILLY W. GAGE Deputy

