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FIFTH AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS

167-84-0012

THE STATE OF TEXAS )  
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 General Homes Consolidated Companies, Inc., dba Eden Corporation, a Texas Corporation, as Declarant and hereinafter referred to as Eden Corporation, recorded on June 30, 1977, in the office of Harris County Clerk under File No. F197397, Deed Records of Harris County, Texas, those certain tracts and parcels therein described and referred to as:

All the lots in Kenswick, Section 1, subdivision, Harris County, Texas, according to the Map or Plat thereof recorded in Volume 252, Page 1, in the Map Records of Harris County, Texas:

Lots One (1) through Thirty-seven (37), inclusive, Block One (1); Lots One (1) through Twenty (20), inclusive, Block Two (2); Lots One (1) through Twenty-five (25), inclusive, Block Three (3); Lots One (1) through Eleven (11), inclusive, Block Four (4); Lots One (1) through Twenty-two (22), inclusive, Block Five (5); Lots One (1) through Thirty-one (31), inclusive, Block Six (6); Lots One (1) through Sixty-nine (69), inclusive, Block Seven (7).

WHEREAS, Article VI, Architectural Control Committee, Section 2. Committee Membership, reserves the right of the existing committee to designate a representative to act for it in all matters arising under the jurisdiction of the Architectural Control Committee; and, therefore, said Architectural Control Committee has designated Christine Keller, 7111 Harwin, #200, Houston, Texas, 77036, as its designated representative, as evidenced by the recordation and filing of this instrument in Harris County, Texas, as provided in the original Declaration of Covenants, Conditions and Restrictions.

NOW, THEREFORE, Eden Corporation, pursuant to Article IV, Section 2 of the Original Declaration does hereby amend the above mentioned Declaration of Covenants, Conditions and Restrictions, and adopts, establishes and imposes this Amendment upon those above described lots; which Amendment shall run with the land and 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.

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.

IN WITNESS WHEREOF, this Fifth Amendment of Declaration of Covenants, Conditions and Restrictions is executed this 8th day of September, 1980.

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]*  
DILLY W. GAGE  
Deputy

167-84-0013

GENERAL HOMES CONSOLIDATED COMPANIES, INC., dba EDEN CORPORATION

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

Attest:

By: Mary B. Revette  
Mary B. Revette  
Assistant Secretary



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 8<sup>th</sup> day of SEPTEMBER 1980.

Anna C. Briggs  
ANNA C. BRIGGS  
Notary Public in and for  
Harris County, Texas

My commission expires 5/1/84



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 herein by me and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas on

SEP 23 1980



Quita Lusk  
COUNTY CLERK,  
HARRIS COUNTY, TEXAS

FILED  
SEP 23 9 00 AM 1980  
Quita Lusk  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

Return document to:

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

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS VOID 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: Billy W. Gage  
Deputy

BILLY W. GAGE