

Amended RHB/sp

6935450

182-91-0327

AMENDMENT TO ARTICLES OF ANNEXATION
OF
WESTHOLLOW VILLA TOWNHOMES, SECTION SIX (6)

WHEREAS, by that certain instrument dated June 21, 1977, and designated as "Declaration of Covenants, Conditions and Restrictions", executed by WAGGENER, INC., as Declarant, and recorded on June 24, 1977, under Harris County Clerk's File No. F-190707, in the Official Public Records of Real Property in the Office of the County Clerk of Harris County, Texas, (hereinafter referred to as "said Declaration") that certain tract or parcel of land described in Exhibit "A" attached to said Declaration and known as WESTHOLLOW VILLA TOWNHOMES, was encumbered and subjected to those certain easements, covenants, restrictions, conditions and charges described in said Declaration to which said Declaration reference is made for more particular description and all other pertinent purposes; and

WHEREAS, under Article XII, Section 4 of said Declaration, Declarant reserves the right to amend said Declaration, without the joinder or consent of any Owner or any other person, for the purpose of correcting any typographical error; and

WHEREAS, pursuant to Article XII, Section 5 of said Declaration, Declarant did file Articles of Annexation of WESTHOLLOW VILLA TOWNHOMES, SECTION SIX (6) under Harris County Clerk's File No. G-911205; and

WHEREAS, on Exhibit "C", Page 57 attached to said Articles of Annexation the fourth call reads "THENCE South 89 deg. 59 min. 56 sec. East, a distance of 0.14 feet for corner" when in fact the proper call is "THENCE South 89 deg. 59 min. 56 sec. West, a distance of 0.14 feet for corner"; and

WHEREAS, on Exhibit "C", Page 57 attached to said Articles of Annexation the last call reads "THENCE South 89 deg. 59 min. 56 sec. West, a distance of 22.48 feet to the POINT OF BEGINNING and containing 1807.97 square feet of land" when in fact the proper call is "THENCE South 89 deg. 59 min. 56 sec. West, a distance of 22.40 feet to the POINT OF BEGINNING and containing 1807.97 square feet of land"; and

WHEREAS, it is the desire of the Declarant to correct said error pursuant to the authority reserved to Declarant under said Declaration;

NOW, THEREFORE, the Declarant does hereby amend the Articles of Annexation of WESTHOLLOW VILLA TOWNHOMES, SECTION SIX (6), in the following particulars:

I.

Exhibit "C", Page 57 attached hereto is hereby substituted for and in place of Exhibit "C", Page 57 attached to said Articles of Annexation of WESTHOLLOW VILLA TOWNHOMES, SECTION SIX (6).

II.

Exhibit "C", Page 72 attached hereto is hereby substituted for and in place of Exhibit "C", Page 72 attached to said Articles of Annexation of WESTHOLLOW VILLA TOWNHOMES, SECTION SIX (6).

HENCEFORTH, the said Articles of Annexation of WESTHOLLOW VILLA TOWNHOMES, SECTION SIX (6), recorded under Harris County Clerk's File No. G-911205 shall be construed as though the said amended Pages 57 and 72 of Exhibit "C" had been written as herein provided.

The original Articles of Annexation of WESTHOLLOW VILLA TOWNHOMES, SECTION SIX (6), except as herein specifically amended, shall remain effective and unchanged.

EXECUTED this the 10th day of April, A. D., 1981.

ATTEST:

WAGGENER, INC., a Texas Corporation

Steve Gray
STEVE GRAY Asst. Secretary

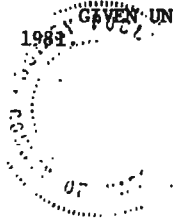
BY: W. L. Waggener
W. L. Waggener President

THE STATE OF TEXAS X

COUNTY OF HARRIS X

BEFORE ME, the undersigned authority, on this day personally appeared W. S. Waggener, known to me to be the person whose name is subscribed to the foregoing instrument for and as President of WAGGENER, INC., a Texas corporation, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said corporation, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 14th day of April, A. D., 1981

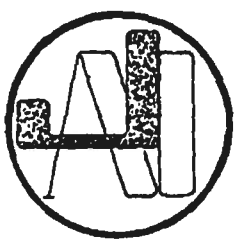


A. Fundersurke
Notary Public in and for Harris County,
T E X A S.

A. FUNDERSURKE
MY COMMISSION EXPIRES
7.3.1 1984

return to:
BRAY, MULLINS & BRAY
4507 San Jacinto Street
Houston, Texas 77004
attn: STEVE BRAY

180-00-2236



JALAYER & ASSOCIATES, INC.

ENGINEERING CONSULTANTS

5555 WEST LOOP SOUTH, BELLAIRE, TEXAS 77401 - 713/661 5094

182-91-0329

Building No. 4202, Block 42, being a tract or parcel of land containing 1383.04 square feet or .0318 acre, being part of Reserve "1", Westhollow, Block 6, a subdivision of record in Volume 274, Page 85, Map Records, Harris County, Texas, and also being located in the Joel Wheaton Survey, A-80, Harris County, Texas, said .0318 acre being more particularly described by metes and bounds as follows:

COMMENCING for locative purposes at a 5/8 inch iron rod on the Northwest corner of Reserve "1", said point being located on the East right-of-way line of Panagard (60' wide) and the South right-of-way line of Hollowgreen (60' wide);

THENCE South 00°-08'-28" East, along the West line of aforesaid Reserve "1" and East right-of-way line of Panagard, a distance of 301.00 feet to an iron rod set for a corner;

THENCE North 89°-59'-56" East, a distance of 29.62 feet to the POINT OF BEGINNING, said point being the Northwest corner of herein described 1383.04 square feet tract of land.

THENCE North 00°-00'-04" West, a distance of 46.79 feet for a corner;

THENCE South 89°-59'-56" West, a distance of 0.14 feet for a corner;

THENCE North 00°-00'-04" West, a distance of 9.22 feet to the Northwest corner of herein described tract;

THENCE North 89°-59'-56" East, a distance of 6.46 feet for a corner;

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

Exhibit "C"
Page 57

FILED
APR 14 11 23 AM 1981
Dita Redburn
COUNTY CLERK
HARRIS COUNTY, TEXAS

180-00-2251

182-91-0330

Building 4209 Block 42 continued...
Page 2

THENCE South 00°-00'-04" East, a distance of 2.31 feet for a corner;

THENCE North 89°-59'-56" East, a distance of 26.34 feet to the Northeast corner of herein described tract;

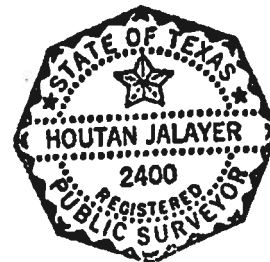
THENCE South 00°-00'-04" East, a distance of 41.30 feet for a corner;

THENCE South 89°-59'-56" West, a distance of 13.90 feet for a corner;

THENCE South 00°-00'-04" East, a distance of 13.16 feet to the Southeast corner of herein described tract;

THENCE South 89°-59'-56" West, a distance of 22.40 feet to the POINT OF BEGINNING and containing 1807.97 square feet of land.

Houtan Jalayer, P.E.
Registered Public Surveyor
Texas Registration No. 2400



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

APR 14 1981



Quita Lorch
COUNTY CLERK,
HARRIS COUNTY, TEXAS

RECORDER'S MEMORANDUM

AT THE TIME OF RECORDATION, THIS INSTRUMENT WAS FOUND TO BE INADEQUATE FOR THE BEST PHOTOGRAPHIC REPRODUCTION BECAUSE OF ILLEGIBILITY, CARBON OR PHOTO COPY, DISCOLORED PAPER, ETC.