

F358810

FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR  
SETTLERS VILLAGE, SECTION ONE, A SUBDIVISION  
IN HARRIS COUNTY, TEXAS

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

NOV-10-77 718567 -F 368910 LS B PD

9.00

180-04-2496

WHEREAS, ROBERT B. BRUNSON, H. SPENCER STONE, and VIVIAN JO STONE, all of Houston, Harris County, Texas, have heretofore executed that certain Declaration of Covenants, Conditions and Restrictions for Settlers Village, Section One, a subdivision in Harris County, Texas, recorded under County Clerk's File No. F304985, Film Code No. 175-20-1646 of the Official Public Records of Real Property of Harris County, Texas (hereinafter referred to as the "Declaration"), imposing on Settlers Village, Section One, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 253, Page 69 of the Map Records of Harris County, Texas (hereinafter referred to as the "Properties"), all those certain covenants, restrictions, easements, charges and liens therein set forth for the benefit of the Properties and each owner thereof; and

*file*

*9.*

WHEREAS, Section 11 of Article III of the Declaration contains certain provisions relating to the Underground Electric System to be installed in that part of Settlers Village, Section One, designated therein as Underground Residential Subdivision, the text of such provisions being prescribed by the electric company; and

WHEREAS, the electric company has requested that, in order to facilitate the installation of the underground electric distribution system, certain additional prescribed provisions be included as a part of said Section 11 of Article III of the Declaration; and

WHEREAS, the interest of H. Spencer Stone and Vivian Jo Stone in the Properties and their collective rights as Declarant in the Declaration have been transferred, conveyed, and assigned to Stone Joint Venture, a Joint Venture composed of H. Spencer Stone and Vivian Jo Stone, and as a result thereof, the Properties and the rights of Declarant are presently vested in Robert B. Brunson

and Stone Joint Venture (hereinafter together referred to as "Declarant"); and

WHEREAS, Declarant desires to amend the Declaration in order to include such additional prescribed provisions; and

WHEREAS, Gibraltar Savings Association (hereinafter referred to as the "Lienholder"), the holder of liens on the Properties, has agreed to join in the execution hereof to evidence its consent thereto;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT, the Declarant, joined herein by the Lienholder, hereby amends the Declaration by inserting after the first two full paragraphs of Section 11 of Article III of the Declaration, the following paragraph which shall hereafter be deemed to be a part of said Section 11 of Article III of the Declaration:

"The provisions of the two preceding paragraphs also apply to any future residential development in the Reserves shown on the Subdivision Plat of Settlers Village, Section One, as such plat exists at the execution of the Agreement for underground electric service between the electric company and Declarant or thereafter. Specifically, but not by way of limitation, if a lot owner in a former Reserve undertakes some action which would have invoked the above perfront lot foot payment if such action had been undertaken in the Underground Residential Subdivision, such owner or applicant for service shall pay the electric company \$1.75 per front lot foot, unless Declarant has paid the electric company as above described. The provisions of the two preceding paragraphs do not apply to any future non-residential development in such Reserves."

The Amendment to the Declaration set forth above shall be deemed to be a part of, and shall be interpreted in accordance with the other provisions of, the Declaration. All provisions contained in the Declaration are hereby ratified and confirmed in each and every particular, and shall continue in full force and effect pursuant to the terms thereof, except as expressly amended hereby.

IN WITNESS WHEREOF, the undersigned, being Declarant and the Lienholder, have executed this First Amendment to Declaration

180-04-2497.

of Covenants, Conditions and Restrictions for Settlers Village,  
Section One, to be effective the 12<sup>th</sup> day of September, 1977.

Robert B Brunson  
ROBERT B. BRUNSON

502

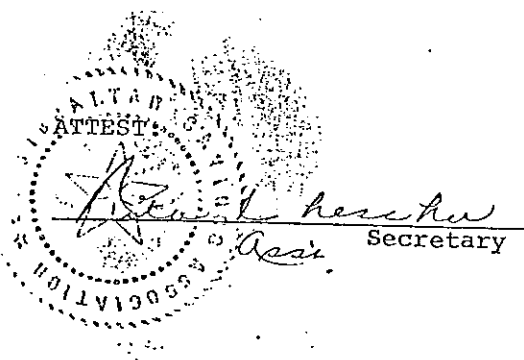
STONE JOINT VENTURE, a Joint Venture  
composed of H. Spencer Stone and  
Vivian Jo Stone

BY: H. Spencer Stone  
H. Spencer Stone, Managing Venturer  
"DECLARANT"

180-04-2493

GIBRALTAR SAVINGS ASSOCIATION

BY: Charles L. Abner  
Vice-President



Charles L. Abner  
Secretary

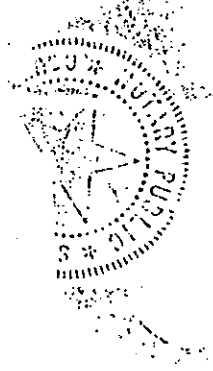
"LIENHOLDER"

RECORDER'S MEMORANDUM:  
This instrument is not satisfactory for photographic  
recording due to carbon or photo copy, discolored  
paper, etc. or due to illegibility. All block-outs, ad-  
ditions and changes were present at time instrument  
was filed and recorded.

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally  
appeared ROBERT B. BRUNSON, 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 ex-  
pressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 24<sup>th</sup>  
day of October, 1977.



Marlene Stern  
NOTARY PUBLIC in and for  
Harris County, T E X A S

THE STATE OF TEXAS §

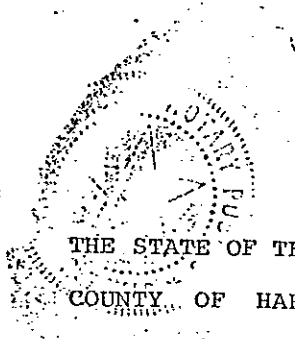
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared H. SPENCER STONE, Managing Venturer of STONE JOINT VENTURE, a Joint Venture composed of H. Spencer Stone and Vivian Jo Stone, 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, in the capacity therein stated and as the act and deed of said Joint Venture.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 21<sup>st</sup> day of October, 1977.

Mareene Stern  
NOTARY PUBLIC in and for  
Harris County, T E X A S

180-04-2499



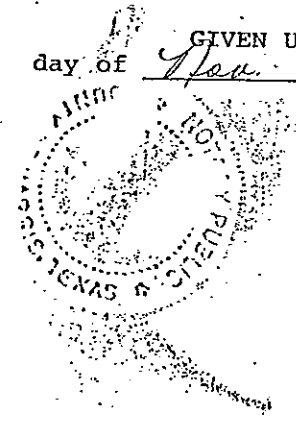
THE STATE OF TEXAS §

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Charles Ackerman, Vice President of GIBRALTAR SAVINGS ASSOCIATION, 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, in the capacity therein stated and as the act and deed of said Association.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 4<sup>th</sup> day of Nov., 1977.

Jean Simcik  
NOTARY PUBLIC in and for  
Harris County, T E X A S



Turn to:  
Woodard, Harold Dinn  
100 Expressway Bldg  
Houston, TX 77002  
Attn - Mark Hodges

FILED.

NOV 10 11 02 AM 1977

*[Signature]*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS



COUNTY CLERK,  
HARRIS COUNTY, TEXAS

*[Signature]*

NOV 10 1977

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

STATE OF TEXAS  
COUNTY OF HARRIS

180-04-2500