

DA - DA# 2  
Unit 23

S547364

07/17/97 200461793 S547364 \$13.00

AMENDMENT OF DECLARATION OF  
COVENANTS AND RESTRICTIONS

513-93-1177

COLONY CROSSING, VILLAGE OF SANDERS RIDGE

*lw*

*Amend*

THE STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

THIS AMENDMENT OF DECLARATION is made by KIMBALL HILL TEXAS DEVELOPMENT, L.C., a Texas limited liability company ("Declarant"), and COLONY CROSSING HOMEOWNERS' ASSOCIATION, a Texas non-profit corporation ("Association").

WHEREAS, Declarant executed that certain Declaration of Covenants And Restrictions dated on or about April 16, 1997, recorded under Harris County Clerk's File No. S539314 (the "Restrictions"). The Restrictions contain residential covenants and restrictions with respect to the residential lots in COLONY CROSSING, VILLAGE OF SANDERS RIDGE (the "Subdivision"), a subdivision shown in the map or plat (the "Plat") thereof recorded under Film Code No. 382110 of the Map Records of Harris County, Texas;

WHEREAS, the Subdivision contains residential lots which are identified in the Plat, and also commercial reserves which are also identified in the Plat and shown as Restricted Reserve A and Restricted Reserve B;

*13/4*

WHEREAS, the Restrictions provide on Page 2 thereof that all Lots (as defined therein) are subject to the covenants, restrictions, easements, charges and liens created therein, but the Restrictions also provide in the same paragraph that the property subject to the Restrictions consists of the Subdivision, and Declarant wishes to clarify that the Restrictions apply only to the residential Lots, and not the commercial reserves;

WHEREAS, Declarant has the authority to execute this Amendment, without the joinder or consent of any other party, in order to amend and clarify the Restrictions;

NOW, THEREFORE, the undersigned declare that the Lots (as defined in the Restrictions) are subject to the provisions in the Restrictions; that no part of Restricted Reserve A or Restricted Reserve B is covered by the Restrictions, nor is any part of Restricted Reserve A or Restricted Reserve B annexed to or subject to the jurisdiction of the Association (as defined in the Restriction-

tions); that the term "Subdivision" as used in the Restrictions does not include Restricted Reserve A or Restricted Reserve B; and that no portion of Restricted Reserve A or Restricted Reserve B is subject to the Association's right to levy or assess assessments of any type.

As modified herein, the Restrictions shall remain in full force and effect.

EXECUTED this 17 day of April, 1997.

DECLARANT:

KIMBALL HILL TEXAS DEVELOPMENT, L.C., a Texas limited liability company

By: [Signature]  
Name: Greg McKenzie  
Title: Vice President

(2)  
/ov

ASSOCIATION:

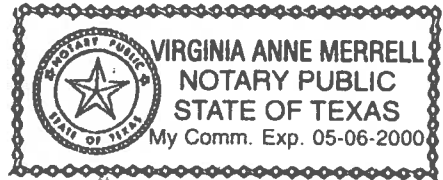
COLONY CROSSING HOMEOWNERS' ASSOCIATION, a Texas non-profit corporation

By: [Signature]  
Name: JOYCELYN BARNES REESE  
Title: PRESIDENT

/ov

THE STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

This instrument was acknowledged before me on this the 17 day of April, 1997, by Greg McKenzie, Vice President of Kimball Hill Texas Development, L.C., a Texas limited liability company, on behalf of said company.



[Signature]  
Notary Public in and for  
the State of Texas

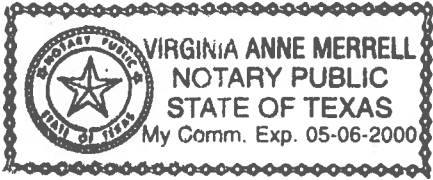
pled Premier Title

513-93-1179

THE STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

This instrument was acknowledged before me on this the 10  
day of April, 1997, by Lyedyn Barnes Reese,  
Resident of Colony Crossing Homeowners' Association,  
a Texas non-profit corporation, on behalf of said corpora-  
tion.

Virginia Anne Merrell  
Notary Public in and for  
the State of Texas



F:\JFA\POWERS\DECAMND.CC

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 }  
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:

JUL 17 1997



Beverly B. Kaufman  
COUNTY CLERK  
HARRIS COUNTY TEXAS

Beverly B. Kaufman  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

97 JUL 17 PM 2:26

FILED