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CORRECTION AND AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF CIMARRON, SECTION SEVEN ~~(7)~~

102

THE STATE OF TEXAS §  
  §        KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF HARRIS §

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THAT WHEREAS, by instrument dated July 13, 1977, Cimarron Venture, a joint venture composed of FIRST GENERAL REALTY CORPORATION and STOCKBRIDGE DEVELOPMENT CORPORATION, both Texas corporations, as "Declarant", established certain reservations, restrictions, covenants and descriptions on the property therein described, which Declaration was filed under County Clerk's File No. F247251, and recorded under Film Code No. 172-05-0827, of the Official Public Records of Real Property of Harris County, Texas, pertaining to the following described real property to-wit:

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- Block Seven (7), Lots Thirteen (13) through Forty-Six (46), inclusive;
- Block Nine (9), Lots Three (3) through Twenty-Three (23) inclusive;
- Block Twenty (20), Lots Fifteen (15) through Twenty (20) inclusive;
- Block Twenty (21), Lots Eleven (11) through Fifty-Four (54) inclusive;
- Block Twenty-Two (22), Lots Three (3) through Seventeen (17) inclusive;
- Block Twenty-Four (24), Lots One (1) through Seventy-Eight (78) inclusive;
- Block Twenty-Five (25), Lots One (1) through Ten (10) inclusive;
- Block Twenty-Six (26), Lots One (1) through Twenty-Six (26) inclusive;
- Block Twenty-Seven (27), Lots One (1), Two (2), Thirty-Three (33) and Thirty-Four (34);
- Block Twenty-Eight (28), Lots Forty-Six (46) through Eighty-Five (85) inclusive;
- Block Twenty-Nine (29), Lots One (1) through Thirty (30) inclusive;

All of said lots being in Cimarron, Section Seven (7) according to map or plat thereof recorded in Volume 251, Page 119, Map Records of Harris County, Texas;

WHEREAS, there should have been set forth in said instrument in Section 7, entitled "Date of Commencement of Annual Assessments", (page 18 [Film Code No. 172-04-0844]) a date of commencement of said assessments, but which date was erroneously omitted; and

WHEREAS, Cimarron Venture desires to correct the same.

THEREFORE, in consideration of the premises, it is hereby established by Cimarron Venture, acting by and through First General Realty Corporation joined by Lanway Homes, Inc. and N.P.C., Inc., both Texas corporations, and by R. G. WEEMS and wife, SHARON WEEMS, being the owners of Lot Fifteen (15), Block Twenty-Three (23), Cimarron, Section Seven (7); DENNIS WILLIAMS and wife, MARTHA WILLIAMS, being the owners of Lot Fourteen (14), Block Twenty-Three (23), Cimarron Section Seven (7); and DONALD WOOTON and wife, SANDRA WOOTON, being the owners of Lot Thirteen (13), Block Twenty-Three (23), Cimarron, Section Seven (7), and FIRST MORTGAGE COMPANY OF TEXAS, INC., the holder of the purchase money liens affecting the three (3) said Lots owned by R.G. WEEMS and wife, SHARON WEEMS, DENNIS WILLIAMS and wife, MARTHA WILLIAMS and DONALD WOOTON and wife, SANDRA WOOTON; being the owner(s) of the Lots herein described, that the maintenance assessment, payable to Cimarron Community Improvement Association, Inc., as described in the Declaration shall commence as to all of the said lots on February 1, 1978.

AND WHEREAS, Article IV, Section 3, in said instrument, entitled "Maximum Annual Assesmentns", (page 16 [Film Code No. 172-05-0842]) sets forth a maximum annual assessment of Sixty Dollars (\$60.00) per lot, but which amount must now be set at One Hundred Forty-Four Dollars (\$144.00) per lot, and

WHEREAS, Cimarron Venture desires to amend the same.

THEREFORE, in consideration of the premises, its is hereby established by Cimarron Venture, acting by and through First General Realty Corporation joined by Lanway Homes, Inc. and N.P.C., Inc. and by R. G. Weems and wife, Sharon Weems, being the owners of Lots Fifteen (15), Block Twenty-Three (23), Cimarron, Section Seven (7); Dennis Williams and wife, Martha Williams, being the owners of Lots Fourteen (14), Block Twenty-Three (23), Cimarron Section Seven (7); and Donald Wooton and wife, Sandra Wooton, being the owners of Lots Thirteen (13), Block Twenty-Three (23), Cimarron, Section Seven (7), and First Mortgage Company of Texas, Inc., the holder of the purchase money liens affecting the three (3) said lots owned by R. G. Weems and wife, Sharon Weems, Dennis Williams and wife, Martha Williams, and Donald Wooton and wife, Sandra Wooton; being the owner(s) of the Lots herein described, that the maximum annual assessment, payable to Cimarron Community Improvement Association, Inc., shall be One Hundred Forty-Four Dollars (\$144.00) per lot.

In all other things and respects, the said Declaration is hereby ratified and confirmed.

Cimarron Venture, is joined herein by First National Bank in Dallas as "lienholder", Lanway Homes, Inc. and N.P.C., Inc. by First Mortgage Company of Texas, Inc. as "lienholder", for the sole purpose of subordinating their liens to this correction instrument, and for no other purpose.

EXECUTED this 22<sup>nd</sup> day of MARCH, 1978.

CIMARRON VENTURE, A JOINT VENTURE  
BY: FIRST GENERAL REALTY CORPORATION

By: Steven M. Gilmore  
Vice President  
STEVEN M. GILMORE

ATTEST  
Jenn C. Rowlett  
Asst. Secretary  
JENN C. ROWLETT

RECORDER'S MEMORANDUM.

At the time of recording, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, enclosed paper, etc. All block and line numbers and figures were present at the

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LANWAY HOMES, INC.

ATTEST:

Emonne Franz  
Secretary  
EMONNE FRANZ

By: Eddie Franz  
President  
EDDIE FRANZ

N.P.C., INC.

ATTEST:

C.S. Kinney  
Asst. Secretary  
C.S. KINNEY

By: Ronnie Hammonds  
Vice President  
RONNIE HAMMONDS

FIRST NATIONAL BANK OF DALLAS

ATTEST:

C. S. Brothers  
C. S. BROTHERS, Banking Officer  
and Assistant Cashier

By: L. Scott Emerson  
Vice President  
L. SCOTT EMERSON

FIRST MORTGAGE COMPANY OF TEXAS, INC.

ATTEST:

Billie Skeritt  
Assistant Secretary  
BILLIE SKERITT

By: R. Dan Skeritt  
Vice President  
R. DAN SKERITT

R. G. Weems  
R. G. WEEMS

Sharon Weems  
SHARON WEEMS

Dennis Williams  
DENNIS WILLIAMS

Martha Williams  
MARTHA WILLIAMS

Donald Wootton  
DONALD WOOTTON

Sandra Wootton  
SANDRA WOOTTON

RECORDER'S MEMORANDUM:

At the time of recording, the instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. As block or photo copy and changes were present at the time the instrument was filed and recorded.

192-10-1512

THE STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Eddie Turner, President of LANWAY HOMES, INC., known to me to be the person and officer whose name is subscribed to the foregoing instrument, 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 the 21st day of March, 1978.

Lynne Shelmandine  
Notary Public in and for  
Harris County, Texas.  
7-1-79  
LYNNE SHELMANDINE

THE STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Ron Hammonds, Vice-President of N.P.C., INC., known to me to be the person and officer whose name is subscribed to the foregoing instrument, 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 the 30th day of March, 1978.

Peggy Elowitz  
Notary Public in and for  
Harris County, Texas.

PEGGY ELOWITZ  
Notary Public in Harris County, Texas  
My Commission Expires March 1, 1980

THE STATE OF TEXAS §  
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COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared A. Scott Emerson, Vice President of FIRST NATIONAL BANK OF DALLAS, known to me to be the person and officer whose name is subscribed to the foregoing instrument, 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 the 22nd day of March, 1978.

Mary Helen Lane  
Notary Public in and for  
Dallas County, Texas

THE STATE OF TEXAS §  
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COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared R. DAN SHERRILL Vice President of FIRST MORTGAGE COMPANY OF TEXAS, INC. a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, 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 the 27<sup>th</sup> day of MARCH, 1978.

Barbara Beauchamp  
Notary Public in and for  
Harris County, Texas.  
BARBARA BEAUCHAMP



THE STATE OF TEXAS §  
                                  §  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared DONALD WOOTON and wife, SANDRA WOOTON, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 11<sup>th</sup> day of APRIL, 1978.

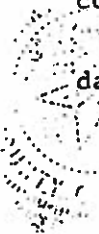
Barbara Beauchamp  
Notary Public in and for  
Harris County, Texas  
BARBARA BEAUCHAMP



192-10-1514

THE STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared STEVEN M. GILMORE, Vice President of FIRST GENERAL REALTY CORPORATION, a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, 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 the 27<sup>th</sup> day of March, 1978.

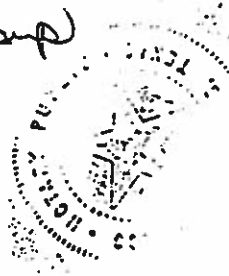
Lena M. Shipman  
Notary Public in and for  
Harris County, Texas  
LENA M. SHIPMAN

THE STATE OF TEXAS §  
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COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared R. G. WEEMS and wife, SHARON WEEMS, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 11<sup>th</sup> day of APRIL, 1978.

Barbara Beuchamp  
Notary Public in and for  
Harris County, Texas  
BARBARA BEUCHAMP



THE STATE OF TEXAS §  
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COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared DENNIS WILLIAMS and wife, MARTHA WILLIAMS, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 11<sup>th</sup> day of APRIL, 1978.

Barbara Beuchamp  
Notary Public in and for  
Harris County, Texas  
BARBARA BEUCHAMP



Ret  
First General Realty Corp.  
P.O. Box 1413  
Harris Co. TX 77001