

SECOND AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS

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

WHEREAS, by that certain instrument designated as Declaration of Covenants, Conditions and Restrictions, executed by General Homes Corporation, hereinafter referred to as "Declarant", on July 22, 1985, and recorded in the office of the Fort Bend County Clerk under File No. 8537600, Deed Records of Fort Bend County, Texas, those certain tracts and parcels therein described and referred to as:

All the lots in Tara, Section V, Subdivision, Fort Bend County, Texas, according to the Map or Plat thereof, recorded on Slide 769A and 769B, in the Map Records of Fort Bend County; and

WHEREAS, the Declaration has previously been amended by First Amendment to Declaration of Covenants, Conditions and Restrictions dated November 7, 1985, filed for record on December 3, 1985, under Clerk's File number 8558043; and

WHEREAS, Article I, Section 3, provides:

Section 3. "Properties" shall mean and refer to that certain real property hereinbefore described, subject to the Reservations set forth herein and/or in the Subdivision Plats, and any additional properties made subject to the terms hereof pursuant to the provisions set forth herein; and

WHEREAS, Article I, Section 4, provides:

Section 4. "Lot" and/or "Lots" shall mean and refer to any plot of land as described above and all plats or lots annexed pursuant to Section 7 of Article VI hereof; and

WHEREAS, Article III, Section 2, provides:

Section 2. Minimum square footage within improvements. Those lots described above as shown on the plat of Tara, Section V, are restricted to a dwelling with a minimum of twelve hundred (1,200) square feet of livable area, exclusive of open porches and garages or carports; and

WHEREAS, Article III, Section 5, provides:

Section 5. Composite building site. Subject to the approval of the Architectural Control Committee, any owner of one

or more adjoining Lots or portions thereof may consolidate or redivide such Lots or portions into one or more building sites with the privilege of placing or constructing improvements on such resulting sites, in which case the front footage at the building setback lines shall be measured from the resulting side property lines rather than from the Lot lines as indicated on the recorded plats. Any such resulting building site must have a frontage at the building setback line of not less than fifty-five (55) feet.

NOW, THEREFORE, pursuant to the above recitals, General Homes Corporation, hereby amends Article I, Sections 3 and 4, and Article III, Sections 2 and 5; and adopts, establishes and imposes upon all the lots described above and declares the following reservations, restrictions, covenants and conditions applicable thereto, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the land, which reservations shall run with the land and shall 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, and which shall supersede and be controlling over any previously executed and recorded restrictions, covenants and conditions.

ARTICLE I

Section 3. "Properties" shall mean and refer to that certain real property hereinbefore described, subject to the Reservations set forth herein and/or in the Subdivision Plats, and/or Replats, if any, and any additional properties made subject to the terms hereof pursuant to the provisions set forth herein.

Section 4. "Lot" and/or "Lots" shall mean and refer to any plot of land as described above or as described in any replat thereof, and all plats or lots annexed pursuant to Section 7 of Article VI hereof.

ARTICLE III

Section 2. Minimum square footage within improvements. Those lots described above as shown on the plat or

Tara, Section V, or any replat thereof, are restricted to a dwelling with a minimum of twelve hundred (1,200) square feet of livable area, exclusive of open porches and garages or carports.

Section 5. Composite building site. Subject to the approval of the Architectural Control Committee, any owner of one or more adjoining Lots or portions thereof may consolidate or redivide such Lots or portions into one or more building sites with the privilege of placing or constructing improvements on such resulting sites, in which case the front footage at the building setback lines shall be measured from the resulting side property lines rather than from the Lot lines as indicated on the recorded plats. Any such resulting building site must have a frontage at the building set-back line of not less than fifty-five (55) feet.

In the event an owner of one or more lots consolidates two lots or less into one composite building site, each composite building site so constituted shall be considered one lot for purposes of all restrictions, covenants and conditions imposed against the property, including, but not limited to maintenance assessments, membership in the Association and voting rights as set forth in Articles VI and V, respectively. In the event of a consolidation of more than two lots into one composite building site, each lot or portion thereof over two lots shall be considered as an additional lot or lots for purposes of maintenance assessments as set forth in Article VI, but the composite building site shall be considered as one lot for all other purposes.

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 conditions hereof.

IN WITNESS WHEREOF, this Second Amendment of Declaration of Covenants, Conditions and Restrictions is executed on the dates set forth in the acknowledgments below but to be effective as of April 17, 1996.

ATTEST:

GENERAL HOMES CORPORATION

By: Patricia G. Klein
Patricia G. Klein
Assistant Secretary

By: Kenneth F. Belanger
Kenneth F. Belanger
Vice President

ATTEST:

MBANK HOUSTON, NATIONAL ASSOCIATION, AS AGENT

By: Linda I. Crosson
Linda I. Crosson
Assistant Vice President

Julie A. King
Julie A. King
Vice President

FEDERAL HOUSING ADMINISTRATION

James M. Wilson
JAMES M. WILSON

VETERANS ADMINISTRATION

Delbert Jefferson
DELBERT JEFFERSON

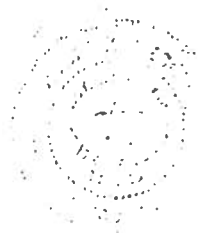
STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority on this day personally appeared Kenneth F. Belanger, Vice President of General Homes 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 and in the capacity therein stated.

SUBSCRIBED AND SWORN to before me this 14th day of February, 19 86.

Robin K. Besie
Notary Public in and for the State of Texas

My commission expires: _____



STATE OF TEXAS §
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COUNTY OF HARRIS §

BEFORE ME, the undersigned authority on this day personally appeared JULIE A. KING, VICE PRESIDENT, REAL ESTATE of MBank Houston, National Association, As Agent known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

SUBSCRIBED AND SWORN to before me this 17TH day of APRIL, 1986.

Sharon A. Jordan
Notary Public in and for the State of Texas

My commission expires: _____

SHARON A. JORDAN
Notary Public, State of Texas

My Commission Expires 07-15-89

STATE OF TEXAS §
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COUNTY OF HARRIS §

BEFORE ME, the undersigned authority on this day personally appeared James M. Wilson, Manager, Houston Office of the Federal Housing Administration 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 and in the capacity therein stated.

SUBSCRIBED AND SWORN to before me this 6th day of March, 1986.



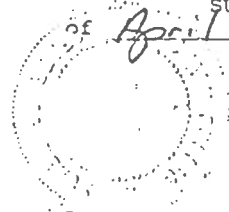
Glynda L. Powell
Notary Public in and for the State of Texas
Glynda L. Powell

My commission expires: 8-11-89

STATE OF TEXAS §
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COUNTY OF HARRIS §

BEFORE ME, the undersigned authority on this day personally appeared Delbert Jefferson, Acting Chief CEV Section of Veterans Administration 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 and in the capacity therein stated.

SUBSCRIBED AND SWORN to before me this 7th day of April, 1986.



Dennis J. Schmitt
Notary Public in and for the State of Texas

My commission expires: 6/15/88

Return to:
General Homes Corporation
7322 Southwest Freeway, Suite 1820
Houston, Texas 77074
Attn: Mary E. Jaccos

FILED

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Dianne Wilson
COUNTY CLERK
FORT BEND COUNTY, TEXAS

STATE OF TEXAS COUNTY OF FORT BEND
I, hereby certify that this instrument was filed on the
date and time stamped hereon by me and was duly recorded in
the volume and page of the public records of Fort Bend
County, Texas as stamped hereon by me on

APR 24 1986



Dianne Wilson
County Clerk, Fort Bend Co., Tex.

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