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FIRST AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS

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

THAT, 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, dated August 5, 1985, official 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.

WHEREAS, Article III, Section 15, provides:

Section 15. Maximum height of antenna. No radio or television aerial wires, radio or television antenna, or satellite dishes of any kind shall be maintained on any portion of any Lot that is visible from the front side of said Lot; nor shall any antenna of any style, to include satellite dishes, be permitted to extend above the roof line of the main residential structure on said Lot, nor be located behind the back building line of said Lot. No antenna of any style, including satellite dishes, or antenna wires shall be visible from the street which runs in front of said Lot or the street which runs on the side of any corner Lot; and

WHEREAS, Article IV, Section 1, provides:

Architectural Control Committee

Section 1. Approval of building plans. No building, fence, wall or other structure shall be commenced, erected, placed, or altered on any Lot, nor shall any exterior addition to or change or alteration therein be made until the construction plans and specifications describing the nature, kind, shape, height, materials and a plot plan showing the location of same, have been approved in writing as to harmony of exterior design and color with existing structures, as to location with respect

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to topography and finished ground elevation, and as to compliance with minimum construction standards by the Architectural Control Committee of TARA, SECTION V, subdivision. A copy of the construction plans and specifications and a plot plan, together with such information as may be deemed pertinent, shall be submitted to the Architectural Control Committee, or its designated representative prior to commencement of construction. The Architectural Control Committee may require the submission of such plans, specifications, and plot plans, together with such other documents as it deems appropriate, in such form and detail as it may elect at its entire discretion. The Architectural Control Committee shall have full and complete authority to approve construction of any improvement on any Lot, and its judgment shall be final and conclusive. The approval or lack of approval by the Architectural Control Committee shall not be deemed to constitute any warranty or representation by such Committee including, without limitation, any warranty or representation to fitness, design or adequacy of the proposed construction or compliance with applicable statutes, codes and regulations.

NOW, THEREFORE, pursuant to the above recitals, General Homes Corporation, a Texas corporation, hereby amends Article III, Section 15 and Article IV, Section 1; 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 III

Section 15. Maximum height of antenna. No radio or television aerial wires, radio or television antenna, shall be maintained on any portion of any Lot that is visible from the front side of said Lot; nor shall any antenna of any style, be permitted to extend above the roof line of the main residential structure on said Lot, nor be located behind the back building line of said Lot. No antenna of any style, or antenna wires shall be visible from the street which runs in front of said Lot or the street which runs on the side of any corner Lot. No satellite dish of any kind which is visible from any ground location off of the Lot shall be maintained on any portion of any Lot unless such satellite dish is adequately screened from view. Any screened enclosure must have prior approval from the Architectural Control Committee.

ARTICLE IV

ARCHITECTURAL CONTROL COMMITTEE

Section 1. Approval of building plans. No building, fence, wall, structure, improvement, exterior appurtenance, or exterior corporeal hereditament, except landscaping (landscaping defined as "living plants, trees, shrubs, flowers, etc., and utilization of non-living material necessary for growth; i.e. bark, mulch, etc. Trellises, window boxes, arbors, and permanent brick borders must have Architectural Control Committee approval. Landscape timbers and bricks without mortar do not need Architectural Control Committee approval unless they exceed a height of two (2) feet"), shall be commenced, erected, placed, or altered on any Lot, nor shall any exterior addition to or change or alteration, other than landscaping, be made to the Lot, improvements, appurtenances, or corporeal hereditaments until the construction plans and specifications describing the nature, kind, shape, height, materials and a plot plan showing the location of same, have been approved in writing as to harmony of exterior design and color with existing structures, as to location with respect to topography and finished ground elevation, and as to compliance with minimum construction

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standards set by the Architectural Control Committee of TARA, SECTION V, subdivision. A copy of the construction plans and specifications and a plot plan, together with such information as may be deemed pertinent, shall be submitted to the Architectural Control Committee, or its designated representative prior to commencement of construction. The Architectural Control Committee may require the submission of such plans, specifications, and plot plans, together with such other documents as it deems appropriate, in such form and detail as it may elect at its discretion. The Architectural Control Committee shall have full and complete authority to approve construction of any improvement on any Lot, and its judgment shall be final and conclusive. The approval or lack of approval by the Architectural Control Committee shall not be deemed to constitute any warranty or representation by such Committee including, without limitation, any warranty or representation to fitness, design or adequacy of the proposed construction or compliance with applicable statutes, codes and regulations.

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 First Amendment to Declaration of Covenants, Conditions and Restrictions is executed this 7<sup>th</sup> day of NOVEMBER, 1985.

ATTEST:

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

GENERAL HOMES CORPORATION

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

ATTEST:

By: Will B. Roberson  
 Will B. Roberson  
 Loan Officer

MBANK HOUSTON, NATIONAL ASSOCIATION, AS AGENT

By: S. Gail Killmon  
 S. Gail Killmon  
 Loan Officer

FEDERAL HOUSING ADMINISTRATION

James M. Wilson  
 James M. Wilson

VETERANS ADMINISTRATION

E.F. Janak  
E.F. Janak

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 14<sup>th</sup> day of October, 1985.



Elizabeth Tait Wilson  
Notary Public in and for the State of Texas

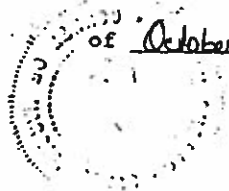
My commission expires: \_\_\_\_\_

ELIZABETH TAIT WILSON  
Notary Public, State of Texas  
My Commission Expires August 5, 1987

STATE OF TEXAS §  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority on this day personally appeared S. Gail Killmon, Loan Officer 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 he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

SUBSCRIBED AND SWORN to before me this 16<sup>th</sup> day of October, 1985.



Elizabeth Tait Wilson  
Notary Public in and for the State of Texas

My commission expires: \_\_\_\_\_

ELIZABETH TAIT WILSON  
Notary Public, State of Texas  
My Commission Expires August 5, 1987

STATE OF TEXAS §  
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 5<sup>th</sup> day of November, 1985.



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

Glynda L. Powell  
My commission expires: 8-11-89

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STATE OF TEXAS §  
  §  
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BEFORE ME, the undersigned authority on this day personally appeared E. F. Janak, Chief, C & V 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 November, 1985.

*Marcellee Ivey*  
MARCELLEE IVEY  
Notary Public in and for the State of Texas.  
My commission expires: 10-31-88.

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

FILED.

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*Dianne Trillen*  
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

DEC 5 1985



*Dianne Trillen*  
County Clerk, Fort Bend Co., Tex.