

V426419

ANNEXATION AGREEMENT

THE STATE OF TEXAS §
§
COUNTY OF FORT BEND §

11/16/01 101695697 V426419 617.00

FBC 2001119237 6 PGS

THAT, WHEREAS, that certain instrument designated as Declaration of Covenants, Conditions and Restrictions, dated September 2, 1982, was recorded in the Office of Fort Bend County Clerk, in Volume 1082, Page 267, of the Deed Records of Fort Bend County, Texas, and thereafter amended by an instrument, among others, recorded in Volume 1342, Page 317, of the Official Records of Fort Bend County, Texas;

WHEREAS, the aforesaid Declaration, along with its amendments, created a plan and scheme of restrictive covenants covering certain tracts or parcels therein described;

WHEREAS, the aforesaid Declaration, along with its amendments, provided for the creation of a homeowners association charged with administering certain rights and responsibilities created in the said Declaration and amendments thereto;

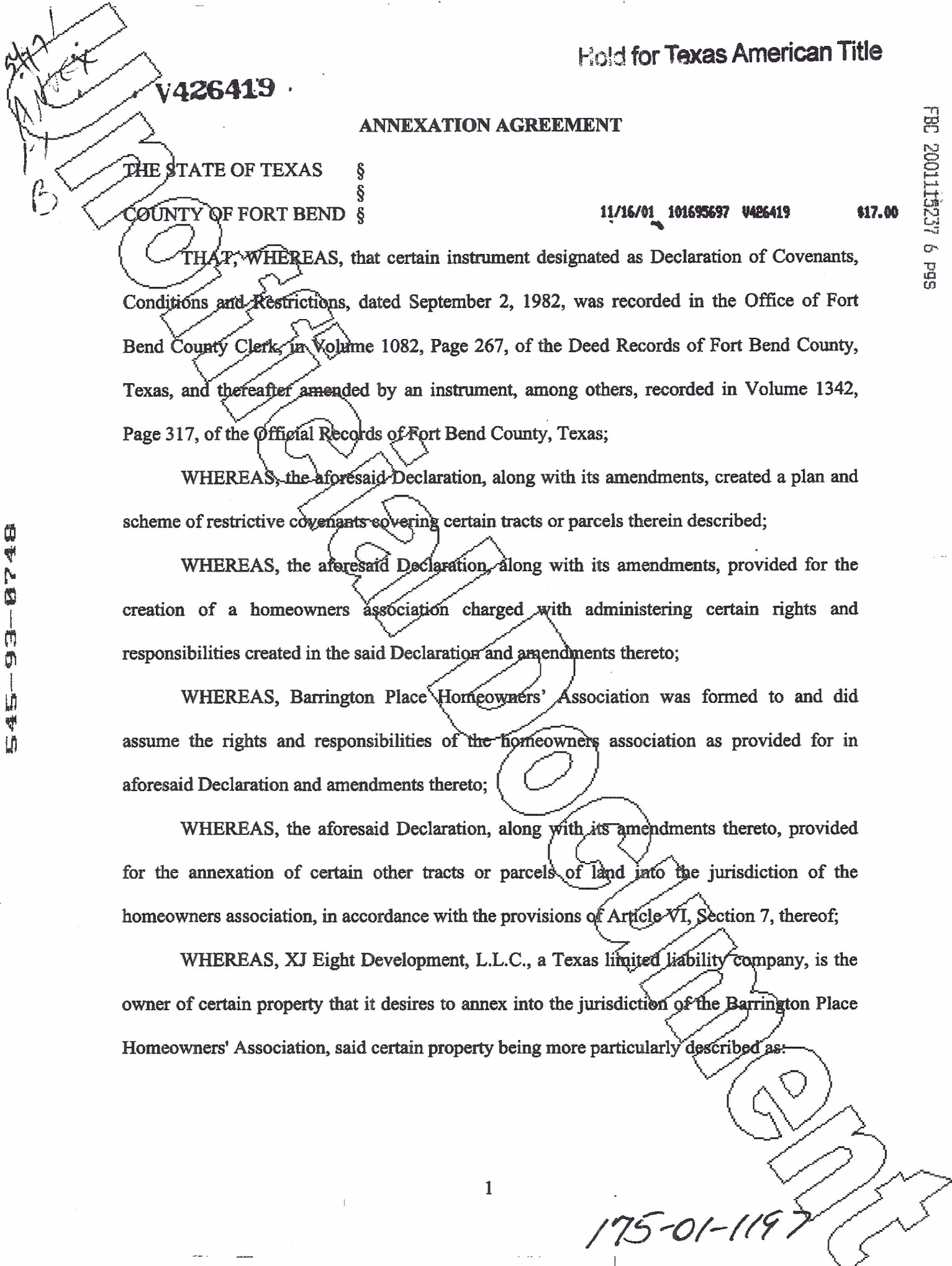
WHEREAS, Barrington Place Homeowners' Association was formed to and did assume the rights and responsibilities of the homeowners association as provided for in aforesaid Declaration and amendments thereto;

WHEREAS, the aforesaid Declaration, along with its amendments thereto, provided for the annexation of certain other tracts or parcels of land into the jurisdiction of the homeowners association, in accordance with the provisions of Article VI, Section 7, thereof;

WHEREAS, XJ Eight Development, L.L.C., a Texas limited liability company, is the owner of certain property that it desires to annex into the jurisdiction of the Barrington Place Homeowners' Association, said certain property being more particularly described as:

175-01-1197

545-93-0748



All the lots in GATEWAY COMMUNITY, otherwise known as LOTS ONE (1) | EE
THROUGH TWENTY-ONE (21), INCLUSIVE, IN BLOCK ONE (1) OF
GATEWAY COMMUNITY, a subdivision in Fort Bend County, Texas,
according to the Map or Plat thereof recorded on Slide No. 2158/A of the Plat
Records of Fort Bend County, Texas.

WHEREAS, Riverway Builders, L.P., has an interest in the said property and it desires
to annex the property into the jurisdiction of the Barrington Place Homeowners' Association;
and

WHEREAS, XI Eight Development, L.L.C., and Riverway Builders, L.P., have
requested and received approval from the Board of Directors for Barrington Homeowners'
Association for the annexation of the said property into the Barrington Place Homeowners'
Association.

NOW, THEREFORE, XI Eight Development, L.L.C., Riverway Builders, L.P., and
Barrington Place Homeowners' Association hereby annex the above-described property into
the Barrington Place Homeowners' Association and declare that all of this property shall be
held, sold and conveyed subject to the Covenants, Conditions and Restrictions covering the
same, as recorded in the real property records of Fort Bend County, Texas, under Clerk's File
No. 428418 (hereinafter the "Restrictions"), which are for the purpose of enhancing
200115234
and protecting the value, desirability and attractiveness of the real property covered thereby.
The Restrictions shall be binding upon all parties having or acquired any right, title or interest
in this property and shall inure to the benefit of each owner thereof.

The Restrictions will make Gateway Community subdivision subject to the jurisdiction
of the Barrington Place Homeowners' Association, and impress and subject the lots within the
said subdivision to an annual maintenance charge and assessment. Barrington Place
Homeowners' Association shall assume the obligation to pay for maintenance of common

545-93-8749

AS PER ORIGINAL

545-93-0750

areas in Gateway Community in the same manner as it does for BARRINGTON PLACE, SECTIONS I, II, III, IV and V-B, with such maintenance to begin by Barrington Place Homeowners' Association after Declarant has completed and finalized construction of all common improvements for Gateway Community. It is hereby understood and agreed that Barrington Place Homeowners' Association shall treat Gateway Community in a non-discriminatory fashion, on an equal basis, and in the same manner as Barrington Place, Sections I, II, III IV and V-B.

IN WITNESS WHEREOF, this Annexation Agreement is executed on the dates set forth in the acknowledgment below and is to be effective as of the date of recording in the Real Property Records of Fort Bend County, Texas.

ATTEST:

XJ EIGHT DEVELOPMENT L.L.C.,
A TEXAS LIMITED LIABILITY COMPANY

(4)
/02

By: _____
Printed name:

By: _____
Printed name:

Curtis Lindsey Manager

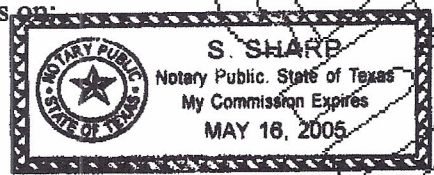
THE STATE OF TEXAS §
 §
COUNTY OF Harris §

Curtis Lindsey, *Mary* BEFORE ME, the undersigned authority, on this day personally appeared of XJ Eight Development, L.L.C., 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 13 day of Nov 2001.

[Signature]
Notary Public, State of Texas

My commission expires on:



545-93-0751

ATTEST:

RIVERWAY BUILDERS, L.P., by
RIVERWAY BUILDING MANAGEMENT,
INC., its General Partner, by John Santasiero, its
President

202

By: Loan #10
Printed name: Loan #10

By: [Signature]
Printed name: JOHN SANTASIERO

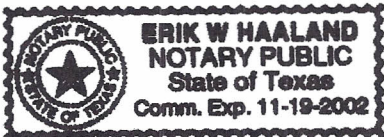
THE STATE OF TEXAS
COUNTY OF Harris

BEFORE ME, the undersigned authority, on this day personally appeared John Santasiero, President of Riverway Building Management, Inc., the General Partner for Riverway Builders, L.P., 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 November, 2001.

[Signature]
Notary Public, State of Texas

My commission expires on: 11/19/02



FILED

NOV 16 AM 10:55

[Signature]
COUNTY CLERK
HARRIS COUNTY TEXAS

545-93-0752

ATTEST:

BARRINGTON HOMEOWNERS' ASSOCIATION 102

By: M. Stephen Lucas
Printed Name:

M. Stephen Lucas

By: P.N. Rippenhagen III
Printed Name:

President
Phil Rippenhagen

THE STATE OF TEXAS
COUNTY OF Harris

BEFORE ME, the undersigned notary public, on this day personally appeared P.N. Rippenhagen III, known to me to be the President of Barrington Place Homeowners' Association and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said Association.

SUBSCRIBED AND SWORN TO BEFORE ME this 7 day of November, 2001.

Notary Public, State of Texas

My commission expires on:



RECORDERS MEMORANDUM
ALL BLACKOUTS, ADDITIONS AND CHANGES
WERE PRESENT AT THE TIME THE INSTRUMENT
WAS FILED AND RECORDED.

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 on the 7th day of November 2001 at 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

NOV 16 2001



Beverly L. Kaufman
COUNTY CLERK
HARRIS COUNTY, TEXAS

Return Address:
Holt & Young, P.C.
6363 Woodway, Suite 880
Houston, Texas 77057

AS PER ORIGINAL

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

2001 DEC 07 08:07 AM 2001115237
TD \$17.00
DIANNE WILSON, COUNTY CLERK
FORT BEND COUNTY, TEXAS

THIS DOCUMENT WAS FILED
BY AND RETURNED TO:
TEXAS AMERICAN TITLE CO

Unofficial Document