

Amended  
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**V433669**

AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
(Bolsover Court)

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

11/20/01 300652536 V433669  
KNOW ALL MEN BY THESE PRESENTS:

\$13.00

THIS Amendment to Declaration of Covenants, Conditions and Restrictions for Bolsover Court is made on the date hereinafter set forth by Bolsover Court Partnership, a Texas general partnership, hereinafter referred to as "Declarant",

WITNESSETH:

WHEREAS, Declarant heretofore recorded the Declaration of Covenants, Conditions and Restrictions ("Declaration") for Bolsover Court Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof recorded under Harris County Clerk's Film Code No. 45860 of the Map Records of Harris County, Texas; and

WHEREAS, the Declaration is filed under Harris County Clerk's File No. U564819 of the Official Public Records of Real Property of Harris County, Texas; and

WHEREAS, Declarant is the Owner of Lots 1, 2, 3, 4 and 5 and Restricted Reserve "A" of Bolsover Court Subdivision, being all of the property covered by the Declaration; and

WHEREAS, Declarant desires to amend the Declaration as hereinafter provided.

NOW THEREFORE, in consideration of the premises, Declarant hereby makes the following amendments to the Declaration:

1. Article II of the Declaration is deleted in its entirety and the following is substituted in lieu thereof:

ARTICLE II  
COMMON AREA

Section 1. Use of Common Area. The Common Area is hereby dedicated for the exclusive use and enjoyment of the Owners of Lot 1, provided that the Common Area is hereby restricted for use as compensating open space and no permanent structure may be built thereon. The Owner of Lot 1 may, however, construct landscaping, fences, driveways and HVAC equipment thereon.

Section 2. Title to the Common Area. Declarant, at its election, may hereafter convey title in and to the Common Area to the owner of Lot 1. Thereafter, title to the Common Area shall be appurtenant to Lot 1 and shall pass with title to Lot 1.

2. Section 2 of Article IV of the Declaration is amended to delete reference to the use of assessments by the Association for the maintenance and improvement of the Common Area. All expenses related to the ownership and maintenance of the Common Area shall be the sole responsibility of the Owner of Lot 1, including the payment of all landscape maintenance, ad valorem taxes and insurance relating to the Common Area.
3. Section 4 of Article IV of the Declaration is amended by deleting any reference to the Common Area.
4. Article V of the Declaration is amended to make the architectural control provisions thereof also applicable to the Common Area.
5. Article VI of the Declaration is amended by deleting any reference to the Common Area.

Except as amended hereby, the Declaration shall remain unchanged and hereby ratified by the Declarant for all purposes.

EXECUTED this 16th day of November, 2001.

(2)  
JF

BOLSOVER COURT PARTNERSHIP,  
a Texas general partnership

By: PHENIX INVESTMENT COMPANY,  
a Texas corporation,  
its General Partner

By: Timothy H. Jr.  
Timothy Horan, Jr.  
President

By: ABERCROMBIE BUILDERS, INC.,  
a Texas corporation,  
its General Partner

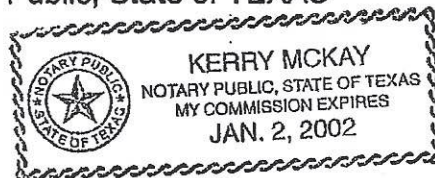
By: [Signature]  
B.A. Abercrombie, Jr.  
President

THE STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

This instrument was acknowledged before me on this the 16<sup>th</sup> day of November, 2001, by Timothy Horan, Jr., President of Phenix Investment Company, a Texas corporation, as General Partner of BOLSOVER COURT PARTNERSHIP, a Texas general partnership, on behalf of such partnership.

[Signature]  
Notary Public, State of TEXAS

THE STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

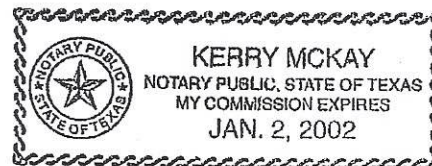


This instrument was acknowledged before me on this the 16<sup>th</sup> day of November, 2001, by B.A. Abercrombie, Jr., President of Abercrombie Builders, Inc., a Texas corporation, as General Partner of BOLSOVER COURT PARTNERSHIP, a Texas general partnership, on behalf of such partnership.

[Signature]  
Notary Public, State of TEXAS

Return to:

LAWYERS TITLE COMPANY  
1001 MCKINNEY, 18th FLOOR  
HOUSTON, TEXAS 77002  
ATTN: KERRY MCKAY





JOINDER OF MORTGAGEE

The undersigned, BANK OF TANGLEWOOD, being the owner and holder of an existing mortgage and lien upon and against the real property described in the foregoing restrictions and defined as the "Property" in said restrictions, as such mortgagee and lienholder, does hereby consent to and join in said Declaration of Covenants, Conditions and Restrictions.

This consent and joinder shall not be construed or operate as a release of said mortgage or liens owned and held by the undersigned, or any part thereof, but the undersigned agrees that its said mortgage and liens shall hereafter be upon and against each and all of the Lots and all appurtenance thereto, and all of the undivided, equitable shares and interests in the Common Area, subject to the restriction hereby agreed to.

SIGNED AND ATTESTED by the undersigned officers of said BANK OF TANGLEWOOD, hereto authorized, this the 11<sup>th</sup> day of August, 2000.

BANK OF TANGLEWOOD

By: J. Cliff Greer

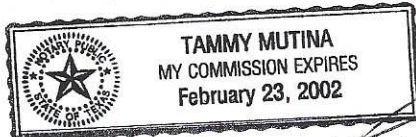
Name: J. Cliff Greer

Title: EXECUTIVE VICE President

534-06-1088

THE STATE OF TEXAS   §  
                                  §  
COUNTY OF HARRIS   §

This instrument was acknowledged before me on this the 17<sup>th</sup> day of August, 2000, by S. Cliff Gorman, Ex. V.P. of BANK OF TANGLEWOOD, a national banking association, on behalf of such association.



[Signature]  
Notary Public, State of TEXAS

*Return to:*

Nathan Sommers Lippman Jacobs & Gorman  
2800 Post Oak Blvd., 61<sup>st</sup> Floor  
Houston, Texas 77056  
Attn: Timothy Horan, Jr.

534-26-1089

FILED

AUG 14 11:35:54

*Becky B. Ziegler*  
COUNTY CLERK  
HARRIS COUNTY TEXAS

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.

AUG 14 2000



*Becky B. Ziegler*

COUNTY CLERK  
HARRIS COUNTY TEXAS