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AMEND

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20060074862  
09/26/2006 RP3 \$618.75

**AMENDMENT**  
*to*  
**DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS**  
*for*  
**LAKWOOD HILLS, SECTION ONE  
A SUBDIVISION IN HARRIS COUNTY, TEXAS**

file

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

WHEREAS, Lakewood Hills Development Company, Inc., (the "Declarant") was the sole record owner of that certain property known as Lakewood Hills, Section One (1), a subdivision located in Harris County, Texas according to the map or plat recorded in Volume 385, Page 125 of the Map Records of Harris County, Texas (the "Subdivision");

WHEREAS, by that certain instrument entitled "Declaration of Covenants, Conditions, Restrictions and Easements Lakewood Hills, Section One A Subdivision in Harris County, Texas" filed of record in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File No. S490584, (the "Declaration"), Declarant imposed on the Subdivision all those certain covenants, conditions, restrictions, and easements set forth therein;

WHEREAS, by that certain instrument entitled "First Supplemental Declaration of Covenants, Conditions, Restrictions and Easements" ("Supplemental Declaration") filed of record in the Official Public Records of Real Property of Harris County, Texas under County Clerk's File No. T716913, Declarant did restrict Lakewood Hills, Section Two (2), a subdivision in Harris County, Texas according to the map or plat thereof recorded in Volume 418, Page 137 of the Map or Plat Records of Harris County, Texas to the Declaration (the term "Subdivision" hereinafter including Lakewood Hills, Section Two (2) and the term "Declaration" hereinafter including the Supplemental Declaration);

WHEREAS, Article XII, Section 12.1 of the Declaration provides that the Declaration may be amended at any time by an instrument signed by the Owners owning at least two-thirds (2/3rds) of the Lots within the Subdivision;

WHEREAS, Section 204.008 of the Texas Property Code ("Code") provides that a modification to restrictions proposed by a property owners association may be adopted by:

- (1) by a written ballot that states the substance of the amendment and specifies the date by which a ballot must be received to be counted;
- (2) at a meeting of the members represented by the property owners' association if written notice of the meeting stating the purpose of the meeting is delivered to each owner of property in the subdivision;
- (3) by door-to-door circulation of a petition by the property owners' association or a person authorized by the property owners' association;
- (4) by a method permitted by the existing restrictions; or
- (5) by a combination of the methods described by this section.

WHEREAS, Lakewood Hills Community Improvement Association ("Association") is the property owners association for the Subdivision;

WHEREAS, the amendment to the Declaration set forth below was approved by two-thirds (2/3rds) of the members of the Association at a special meeting of the members of the Association originally held on July 8, 2003, which was reconvened to July 29, 2003 ("Special Meeting"); and

WHEREAS, the sign-in sheet, proxies and ballots for the Special Meeting ("Consents") signed by the Owners approving the amendment to the Declaration are attached hereto as Exhibit "A" and incorporated herein by reference so as to comply with both Article XII, Section 12.1 of the Declaration and Section 204.008(2) of the Code.

NOW, THEREFORE, Article IV, Section 4.1 of the Declaration is amended to read as follows:

**SECTION 4.1. ARCHITECTURAL CONTROL**

**COMMITTEE.** As used in this Declaration, the term "Architectural Control Committee" shall mean a committee of three (3) members, who shall be elected by the members of the Association at each annual meeting. At the first annual meeting of the members called for the purpose of voting on the first elected committee, the members shall elect one (1) Architectural Control Committee member for a term of one (1) year, one (1) Architectural Control Committee member for a term of two (2) years, and one (1) Architectural Control Committee member for a term of three (3) years. Thereafter, at the annual meeting of the members, the members shall elect an Architectural Control Committee member to fill the position of the Architectural Control Committee member whose term has expired. The term shall be for three (3) years. The nominees receiving the highest number of votes shall be elected. All votes shall be cast by written ballot. Any member of the Architectural Control Committee may be re-elected to serve an additional term. Any Architectural Control Committee member may be removed from the committee with or without cause, by the affirmative vote of members representing two-thirds (2/3rds) of the total number of votes in the Association, at a special meeting called for such purpose. In such event, a successor for such removed Architectural Control Committee member shall be elected by a vote of the Association. Vacancies on the Architectural Control Committee caused by reasons other than removal shall be filled by the remaining Architectural Control Committee members. An Architectural Control Committee member elected or appointed to fill a vacancy created on the Architectural Control Committee shall serve for the unexpired term of his predecessor. Members of the Architectural Control Committee

shall be members of the Association. Members of the Architectural Control Committee will be independent from the members of the Board. Specifically, no current member of the Board or any immediate family member shall serve on the Architectural Control Committee during the Board member's term in the office.

IN WITNESS WHEREOF, the President of The Association hereby executes this Amendment evidencing i) the Association's approval of the Amendment, and ii) that the Consents attached hereto as Exhibit "A" and incorporated herein represent the approval of this modification to the Declaration by Owners owning at least two-thirds (2/3rds) of the Lots within the Subdivision to be effective upon its filing of record in the Official Public Records of Real Property of Harris County, Texas.

DATED this 21<sup>st</sup> day of September, 2006.

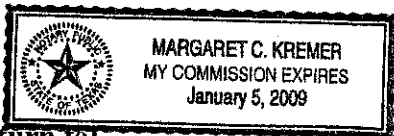
**LAKEWOOD HILLS COMMUNITY  
IMPROVEMENT ASSOCIATION**

By: [Signature]  
Bruce Moore, President

(110)  
102

STATE OF TEXAS           §  
                                          §  
COUNTY OF HARRIS     §

Before me, a notary public, on this day personally appeared Bruce Moore, President of Lakewood Hills Community Improvement Association, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he executed same in the capacity and consideration therein expressed. Given under my hand and seal of office this 21<sup>st</sup> day of September, 2006.



Margaret C. Kremer  
NOTARY PUBLIC - STATE OF TEXAS

Return to:  
**Butler & Hailey, P.C.**  
1616 S. Voss, Suite 500  
Houston, Texas 77057

[Handwritten mark]

AMEND

AMENDMENT

20060074859  
09/26/2006 RP3 \$16.00

to

BYLAWS OF LAKEWOOD HILLS COMMUNITY IMPROVEMENT ASSOCIATION  
(A Texas Non-Profit Corporation)

I, Bruce Moore, President of Lakewood Hills Community Improvement Association, a Texas non-profit corporation, ("the Association"), do hereby certify at a special meeting of the members of the Association, originally held on July 8, 2003 and reconvened to July 29, 2003 with a quorum being present thereat and remaining throughout and being duly authorized to transact business, the Bylaws of Lakewood Hills Community Improvement Association were amended by the members in accordance with their power to do so as established in Article VIII, Section 8.2 of the Bylaws as set forth below:

The first sentence of Article III, Section 3.1 of the Bylaws was amended to read as follows: "The Board of Directors shall consist of five (5) persons."

All other provisions of the Bylaws of the Association shall remain in full force and effect.

TO CERTIFY WHICH WITNESS my hand on this 21st day of September, 2006.

FILED

06 SEP 26 PM 3:51

Beverly B. Kremer  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

LAKEWOOD HILLS COMMUNITY  
IMPROVEMENT ASSOCIATION

Bruce Moore, President

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STATE OF TEXAS

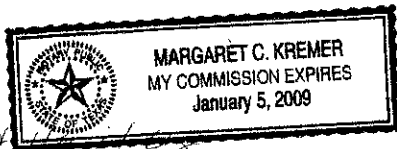
§  
§  
§

COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared Bruce Moore, President of Lakewood Hills Community Improvement Association, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration, and in the capacity therein expressed. Given under my hand and seal of office on this 21st day of September, 2006.

RET

121166



Margaret C. Kremer  
Notary Public - State of Texas

Butler  
1616 S. Voss  
Houston, TX 77057

RECORDER'S MEMORANDUM:  
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

020-41-1329

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNFORCEABLE 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 on

SEP 26 2006



*Beverly L. Kayman*

COUNTY CLERK  
HARRIS COUNTY TEXAS