

Annex

ANNEXATION TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
LAKEVIEW FOREST, SECTION ONE (1)

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

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This Annexation to Declaration of Covenants, Conditions and Restrictions for Lakeview Forest, Section One (1), is made by Heathlake Community Association, Inc., a Texas non-profit corporation ("Heathlake Association"), and Sueba Consulting, Inc., a Texas corporation ("Sueba"), as follows:

RECITALS:

WHEREAS, Heathlake Association was created pursuant to, and is the holder of, the rights of the "Association" under, that certain Declaration of Covenants, Conditions and Restrictions for Lakeview Forest, Section One (1), dated February 28, 1978 (the "Original Section One Declaration"), filed for record with the County Clerk of Harris County, Texas, under County Clerk's File No. F506754, and recorded under Film Code No. 189-04-2209 of the Official Public Records of Real Property of Harris County, Texas, as amended by First Amendment to Declaration of Covenants, Conditions and Restrictions for Lake view Forest, Section One (1), dated February 17, 2000 (the "First Amendment"), filed for record with the County Clerk of Harris County, Texas, under County Clerk's File No. U254625, and recorded under Film Code No. 530-96-1206 of the Official Public Records of Real Property of Harris County, Texas (the Original Section One Declaration, as amended by said First Amendment, being hereinafter referred to as the "Section One Declaration"); and

WHEREAS, the Section One Declaration imposed certain easements, restrictions, covenants and conditions on the property in Lakeview Forest, Section One (1) (therein and herein referred to as the "Properties"), a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 264, Page 145 of the Map Records of Harris County, Texas; and

WHEREAS, Section 6 of Article IV of the Original Section One Declaration provides that additional property and/or Common Area may be annexed to the Properties by the Board of Directors of Heathlake Association, without the approval or consent of Owners of Lots (as those terms are defined in the Section One Declaration) in the Properties; and

WHEREAS, Sueba is the sole owner of fee title to Reserve "A" of Lakeview Forest (hereinafter referred to as "Reserve "A"), a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 264, Page 145 of the Map Records of Harris County, Texas; and

WHEREAS, Sueba has (i) subdivided Reserve "A" into four (4) lots (each, a "Reserve "A" Lot" and collectively, the "Reserve "A" Lots"), by map or plat recorded on December 12, 2001, under Film Code No. 499014 of the Map Records of Harris County, Texas,

SECTION 15-108

(ii) terminated any existing restrictions affecting Reserve "A" and (iii) requested that Heathlake Association annex Reserve "A" and make the same subject to the Section One Declaration; and

WHEREAS, the Board of Directors of Heathlake Association has approved the annexation of Reserve "A" under the Section One Declaration and the parties hereto desire to accomplish said annexation:

WITNESSETH:

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, Heathlake Association, with the joinder and consent of Sueba, hereby annexes Reserve "A" and makes the same subject to the Section One Declaration and all of the terms and provisions thereof, including without limitation, the imposition on the Reserve "A" Lots of all easements, restrictions, covenants and conditions described in and/or created by the Section One Declaration. Until the Section One Declaration expires or is otherwise terminated, the Reserve "A" Lots shall be held, transferred, sold, conveyed, and occupied subject to the terms and provisions of the Section One Declaration, and (i) the term "Lot" as used therein shall include each Reserve "A" Lot (ii) the term "Owner" as used therein shall include the record owner, whether one or more persons or entities, of a fee simple title to any Reserve "A" Lot, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation, and (iii) the term "Properties" as used therein shall include the Reserve "A" Lots.

For the purposes of Sections 3 of Article II of the Section One Declaration (which relates to minimum square footage within improvements), and Section 5 of Article II thereof (which relates to the location of improvements upon a Lot), the Reserve "A" Lots shall be subject to the requirements thereof applicable to Lots in Blocks Two (2), Three (3) and Four (4) of Section One (1).

EXECUTED to be effective as of the 26 day of MARCH, 2002. (2) [Signature]

HEATHLAKE COMMUNITY  
ASSOCIATION, INC., a Texas non-profit  
corporation

By: [Signature]  
Name: ED BLACK  
Title: President

SUEBA CONSULTING, INC., a Texas  
corporation [Signature]

By: [Signature]  
Name: JOHN CHIANG  
Title: PRESIDENT

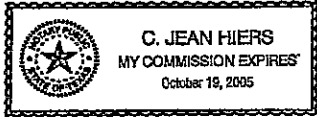
615216-055

THE STATE OF TEXAS

COUNTY OF HARRIS

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This instrument was acknowledged before me on the 26<sup>th</sup> day of March, 2002, by Edward M. Black, President of Heathlake Community Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



C. Jean Hiers  
Notary Public in and for the State of Texas

C. Jean Hiers  
Printed or Typed Name of Notary

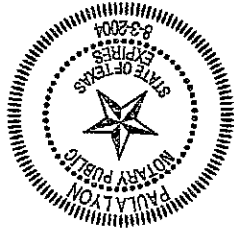
My Commission Expires: 10/19/2005

THE STATE OF TEXAS

COUNTY OF HARRIS

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This instrument was acknowledged before me on the 4<sup>th</sup> day of March, 2002, by John Chiang, President of Sueba Consulting, Inc., a Texas corporation, on behalf of said corporation.



Paula Lyon  
Notary Public in and for the State of Texas

Paula Lyon  
Printed or Typed Name of Notary

My Commission Expires: 08/03/04

After Recording Letter to  
Sueba  
1123 Sardenerst Ln  
Houston, TX 77077

832951-12-03

# EXHIBIT A

Reserve "A", in Block Four (4), of LAKEVIEW FOREST, SECTION ONE (1), a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 264, Page 145 of the Map Records of Harris County, Texas.

*lee*

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 herein by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas on:

MAR 28 2002



*Beverly L. Kayman*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

*Beverly L. Kayman*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

2002 MAR 28 PM 12:25

FILED

550-16-855