

V775760

ANNEXATION
OF
ROCK CREEK, SECTION THREE (3)

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STATE OF TEXAS

§

COUNTY OF HARRIS

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§

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\$15.00

WHEREAS, R Creek, L.P., as Declarant, caused that certain instrument entitled "Declaration of Covenants, Conditions and Restrictions for Rock Creek" ("the Declaration") to be recorded in the Official Public Records of Real Property of Harris County, Texas on January 21, 2000 under Clerk's File No. U187543, which Declaration imposes various covenants, conditions, and restrictions upon the following real property:

All of Rock Creek, Section One (1), a subdivision in Harris County, Texas according to the map or plat thereof recorded under Film Code No. 435082 of the Map Records of Harris County, Texas

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and

WHEREAS, the Declaration was amended by instrument entitled "First Amendment to Declaration of Covenants, Conditions and Restrictions for Rock Creek" and recorded in the Official Public Records of Real Property of Harris County, Texas on April 25, 2000 under Clerk's File No. U350986; and

WHEREAS, the Declaration was further amended by instrument entitled "Second Amendment to Declaration of Covenants, Conditions, and Restrictions for Rock Creek" and recorded in the Official Public Records of Real Property of Harris County, Texas on November 10, 2000 under Clerk's File No. U728355; and

WHEREAS, the Declaration, as amended, provides that Additional Land may be annexed and subjected to the provisions of the Declaration by Declarant, without the consent of the lot owners, within twenty (20) years of the date that the Declaration is recorded by filing for record an annexation instrument in the Official Public Records of Real Property of Harris County, Texas; and

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WHEREAS, additional land was previously annexed and subjected to the provisions of the Declaration by that certain instrument entitled "Annexation of Rock Creek, Section Two", recorded in the Official Public Records of Real Property of Harris County, Texas on September 20, 2001 under File No. V313660; and

WHEREAS, Declarant desires to annex the following Additional Land ("the Additional Land") and subject the Additional Land to the provisions of the Declaration, as well as the jurisdiction of Rock Creek Community Association, Inc. ("the Association"):

All of Rock Creek, Section Three (3), a subdivision in Harris County Texas according to the map or plat thereof recorded under Film Code No. 505053 of the Map Records of Harris, County, Texas

NOW, THEREFORE, R Creek L.P. does hereby annex the Additional Land and subject the Additional Land to all of the covenants, conditions and restrictions set forth in the Declaration and all amendments thereto. All provisions of the Declaration, as amended, shall apply to the Additional Land with the same force and effect as if the Additional Land was originally included in the property subject to the Declaration, including the provisions relating to the payment of annual maintenance charges and assessments to the Association. The Additional Land shall be developed, improved, sold, used and enjoyed in accordance with and subject to the provisions of the Declaration, as previously or hereafter amended; the Builder Guidelines for Rock Creek recorded in the Official Public Records of Real Property of Harris County, Texas on January 25, 2000 under Clerk's File No. U192989 and amended by instrument recorded on December 8, 2000 under Clerk's File No. U773895; and the Architectural Guidelines for Rock Creek recorded in the Official Public Records of Real Property of Harris County, Texas on February 8, 2000 under Clerk's File No. U216691 and amended by instruments recorded on August 11, 2000 under Clerk's File No. U561483, on December 8, 2000 under Clerk's File No. U773896, and on September 20, 2001 under Clerk's File No. V313659. All provisions of the Declaration, as amended, shall run with the Additional Land and be binding on all parties who may now or hereafter have or claim any right, title or interest in the Additional Land or any part thereof, and on the heirs, executors, administrators, successors and assigns of such parties, regardless of the source of or the manner in which any such right, title or interest is or may be acquired.

JOINDER OF LIENHOLDER

Coastal Banc SSB, being the owner and holder of an existing mortgage and lien upon and against the real property described in the foregoing Annexation of Rock Creek, Section Three (3) ("the Annexation") or some portion thereof, and defined as the "Additional Land" in said Annexation, as such Mortgagee and Lienholder, does hereby consent to and join in said Annexation, thereby subjecting the Additional Land to the provisions of the Declaration of Covenants, Conditions and Restrictions for Rock Creek ("the Declaration").

This consent and joinder shall not be construed or operate as a release of said mortgage or lien owned and held by the undersigned, or any part thereof, but the undersigned agrees that its said mortgage and lien shall hereafter be upon and against the Lots and all appurtenances thereto, subject to the provisions of the Annexation and Declaration hereby agreed to.

SIGNED AND ATTESTED by the undersigned officers of Coastal Banc SSB, heretofore authorized, this the 14 day of April, 2002.

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 on

MAY - 3 2002

Coastal Banc SSB



Beverly B. Kaufman
COUNTY CLERK
HARRIS COUNTY, TEXAS

By: *Michael J. Peery*
Title: _____
Michael J. Peery
Sr. Vice President

ATTEST:
By: *Lewis Kaufman*
Print Name: LEWIS KAUFMAN
Its: ASS'T Secretary

Beverly B. Kaufman
COUNTY CLERK
HARRIS COUNTY, TEXAS
2002 MAY - 3 PM 2:09
FILED

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

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