

SOUTHDOWN VILLAGE COMMUNITY ASSOCIATION, INC.

GLOBAL DEVIATION REGARDING APPROVED FENCE HEIGHT

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Copperfield Southdown Village, Section One, is the dedicatory instrument for the Southdown Village Community Association, Inc. (the "Association") and is recorded in the Real Property Records of Harris County, Texas under Clerk's File No. G131238 (the "Declaration"), and covers Copperfield Southdown Village, Section One, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 288, Page 84, of the Map Records of Harris County, Texas; and

WHEREAS, the Declaration additionally covers Copperfield Southdown Village, Section Two, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 315, Page 133, of the Map Records of Harris County, Texas, by virtue of the three Annexations to Declaration filed in the Real Property Records of Harris County, Texas, under Clerk's File Nos. J161604, J239612 and J279637; and

WHEREAS, the Declaration additionally covers Copperfield Southdown Village, Section Three, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 320, Page 20, of the Map Records of Harris County, Texas, by virtue of the two Annexations to Declaration filed in the Real Property Records of Harris County, Texas, under Clerk's File Nos. K748842 and K471198; and

WHEREAS, the Declaration additionally covers Copperfield Southdown Village, Section Four, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 320, Page 142, of the Map Records of Harris County, Texas, save and except Unrestricted Reserves A-G, by virtue of the Annexation to Declaration filed in the Real Property Records of Harris County, Texas, under Clerk's File No. J245073; and

WHEREAS, the Declaration additionally covers Copperfield Southdown Village, Section Five, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 338, Page 122, of the Map Records of Harris County, Texas, by virtue of the Annexation to Declaration filed in the Real Property Records of Harris County, Texas, under Clerk's File No. L154017; and

WHEREAS, the Declaration additionally covers Copperfield Southdown Village, Section Six, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 341, Page 59, of the Map Records of Harris County, Texas, by virtue of the Annexation to Declaration filed in the Real Property Records of Harris County, Texas, under Clerk's File No. L810578; and

WHEREAS, the Declaration additionally covers Copperfield Southdown Village, Section Seven, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 342, Page 98, of the Map Records of Harris County, Texas, by virtue of the Annexation to Declaration filed in the Real Property Records of Harris County, Texas, under Clerk's File No. M003944; and

WHEREAS, the Declaration additionally covers Copperfield Southdown Village, Section Eight, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 344, Page 84, of the Map Records of Harris County, Texas, by virtue of the Annexation to Declaration filed in the Real Property Records of Harris County, Texas, under Clerk's File No. M370835; and

WHEREAS, Article V, Section 2, of the Declaration provides that the Architectural Review Committee for the Association is permitted to approve written deviations in the general use restrictions contained in Article V, in instances where, in its judgment, such deviation will result in a more common beneficial use and enhance the overall development plan for the Property; and

WHEREAS, Article V, Section 10, provides that no side or rear fence shall be more than six (6) feet high;

WHEREAS, in the judgment of the Architectural Review Committee for the Association, a global deviation regarding allowable and approved fence height for side and rear fences will result in a more common beneficial use and enhance the overall development plan for the Property covered by the Declaration;

NOW THEREFORE, pursuant to the attached signatures of a majority of the Architectural Review Committee for the Association, there is hereby granted to all Owners covered by the Declaration a global deviation with regard to fence height, to become a part of the Declaration pursuant to Article V, Section 2, as follows:

A six (6) foot cedar picket with a six (6) inch rot board will be allowed. If adjoining to the neighbor's fence, the fences and rot boards must be aligned.

EXECUTED on the date of acknowledgment below:

By: *[Signature]*, ARC Member

STATE OF TEXAS §

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COUNTY OF HARRIS §

CHARLEE PEDROZA
BEFORE ME, the undersigned authority, on this day personally appeared _____, ARC Member of Southdown Village Community Association, Inc., and acknowledged to me that this instrument was executed for the purposes and in the capacity therein stated, and as the act and deed of said corporation.

Given under my hand and seal of office this 11th day of February, ~~2008~~ 2009

Carmen Montes
Notary Public, State of Texas

