

NOW, THEREFORE, R. West Development Co., Inc. hereby annexes the Property known as West Oaks Village, Section Two, Three and Four, and West Oaks, Section Three and Four, into the West Oaks Homeowners' Association and declares that all of said Property shall be held, sold, and conveyed subject to the Restrictions and Amendments cited above, all of which are for the purpose of enhancing and protecting the value, desirability, and attractiveness of the real property covered thereby. The Restrictions shall be binding upon all parties having or acquiring any right, title or interest in the Property and shall inure to the benefit of each owner thereof.

It is expressly understood and agreed that the Restrictions impress and subject the lots within West Oaks Village, Section Two, Three and Four, and West Oaks, Section Three and Four, to an annual maintenance charge and assessment, and will make such lots subject to the jurisdiction of the Association. It is hereby understood and agreed that the Association shall treat West Oaks Village, Section Two, Three and Four, and West Oaks, Section Three and Four, in a nondiscriminatory fashion, on an equal basis, and in the same manner as West Oaks, Section One and Two.

FURTHER, Article VII, Section 6 of the Amended Restrictions as applied to West Oaks Village, Section Two, Three and Four, is hereby amended to read as follows:

Section 6. Size of Residence. No residential structure erected on any Lot shall have more than two (2) stories. The ground floor area, exclusive of open porches and garages, shall not be less than 1,650 square feet for a one (1) story home. The ground floor area plus the upper floor area of a one and one-half (1-1/2) or two (2) story home shall not be less than 1,800 square feet.

Nothing herein is intended to alter, modify, or amend the Amended Declaration of Covenants, Conditions and Restrictions recorded in the Official Records of Brazoria County under Clerk's File No. 93-005943 except as specifically provided hereinabove.

Dated this 4th day of August, 1997.

WEST OAKS VILLAGE SECTION ONE, LTD.

BY: R. WEST DEVELOPMENT CO., INC.,
GENERAL PARTNER

BY: 
RENEE' L. WEST

APPROVED:
WEST OAKS HOMEOWNERS' ASSOCIATION
BOARD OF TRUSTEES

Renee L. West, Pres.

RENEE' L. WEST, PRESIDENT
(Printed name and title)

Ralph Kramer, Trustee

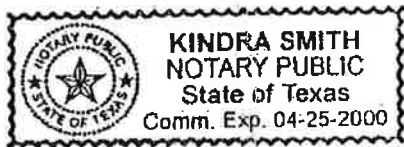
RALPH KRAMER, TRUSTEE
(Printed name and title)

Paul Marcaccio

PAUL MARCACCIO, TRUSTEE
(Printed name and title)

THE STATE OF TEXAS §
§
COUNTY OF BRAZORIA §

This instrument was acknowledged before me on this the 14th day of August, 1997, by Renee' L. West, President of R. West Development Co., Inc., General Partner of West Oaks Village Section One, Ltd., on behalf of said partnership.

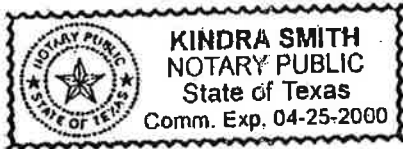


Kindra Smith
NOTARY PUBLIC IN AND FOR THE STATE
OF TEXAS

Kindra Smith
(Stamp or Print Name of Notary)

THE STATE OF TEXAS §
§
COUNTY OF BRAZORIA §

This instrument was acknowledged before me on this the 4th day of August, 1997, by Renee' L. West, President and Trustee, on the Board of Trustees of the West Oaks Homeowners' Association, on behalf of said homeowners' association.

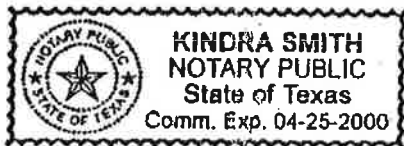


Kindra Smith
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Kindra Smith
(Stamp or Print Name of Notary)

THE STATE OF TEXAS §
§
COUNTY OF BRAZORIA §

This instrument was acknowledged before me on this the 11th day of August, 1997, by Ralph Kramer, Trustee, on the Board of Trustees of the West Oaks Homeowners' Association, on behalf of said homeowners' association.

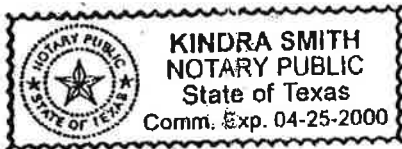


Kindra Smith
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Kindra Smith
(Stamp or Print Name of Notary)

THE STATE OF TEXAS §
§
COUNTY OF BRAZORIA §

This instrument was acknowledged before me on this the 17th day of August, 1997, by Paul Marcaccio, Trustee, on the Board of Trustees of the West Oaks Homeowners' Association, on behalf of said homeowners' association.



Kindra Smith
NOTARY PUBLIC IN AND FOR THE STATE
OF TEXAS

Kindra Smith
(Stamp or Print Name of Notary)

Exhibit "A"

Being a tract or parcel containing 87.7906 Acres (3,824,158 square feet) situated in Section Fifteen, H.T. & B. R.R. Co. Survey, Abstract 241, Brazoria County, Texas, and being more particularly as follows:

COMMENCING at the Northwest corner of West Oaks Village, Section One, Phase "A" as recorded in Volume 19, Pages 437 & 438, Plat Records of Brazoria County, Texas;

Thence West, coincident with the South Right-of-Way line of County Road Number 91 (60.00 foot Right-of-Way), a distance of 990.00 feet to a point for a corner;

Thence South, a distance of 10.00 feet to a point for a corner and the POINT OF BEGINNING;

Thence South, a distance of 1250.00 feet to a point for a corner same being the Southwest corner of a 30 Acre "Dads Club" tract;

Thence East, a distance of 990.00 feet to a point for a corner same being the Southeast corner of said 30 Acre "Dads Club" tract;

Thence South, a distance of 50.00 feet to a point for a corner;

Thence East, a distance of 12.50 feet to a point for a corner;

Thence South, a distance of 270.00 feet to a point for a corner;

Thence East, a distance of 610.00 feet to a point for a corner;

Thence South, a distance of 10.18 feet to a point for a corner;

Thence East, a distance of 202.50 feet to a point for a corner;

Thence South, a distance of 628.82 feet to a point for a corner;

Thence West, a distance of 361.00 feet to a point for a corner;

Thence South, a distance of 221.00 feet to a point for a corner;

Thence West, a distance of 389.38 feet to a point for a corner;

Thence South, a distance of 140.00 feet to a point for a corner;

Thence West, with the South line of said Section Fifteen, H. T. & B. R. R. Co. Survey, Abstract 241, a distance of 1775.18 feet to a point for a corner.

Thence North 00 deg. 00 min. 59 sec. East departing from the said South Section Fifteen line, and with the East line of a Pearland School District 80.00 Acre tract, a distance of 2,640.00 feet to a point being in the North right-of-way line of County Road No. 91 as recorded in Volume 276, Page 395, B.C.D.R.;

Thence East, along the North Right-of-Way line of County Road Number 91 (60.00 foot Right-of-Way), a distance of 710.56 feet to a point for a corner;

Thence South, a distance of 70.00 feet to a point for a corner and being the POINT OF BEGINNING of the herein described tract of land being 87.7906 Acres (3,824,158 square feet).

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WEST OAKS SECTION 3

FIELD NOTE DESCRIPTION

Being a tract or parcel of land containing 40.9697 Acres (1,784,640 square feet) and being part of Section 15 of the H.T. & B.R.R. Co. Survey, Abstract No. 241, Brazoria County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the centerline of County Road No. 103 (Harkey Road) (based on a 60 foot right-of-way) and the North line of County Road No. 91 (Fite or Nelson Road) (based on a 60 foot right-of-way);

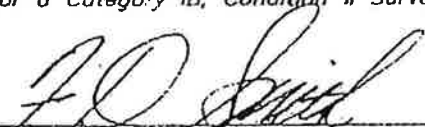
THENCE South, coincident with the centerline of said County Road No. 103, a distance of 1352.00 feet to a point for corner, and being the Southeast corner of the herein described tract;

THENCE West, a distance of 1320.00 feet to a point for corner, said point being the Southwest corner of the herein described tract;

THENCE North, a distance of 1352.00 feet to a point for corner, said point being in the North right-of-way line of said County Road No. 91 and being the Northwest corner of the herein described tract;

THENCE East, coincident with the North right-of-way line of said County Road No. 91, a distance of 1320.00 feet to the POINT OF BEGINNING and containing 40.9697 Acres (1,784,640 square feet) of land.

I hereby certify that this survey was made on the ground, that this plat correctly represents the facts found at the time of survey and that this professional service conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category IB, Condition II Survey.


F. D. Smith
Registered Public Land Surveyor No. 1861



Notes:

1. The Surveyor has not abstracted the subject property.
2. All bearings are based Section 15, H.T. & B.R.R. Survey as recorded in Vol 1223, Page 730, of Brazoria County Deed Records, Brazoria County, Tx.
3. According to the Federal Emergency Management Flood Rate Map, Community-Panel No. 48039C0040 H, revised Dec. 6, 1991, the subject tract is located in Zone "X", area determined to be outside the 500-year floodplain.
4. This tract is zoned to be open for commercial development.
5. This survey was performed in connection with information described in title report, GF No. 9400010, of Chicago Title Insurance Co., dated January 24, 1994

WEST OAKS SECTION 4

BEING a 25.4514 acre (1,108,663 square foot) tract of land located in the H.T. & B. R.R. Company Survey, Abstract No. 241, Brazoria County, Texas and also being out of a called 34.98 acre tract described in an instrument recorded in Volume 772, Page 94 of the Deed Records of Brazoria County, Texas and being more particularly described by metes and bounds as follows;

COMMENCING at the southwest corner of West Oaks Section Three Phase 'A', as recorded in Volume 19, Pages 631-632 of the Plat Records of Brazoria County, Texas;

THENCE South, a distance of 677.37 feet to a 1/2-inch iron rod set for the PLACE OF BEGINNING and northwest corner of the herein described tract;

THENCE North 71 deg. 20 min. 45 sec. East, along the north line of the herein described tract, a distance of 46.43 feet to a 1/2-inch iron rod set for corner at the beginning of a tangent curve to the right;

THENCE along the arc of said curve to the right having a Radius of 160.00 feet, an Arc Length of 52.10 feet, a Central Angle of 18 deg. 39 min. 25 sec., an a Long Chord which bears North.80 deg 40 min. 18 sec East, 51.87 feet to a 1/2-inch iron rod set for corner at the Point of Tangency of the arc of said curve;

THENCE East, continuing along the north line of the herein described tract, a distance of 1224.83 feet to a 1/2-inch iron rod set for the northeast corner of the herein described tract at the west right-of-way line of Harkey Road (County Road 103)(based on a 60-foot width);

THENCE South, along the east line of the herein described tract, same being the west right-of-way line of said Harkey Road, a distance of 372.73 feet to a 1/2-inch iron rod set for southeast corner of the herein described tract;

THENCE South 35 deg. 56 min. 56 sec. West, along the southeasterly line of the herein described tract, same being the northwesterly line of a 50-foot wide pipeline easement dedicated to Seminole Pipeline Company, as per an instrument recorded in Volume 1582, Page 423 of the Deed Records of Brazoria County, Texas, a distance of 492.68 feet to a 1/2-inch iron rod found for an angle corner of the herein described tract;

THENCE South 74 deg. 21 min. 44 sec. West, along the southerly line of the herein described tract, same being the northerly line of an 80-foot detention pond easement, a distance of 1070.38 feet to a 1/2-inch iron rod set for the southwest corner of the herein described tract;

THENCE North, along the west line of the herein described tract, a distance of 1036.84 feet to the PLACE OF BEGINNING, containing 25.4514 acres (1,108,663 square feet) of land.

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THE STATE OF TEXAS
COUNTY OF BRAZORIA

I, DOLLY BAILEY, Clerk of the County Court in and for Brazoria County, Texas do hereby certify that this instrument was FILED FOR RECORD and RECORDED in the OFFICIAL RECORD at the time and date as stamped hereon by me.



Dolly Bailey

FILED FOR RECORD

97 AUG 13 AM 8:08

Dolly Bailey
COUNTY CLERK
BRAZORIA COUNTY TEXAS

Being a tract or parcel of land containing 31.0334 Acres and being part of Section 15 of the H.T. & B.R.R. Co. Survey A-241, Brazoria, County, Texas, and being more particularly describes by metes and bounds as follows:

COMMENCING at the intersection of the centerline of County Road No. 103 (Harkey Road) (based on a 60 foot right-of-way) and the North line of County Road No. 91 (Fite or Nelson Road) (based on a 60 foot right-of-way);

THENCE West, coincident with the North right-of-way line of said County Road No. 91, a distance of 1320.00 feet to the POINT OF BEGINNING and being the Northeast corner of the herein described tract;

THENCE South, along the centerline of a 45-foot drainage ditch a distance of 1650.18 feet to a 1/2" Iron rod set for corner, and being the Southeast corner of the herein described tract;

THENCE West, a distance of 202.50 feet to a 1/2" Iron rod set for corner.

THENCE North, a distance of 10.18 feet to a 1/2" Iron rod set for an interior corner of herein described tract;

THENCE West, a distance of 610.00 feet to a 1/2" Iron rod set for corner, and being the most Southerly Southwest corner of the herein described tract;

THENCE North, a distance of 270.00 feet to a 1/2" Iron rod set for an interior corner of herein described tract;

THENCE West, a distance of 12.50 feet to a 1/2" Iron rod set for corner, and being the most westerly Southwest corner of the herein described tract;

THENCE North, a distance of 1370.00 feet to a 1/2" Iron rod set for corner in the North right-of-way of said County Road No. 91, and being the Northwest Corner of the herein described tract;

THENCE East, coincident with the North right-of-way line of said County Road No. 91, a distance of 825.00 feet to the POINT OF BEGINNING and containing 31.0334 acres of land.

FILED FOR RECORD

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Dolly Bailey
COUNTY CLERK
BRAZORIA COUNTY, TEXAS

EXHIBIT "A"

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INDEX-8882
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10:23 AM
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THE STATE OF TEXAS,
COUNTY OF BRAZORIA
I, DOLLY BAILEY, Clerk of the County Court in and for Brazoria County, Texas, do hereby certify that this instrument was FILED FOR RECORD and RECORDED in the OFFICIAL RECORD at the time and date as stamped hereon by me.



Dolly Bailey
County Clerk of Brazoria Co., TX

96-000793

Reservations

West Development
2510 Westminister
Pearland TX 77581

1.00	SEC
5.00	MG
<u>11.00</u>	
17.00	CR 6191

SECURITY FEE 1.00
 NIGHT-PRES 5.00
 RECORDING 11.00
 TOTAL 17.00
 FILE # 793
 DRAWER-A 1
 0081 2127-0000 0136
 CHECK 17.00
 1/ 8/96 10:53AM MON