FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR STERLING GREEN SOUTH, SECTION ONE (Excluding Reserves A and B) AND RESERVE C OF STERLING GREEN SOUTH, SECTION ONE Subdivisions in Harris County, Texas

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## Recitations

On DECEMBER 19 . 1978, GIBRALTAR SAVINGS ASSOCIATION ("Declarant") made that certain Declaration (the "Existing Declaration") of Covenants, Conditions and Restrictions for Sterling Green South, Section One, (Excluding Reserves A and B) and Reserve C of Sterling Green South, Section One (together, the "Properties"), subdivisions in Harris County, Texas, according to the respective maps thereof recorded in Volume 272, Page 73, and Volume 278, Page 6, respectively, of the Map Records of Harris County, Texas, the Existing Declaration having been filed for record in the Office of the County Clerk of Harris County, Texas, under County Clerk's File No. F900076 and recorded under No. 15-91-0229 in the Official Public Records of Real Property of Harris County, Texas.

Declarant, joined by HIGHLAND HOMES OF TEXAS, INC. ("Highland"), desires to amend the Existing Declaration in certain particulars, and to evidence such amendment hereby. Declarant and Highland are the owners of all of the Properties. There are no holders of liens covering any portion of the Properties.

## Agreements

Declarant, acting herein by and through its duly authorized officers, does hereby make and enter this First Amendment to Declaration of Covenants, Conditions and Restrictions for Sterling Green South, Section One (excluding Reserves Å and B) and Reserve C of Sterling Green South, Section One, and hereby declares, covenants and agrees as follows:

Rober D. Jonn Bonteman Suite 530 Gibro Itma Savings Association 2302 FANNIN NOUSTON TX 77002

ANY PROVISIONS HEREIN WHICH RESTRICT THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER THE FEDERAL LAW.

Deputy

## A CERTIFIED COPY

ATTEST: MAR 0 5 2009 BEVERLY B. KAUFMAN, County Clerk Harris County, Texas

rlift Stella Roberts

1. Section 6. of Article I of the Existing Declaration is "hereby amended by deleting in its entirety the text of such Section 6. appearing in the Existing Declaration, and substituting the following therefor:

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'Section 6. "Subdivision Plats" shall mean and refer to both the plat of Sterling Green South, Section One, recorded in Volume 272, Page 73 of the Map Records of Harris County, Texas, as modified by the partial replat of Sterling Green South, Section One, recorded in Volume 288 Page 40 of the Map Records, of Harris County, Texas, (such plat and partial replat of Sterling Green South, Section One herein sometimes together referred to as the "Section One Plat", and to the plat of Reserve C of Sterling Green 'South, Section One (herein sometimes referred to as the "Reserve C Plat") recorded in Volume 278, Page 6 of the Map Records of Harris County, Texas, and recorded replat(s) thereof.'

2. Section 5. of Article III of the Existing Declaration, relating to building location, is hereby amended by deleting in its entirety the second sentence thereof, which reads "No building shall be located on any Lot nearer than twenty (20) feet from the front line of such Lot," and substituting the following therefor:

> "No building shall be located on any Lot nearer than ten (10) feet from any existing residential building structure situated on any other Lot which is contiguous to such Lot."

Highland, being the owner of a portion of the Properties, joins herein for the limited purpose of consenting to, ratifying and adopting the amendments to the Existing Declaration contained herein.

This First Amendment shall be binding upon Declarant and Highland, their respective successors and assigns, and shall inure to the benefit of each and every owner of any portion of the Properties and their respective heirs, legal representatives, successors and assigns. Further, Declarant hereby ratifies and confirms the Existing Declaration as expressly amended hereby.

Beclarant and Highland have executed this First Amendment on the respective dates shown in their acknowledgments below, to be effective as of the  $16^{16}$  day of MAY, 1979.

ATTEST: Muchael P. Munc Secretary MICHABL P. BARSI

BY: nauu CHARLE'S R. ALERMAN

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A CERTIFIED COPY

ATTEST: MAR 0 5 2009 BEVERLY B. KAUFMAN, County Clerk

Harris County, Texas Deputy Stella Roberts

129-81-0254 HIGHLAND HOMES OF TEXAS, INC. ATTES BI resident Cari Aus Assistant Secretary THE STATE OF TEXAS § COUNTY OF HARRIS \$ BEFORE ME, the undersigned authority, on this day personally appeared <u>CHARLES R. Acter MAN</u>, Vice President of GIBRALTAR SAVINGS ASSOCIATION, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said Association. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of May \_\_\_\_\_, 1979. Max \_0 • #e, wike a Moor NOTARY\_PUBLIC NOTARY PUBLIC in and for Harris County, T E X A S My Commission Expires: 4-2-81 MOOR Hedi A TEX15 THE STATE OF TEXAS 6 COUNTY OF HARRIS S BEFORE ME, the undersigned authority, on this day personally appeared BUD L. SALSBURY, Vice President of HIGHLAND HOMES OF TEXAS, INC., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he exe-cuted same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation. GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 17th day of . 0. May \_, 1979. Annoin and for PUBLIC in NOTARY Harris County, T E X A S My Commission Expires: CONNIE L. (Print Name 11-80 ¥، 🛠 ، ۷

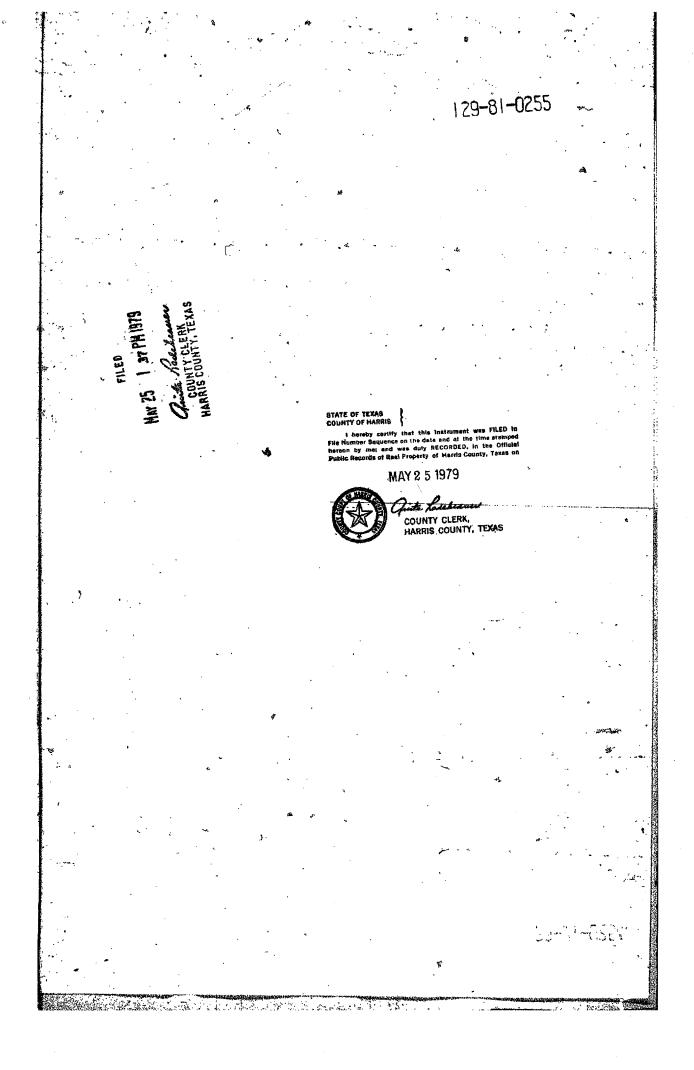
ANY PROVISIONS HEREIN WHICH RESTRICT THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER THE FEDERAL LAW.

A CERTIFIED COPY

## MAR 0 5 2009

ATTEST: **ITAR 0 5 2003** BEVERLY B. KAUFMAN, County Clerk Harris County, Texas

Deputy Stella Roberts



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A CERTIFIED COPY

ATTEST: MAR 0 5 2009 BEVERLY B. KAUFMAN, County Clerk Harris County, Texas

Kabul <u>ella</u> Stella Roberts Deputy