

9866709

427-00-2140

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FIRST AMENDMENT OF
DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS

FOR

DECKER OAKS ESTATES

A RESIDENTIAL SUBDIVISION IN MONTGOMERY COUNTY, TEXAS

THE STATE OF TEXAS §
 § KNOW ALL BY THESE PRESENTS THAT:
COUNTY OF MONTGOMERY §

Pursuant to Section 9.10 of that certain instrument entitled Declarations of Covenants, conditions, Restrictions and Easements for DECKER OAKS ESTATES (the "Declaration") filed on December 17, 1997, under Clerk's File No. 9780689, and recorded under Clerk's Film Code No. 328-00-0750, *et seq.*, in the Real Property Records of Montgomery County Texas, **DECKER OAKS DEVELOPMENT, LTD.**, a Texas limited partnership (hereinafter referred to as "Declarant"), hereby amends the Declaration as follows:

I.
Definitions

In addition to the definitions contained herein, all definitions set forth in the Declaration (including Article II of the Declaration) are incorporated by reference herein.

II.
Amendments

A. Article I, of the Declaration is hereby amended by deletion of same in its entirety and substitution in place thereof of the following:

SECTION 1.01 Property subject to Declaration. The real property which, by the recording of this Declaration, will be held, transferred, sold, conveyed, used, occupied, and mortgaged or otherwise encumbered subject to this Declaration is that certain real property located in Montgomery County, Texas, more particularly described as follows, to wit:

427-00-2141

All that certain tract or parcel of land platted as DECKER OAKS ESTATES, SECTION ONE, a subdivision of 13.7639 acres of land out of the E. R. Hale Survey, Abstract no. 264, in Montgomery County, Texas, according to the map or plat thereof filed under Clerk's File No. 9767201, Real Property Records of Montgomery County, Texas, and recorded in Cabinet J, Page 176, Map Records of Montgomery County, Texas.

SECTION 1.02 Private Streets and Roadways. The private streets and roadways will be considered as community properties subject to this Declaration, and will be held, transferred, sold, conveyed, used, occupied, and mortgaged or otherwise encumbered subject to this Declaration.

SECTION 1.03 Annexation of other Property. Only the real property described in Section 1.01 is initially made subject to this Declaration. Additional real property may be annexed by Declarant during the Development Period as provided in Section 9.10. Any other real property may be annexed only upon approval by Owners of a majority of all Lots then contained within the Subdivision obtained in the same manner as required for amendment of this Declaration.

B. Sub-Section 7.03.1 of Section 7.03 under Article VII of the Declaration is hereby amended by deletion of same in its entirety and substitution in place thereof of the following:

7.03.1 Initial Base Rate. The initial base rate of the regular assessment per Lot, effective from the date of filing of this Declaration in the Real Property Records of Harris County, Texas and from month to month thereafter unless modified as herein provided, shall be THREE HUNDRED NINETY-FIVE DOLLARS (\$395.00) per Lot per year.

III.

Integration and Ratification

The foregoing amendments to the Declaration are deemed to be a part of and are to be interpreted in accordance with the Declaration. All provisions of the Declaration not so amended are hereby ratified and confirmed in each and every particular, and will continue in full force and effect pursuant to the terms of the Declaration.

427-00-2142

IN WITNESS WHEREOF, Declarant has executed this First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for DECKER OAKS ESTATES on this 26 day of August, 1998.

DECKER OAKS DEVELOPMENT, LTD.,
a Texas limited partnership

BY: DECKER OAKS INVESTMENT COMPANY,
INC., a Texas corporation,
sole General Partner

By: Robert R. Weedn, Pres.
ROBERT R. WEEDN, President

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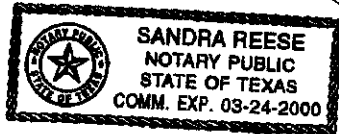
DECLARANT'S ACKNOWLEDGMENT

THE STATE OF TEXAS §

COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared ROBERT R. WEEDN, President of DECKER OAKS INVESTMENT COMPANY, INC., a Texas corporation, sole General Partner of DECKER OAKS DEVELOPMENT, LTD., a Texas limited partnership, and acknowledged to me that he executed this instrument on behalf of said limited partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 26th day of August, 1998.



Sandra Reese

NOTARY PUBLIC in and for the
STATE OF TEXAS
Name: SANDRA REESE
My Commission Expires: 3-24-2000

After Recording Return to:

CHICAGO TITLE - TOMBALL
14011 PARK DRIVE, STE. 114
TOMBALL, TEXAS 77375

STATE OF TEXAS
COUNTY OF MONTGOMERY
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
Montgomery County, Texas.

AUG 27 1998


Mark Turnbull
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

FILED FOR RECORD
98 AUG 27 PM 3:34
MARK TURNBULL, CO. CLERK
MONTGOMERY COUNTY, TEXAS
[Signature]
DEPUTY