

V756731

FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
PARKLAKE VILLAGE

04/26/02 201768170 V756731 \$15.00

Amend
25

STATE OF TEXAS

§
§
§

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF HARRIS

WHEREAS, that certain Declaration of Covenants, Conditions and Restrictions for Parklake Village (the "Declaration") dated March 5, 1999, was recorded in the Office of the County Clerk of the Harris County, Texas under Clerk File No. T594769 on March 12, 1999, and subjects real property known as Parklake Village, a subdivision in Harris County, Texas (the "Subdivision") to the covenants, conditions, restrictions, easements, charges and liens set forth in the Declaration; and

see

WHEREAS, Article XIV of the Declaration provides that so long as Class B membership in the Parklake Village Homeowners' Association, Inc., a Texas non-profit corporation (the "Association") exists, the approval of seventy-five percent (75%) of the combined total votes of Class A and Class B membership in the Association shall be required to amend the Declaration and that the Declaration may be amended by filing of a recorded instrument executed by the Association; and

WHEREAS, Class B membership in the Association exists and NCH Building Systems, L.C., a Texas limited liability company (the "Declarant"), the current Declarant under the Declaration has at least seventy-five percent (75%) of the combined total votes of Class A and Class B membership in the Association and the Declarant desires to amend the Declaration as herein set out; and

WHEREAS, the Association desires to amend the Declaration as herein set out.

NOW, THEREFORE, in consideration of the recital set forth above, and for other good and valuable consideration, the receipt and sufficiency which is hereby acknowledged, the Association, with the approval and consent of the Declarant, does hereby amend the Declaration as follows:

1. Article VII, Section Q is deleted in its entirety and replaced with the following:

Q. Docks, Decks, Piers and Other Structures

No docks, decks, piers, or other structures shall be constructed on or over any body of water or on or over the Common Areas within Parklake Village (the "Common Area Improvements") without the prior written approval of the ARC as provided herein. The Common Area Improvements should be constructed of wood material or other materials approved by the ARC. Approved Common Area

551-31-1474

Improvements shall be constructed by third party contractors with insurance policies that are acceptable to the Association. Approved docks may protrude a maximum of fifteen feet (15') past the shoreline and shall be limited to a height of one hundred feet (100') above sea level which may be as little as two feet (2') above the average height of the lake. Approved docks shall not exceed a total of one hundred fifty (150) square feet. Common Area Improvements must be located behind the front building setback line of the Owner's Lot. No more than one (1) ARC approved dock per Lot and one (1) ARC approved deck per Lot within the Common Areas will be permitted. Except as set forth above, the ARC must approve, in writing, of the height and size of the Common Area Improvements.

Owners of property that abut a lake, pond or other body of water are hereby expressly granted an easement appurtenant for the construction of an approved Common Area Improvement as provided for herein.

All Common Area Improvements, if any, shall be built and maintained at the risk and liability of the Owner. By constructing an approved Common Area Improvement, Owner agrees that it shall be responsible for all injuries and/or property damage caused by the existence of such improvement, whether such injuries and/or property damages is or is not caused by the negligence of the Owner or his family, employees, invitees or agents and shall hold the Association, its officers and directors harmless from any liability in connection with such improvement. Owners shall be responsible for maintaining their Common Area Improvements in accordance with these restrictions.

2. The first two (2) paragraphs in Article VII, Section S(4) of the Declaration are deleted in their entirety and replaced as follows:

The Association is hereby granted an easement to place, maintain and repair a monument or marker at any entrance to Parklake Village.

All fencing installed on the portion of lake front Lots which fronts the lake shall be wrought iron and shall be in a location and of a material and design as required by the Building Guidelines, this section, and as approved by the ARC. Wrought iron fencing along the rear and side property line of lake front lots may extend over the boundary line of such lot and into the Common Areas as long as the location of the wrought iron fencing has received the prior written approval of the

APPROVED AND CONSENTED TO:

DECLARANT:

NCH BUILDING SYSTEMS, L.C., a Texas limited liability company

for

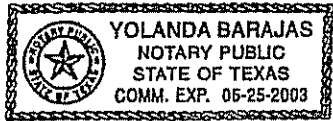
By: *Fadi A. Semaan*
Fadi A. Semaan, Manager

THE STATE OF TEXAS

COUNTY OF HARRIS

2002

This instrument was acknowledged before me on the 24th day of April, 2002, by Fadi Semaan, Manager of NCH BUILDING SYSTEMS, L.C., a Texas limited liability company, on behalf of said entity.



Yolanda Barajas
NOTARY PUBLIC, State of Texas

FILE FOR RECORD
8:00 AM

APR 26 2002

Dorely B. Kayneal
County Clerk, Harris County, Texas

AFTER RECORDING, RETURN TO:

Mark K. Knop
HOOVER SLOVACEK LLP
5847 San Felipe, Suite 2200
Houston, Texas 77057
File No. 122096-04

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS REVOID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in the Public Records 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

APR 26 2002



Dorely B. Kayneal
COUNTY CLERK
HARRIS COUNTY, TEXAS

551-31-1472