

SUPPLEMENTAL DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR

LOTS ONE (1) THROUGH ELEVEN (11), BLOCK ONE (1), AND
LOTS TWELVE (12) THROUGH FOURTEEN (14), BLOCK TWO (2), CLUB POINT,
A PARTIAL REPLAT OF PINEHURST OF ATASCOCITA, SECTION THREE (3)

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS SUPPLEMENTAL DECLARATION is made on the date set forth below by COMPANEROS DEVELOPMENT COMPANY, INC., a Texas corporation, hereinafter referred to as "Declarant".

W I T N E S S E T H:

WHEREAS, JOHNSON-LOGGINS, INC., as Declarant, caused that certain instrument entitled "Supplemental Declaration of Covenants and Restrictions for Reserve I, Block 12, out of Pinehurst of Atascocita, Section Three (3)" (hereinafter referred to as "the Prior Supplemental Declaration"), to be recorded on or about the 13th day of July, 1978, in the Real Property Records of Harris County, Texas, under Clerk's File No. F679197, which instrument subjected the properties described therein to various covenants, conditions and restrictions governing the use and occupancy of the properties; and

WHEREAS, Article III, Section 3, of the Prior Supplemental Declaration provides that additional lands may become subject to the uniform plan or scheme of development established by the provisions of such Prior Supplemental Declaration by filing a Supplemental Declaration of Covenants and Restrictions, approved by the Board of Trustees of Atascocita Community Improvement Association, Inc. ("the Association"), in the Real Property Records of Harris County, Texas; and

WHEREAS, Declarant is the owner of Lots One (1) through Eleven (11), Block One (1), and Lots Twelve (12) through Fourteen (14), Block Two (2), in CLUB POINT, a residential subdivision in Harris County, Texas, according to the Map or Plat thereof recorded in Volume 346, Page 24, of the Map Records of Harris County, Texas, such property consisting of 3.7178 acres, more or less, in the John Hams Survey, Abstract

No. 479, and being a partial replat of Pinehurst of Atascocita, Section Three (3), a subdivision in Harris County, Texas, according to the Map or Plat thereof recorded in Volume 216, Page 36, of the Map Records of Harris County, Texas (such tract being hereinafter referred to as "the Additional Property"); and

WHEREAS, Declarant desires to add the Additional Property to the uniform plan or scheme of development established by the Prior Supplemental Declaration and to subject the Additional Property to the jurisdiction of the Association; and

WHEREAS, the Board of Trustees of the Association and Park Tower National Bank, lienholder, have, by execution of this instrument, approved this Supplemental Declaration of Covenants, Conditions and Restrictions for Lots One (1) through Eleven (11), Block One (1) and Lots Twelve (12) through Fourteen (14), Block Two (2), Club Point, a partial replat of Pinehurst of Atascocita, Section Three (3), and agreed to add the Additional Property to the uniform plan or scheme of development established by the Prior Supplemental Declaration;

NOW THEREFORE, Declarant, with the consent of the Board of Trustees of the Association and Park Tower National Bank, declares that the Additional Property is and shall be held, transferred, sold, conveyed, occupied and enjoyed subject to the covenants, restrictions, easements, charges and liens set forth in the Prior Supplemental Declaration, recorded under Clerk's File No. F679197 of the Real Property Records of Harris County, Texas, subject to the following:

1. The Subdivision Plat for the Additional Property is recorded in Volume 346, Page 24, of the Map Records of Harris County, Texas. All of the provisions set forth in Article II of the Prior Supplemental Declaration shall be applicable to the Additional Property as if the definition of "Subdivision Plat" in such Prior Supplemental Declaration included the Subdivision Plat for the Additional Property.
2. Declarant shall be a Class A Member for purposes of voting rights under Article IV, Section 5, of the Prior Supplemental Declaration; provided, however, that Declarant shall be "Declarant" or a builder for purposes of maintenance assessments levied against unimproved lots under Article VI, Section 3, of such Prior Supplemental Declaration.
3. Article VIII (Architectural Control Committee) of the Prior Supplemental Declaration is modified as such Article relates to the Additional Property as follows:

Section 3. Committee Membership. The duties, rights, powers and authority of the Architectural Control Committee are vested in the Board of Trustees of the Association. The Board of Trustees of the Association shall have full right, authority and power, and shall be obligated, to perform the functions of the Architectural Control Committee as provided herein, including the right to designate a representative or representatives to act for it.

Section 4. Voting. All decisions of the Architectural Control Committee shall be based upon a majority vote.

Section 5. Minimum Construction Standards. The Architectural Control Committee has established Architectural Guidelines with respect to the type, location, color and quality of improvements which may be permitted on Lots. All improvements on Lots within the Additional Property shall be constructed in accordance with these Architectural Guidelines. The Architectural Control Committee may from time to time promulgate additional Architectural Guidelines relating to improvements on lots and/or modify the existing Architectural Guidelines.

Section 7. Construction Requirements.

- (e) Each kitchen in each residential structure situated on any Lot shall be equipped with a garbage disposal unit, which garbage disposal unit shall at all times be kept in a serviceable condition.
- (f) The front of each Lot shall be landscaped and sodded at the time the residential structure is being completed and before occupancy.
- (g) All structures situated on any Lot shall have composition shingles of a minimum weight of 290 lbs.

Section 9. Building Location. No structure shall be located on any Lot between the building setback lines shown on the Subdivision Plat or as provided immediately hereinafter and the street. There is hereby created along and inside the front Lot line of each Lot a twenty (20) foot building setback line. No building shall be located nearer than five (5) feet to any interior Lot line. No building nor any part thereof shall be located on any Lot nearer than twenty-five (25) feet to the rear Lot line, unless otherwise approved in writing by the Architectural Control Committee. No patio, deck, terrace or other similar open porch, swimming pool, or structure of any kind, or any artificially surfaced area shall be located nearer than fifteen (15) feet from the rear Lot line. For the purposes of this Section, eaves, steps and open porches shall not be considered as a part of the building; provided, however, that the foregoing shall not be construed to permit any portion of a building on any Lot to encroach upon another Lot or upon any easement as shown on the Subdivision Plat or provided for herein, or created hereafter pursuant to the authority contained therein. For the purposes of this Supplemental Declaration, the front Lot line of each Lot shall coincide with and be the property line having the smallest or shortest dimension abutting a street. Unless otherwise approved in writing by the Architectural Control Committee, each main residence building will face the front of the Lot, and each detached garage will be provided with a driveway access from the front of the Lot; provided that such access may be from the front or side of corner Lots (as defined herein).

Without limiting the authority granted in Section 1 of this Article VIII, the Architectural Control Committee shall have absolute discretion to determine the orientation and location of the front elevation of the residential structure with respect to the front building setback line, and may require, in its sole discretion, that such front elevation be situated on or a specified distance behind such front building setback line.

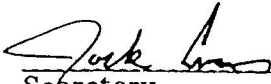
All other provisions set forth in Article VIII of the Prior Supplemental Declaration than those referred to above shall be fully applicable to the Additional Property.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, the Board of Trustees of the Association and the lienholder, have executed this Supplemental Declaration on the _____ day of _____, 1990, to become effective upon recording in the Real Property Records of Harris County, Texas.

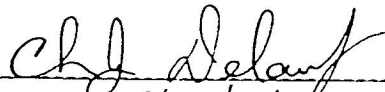
COMPANEROS DEVELOPMENT COMPANY,
INC.

By: 
Print Name: DAVID A. CANNOCK
Its: PRESIDENT

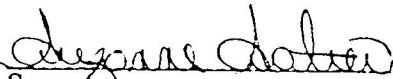
Attest:


Secretary

PARK TOWER NATIONAL BANK

By: 
Print Name: Christopher J. Delaup
Its: Vice President

Attest:


Secretary

Robert J. [Signature], Member
Board of Trustees, Atascocita Community
Improvement Association

Andrew E. Holloway, Member
Board of Trustees, Atascocita Community
Improvement Association

William E. [Signature], Member
Board of Trustees, Atascocita Community
Improvement Association

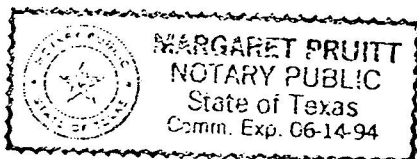
W. J. [Signature], Member
Board of Trustees, Atascocita Community
Improvement Association

John K. [Signature], Member
Board of Trustees, Atascocita Community
Improvement Association

THE STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared David A. Cannon, President of Campaneros Development Company, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 17th day of September, 1990.



Margaret Pruitt
Notary Public in and for the State of Texas

THE STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared CHRISTOPHER J. DELAUF, VICE PRES of Park Towner National Bank, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 12 day of September, 1990.



SHIRLEY HAMMONDS
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES 4-20-91

Shirley Hammonds
Notary Public in and for the State of Texas

THE STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared _____, a member of the Board of Trustees of Atascocita Community Improvement Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the _____ day of _____, 1990.

Notary Public in and for the State of Texas

THE STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared _____, a member of the Board of Trustees of Atascocita Community Improvement Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the _____ day of _____, 1990.

Notary Public in and for the State of Texas-