

SUPPLEMENTAL DECLARATION

500-66-0016

OF COVENANTS, CONDITIONS AND RESTRICTIONSFOR

08/19/74 0020-813 5017564 \$ 14.00

ESTATES OF PINEHURST, BEING 5.204 ACRES OF LAND IN THE
JOHN HAMS SURVEY, ABSTRACT 479, AND BEING ALL OF
RESERVE "H," IN BLOCK 8, OF PINEHURST OF ATASCOCITA,
SECTION THREE, AS RECORDED IN VOLUME 216, PAGE 36 OF THE
HARRIS COUNTY MAP RECORDS, HARRIS COUNTY, TEXAS

THE STATE OF TEXAS §

COUNTY OF HARRIS §

THIS SUPPLEMENTAL DECLARATION is made on the date set forth below
by HOLLEY-GUNIGANTI ATASCOCITA, LTD., a Texas Limited Partnership
(hereinafter referred to as "Declarant").

WITNESSETH:

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WHEREAS, JOHNSON-LOGGINS, INC. 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 Harris County
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 Eight (8), in the Estates of Pinehurst, a residential subdivision in Harris County, Texas, according to the map or plat thereof recorded under Harris County Clerk's File No. R003368 in the Real Property Records of Harris County, Texas, such property consisting of 5.204 acres of land in the John Iiams Survey, Abstract No. 479, and being all of Reserve "H" in Block Eight (8), 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 have, by execution of this instrument, approved this Supplemental Declaration of Covenants, Conditions and Restrictions for the Additional Property, 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, 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 Harris County Clerk's File No. F679197 in the Real Property Records of Harris County, Texas, subject to the following:

1. The Subdivision Plat for the Additional Property is recorded under Harris County Clerk's File No. R003368 in the Real Property 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, (Voting Rights) of the Prior Supplemental Declaration; provided, however, that Declarant shall be a "builder" for purposes of maintenance assessments levied against unimproved Lots under Article VI, Section 3 (Annual Assessments of Unimproved Lots Owned by Declarant or Builders) 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 by adding the paragraphs as follows:

Section 1. Approval of Plans.

The architectural control authority for the initial build-out of any residence and/or building on a Lot in the Additional Property shall be vested in Ronald R. Holley, or his designee, on behalf of Declarant; provided, however, all construction must be in accordance with the color schemes as promulgated by the Architectural Control Committee Guidelines. All construction or modification on any Lot in such Additional Property subsequent to the initial residential construction on any such Lot shall be vested in the Architectural Control Committee.

Section 10. Walls, Fences and Hedges.

Owners of Lots 4 through 8 of such Additional Property are permitted to erect only standard ornamental metal fencing up to six (6) feet in height on such portions of their lot lines, including interior lot lines that are adjoining or adjacent to any portion of the golf course.

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.

By Resolution of the Board of Trustees of the Association at a meeting held on August 10, 1994, and recorded in the minutes of the meeting thereof, authority to sign the Consent of the Board of Trustees on behalf of the Association has been vested in the President of such Association.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein has executed this Supplemental Declaration on the 16th day of August, 1994, to become effective upon recording in the Real Property Records of Harris County, Texas.

HOLLEY-GUNIGANTI ATASCOCITA, LTD.,
a Texas Limited Partnership

BY: D.R.E. CORP.,
a Texas Corporation

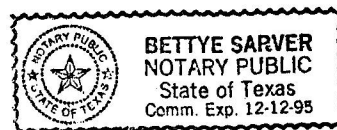
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BY: *Ronald Holley*
RONALD HOLLEY, President

STATE OF TEXAS §
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COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared RONALD HOLLEY, President of D.R.E. CORP., a Texas Corporation, the General Partner of HOLLEY-GUNIGANTI ATASCOCITA, LTD., a Texas Limited Partnership, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said limited partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 16th day of August, 1994.



Bettye Sarver
NOTARY PUBLIC SIGNATURE

CONSENT OF BOARD OF TRUSTEES OF THE ASSOCIATION:

The President of the Association, on behalf of the Board of Trustees of the Association has executed this Supplemental Declaration to evidence the approval of Declarant's election to bring the Additional Property within the scheme of the Declaration under the authority contained in Article III, Section 3 of the Declaration.

IN WITNESS WHEREOF, the undersigned, President of the Association, on behalf of the Members of the Board of Trustees of the Association has executed this Supplemental Declaration on this 17th day of August, 1994.

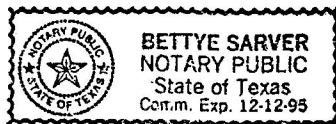

 CORNELIUS M. ROBINSON, III,
 President/Trustee

THE STATE OF TEXAS §

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared CORNELIUS M. ROBINSON, III, President/Trustee, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacities therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 17th day of August, 1994.



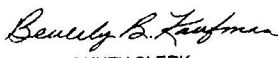

 NOTARY PUBLIC SIGNATURE

RETURN TO: FIRST AMERICAN TITLE
 1387 KINGWOOD DRIVE
 KINGWOOD, TEXAS 77339

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
 THE STATE OF TEXAS }
 COUNTY OF HARRIS }
 I hereby certify that this instrument was FILED in File Number _____
 Sequence 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

AUG 18 1994




 COUNTY CLERK
 HARRIS COUNTY, TEXAS

FILED
 94 AUG 18 PM 3:05
 COUNTY CLERK
 HARRIS COUNTY, TEXAS
