

CF 610386-B

**SECOND AMENDMENT TO THE
DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
BARKERS CROSSING, SECTION ONE (1)**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This Second Amendment to the Declaration of Covenants, Conditions and Restrictions of Barkers Crossing, Section One (1), is made effective on the date hereinafter set forth by **WOODMERE DEVELOPMENT CO., LTD.**, a Texas limited partnership, hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant is the record owner of at least ninety percent (90%) of the lots in that certain tract or parcel of real property which has been platted as **BARKERS CROSSING, SECTION ONE (1)**, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Film Code Number 601129 of the Map Records of Harris County, Texas.

WHEREAS, by instrument entitled Declaration of Covenants, Conditions and Restrictions of Barkers Crossing, Section One (1), dated June 21, 2006, Declarant imposed certain restrictions, covenants, conditions, stipulations and reservations upon all of the Lots in Barkers Crossing, Section One (1), which original Declaration was filed for record in the Office of the County Clerk of Harris County, Texas, under Clerk's File No. Z420917 (Film Code No. 024-11-1377); and,

WHEREAS, Declarant has determined that the uniform plan for the development, improvement and sale of the Properties should be partially amended, as hereinafter provided, and that the original Declaration as described in the immediately preceding paragraph should be, and the same is hereby amended only in the particulars herein specifically set forth; and,

WHEREAS, Article IX, Section 9.1 of the Declaration allows for the amendment of the Declaration, in whole or in part, by recordation of an instrument setting forth such changes in the Official Public Records of Harris County, Texas, which has been signed by ninety percent (90%) of the then owners of the Lots.

NOW, THEREFORE, Declarant, being the present record owner of at least ninety percent (90%) of the Lots, hereby amends in part the Declaration of Covenants, Conditions and Restrictions filed for record in the Office of the County Clerk of Harris County, Texas, under Clerk's File No. Z420917 (Film Code No. 024-11-1377), as follows:

Article III, Section 3.1(a) shall be deleted in its entirety and replaced with the following:

"3.1(a) Outbuildings and Play Structures. Provided the express written consent of the Architectural Control Committee is secured prior to installation and placement on a Lot, one (1) lawn storage building (limited to a maximum height of eight (8) feet from the ground to its highest point) and/or one (1) children's playhouse, play fort or swing set (limited to a maximum height of twelve (12) feet from the ground to its highest point),

may be placed on a Lot. In no case can the outbuilding be permanently placed in a utility easement.

Article III, Section 3.9 shall be deleted in its entirety and replaced with the following:

“3.9 Playhouses or Other Amenity Structures. Playhouse or fort style structures and any other type of swing-set or playground equipment are limited to a maximum overall height of twelve (12) feet from the ground to their highest point. This equipment shall at all times be attractively maintained and in good working order. Additionally, playground equipment or amenity structures of any type are permitted only when the specific Lot involved is completely enclosed by fences in accordance with Section 3.13.

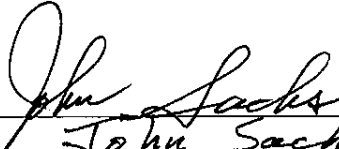
Except as herein specifically provided, the Declaration of Covenants, Conditions and Restrictions for Barkers Crossing, Section One (1) is not affected or modified hereby, and each and every term and provision of said Declaration not specifically herein amended is hereby ratified and confirmed as being in full force and effect.

EXECUTED this 25th day of October, 2006.

DECLARANT:

WOODMERE DEVELOPMENT CO., LTD., a
Texas limited partnership

BY: WOODMERE GP, LLC., a Texas limited
liability company, its General Partner

By: 
Name: John Sachs
Title: Manager

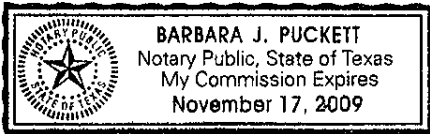
THE STATE OF TEXAS

§
§
§

COUNTY OF HARRIS

This instrument was acknowledged before me on the 25th day of October, 2006, by John Sachs, Manager of WOODMERE DEVELOPMENT CO., LTD., a Texas limited partnership, by Woodmere GP, LLC, a Texas limited liability company, its General Partner.

Barbara J. Puckett
Notary Public – State of Texas



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 time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County Texas on:

MAR 22 2007



Carolly B. Kaufman
COUNTY CLERK
HARRIS COUNTY, TEXAS

Carolly B. Kaufman
COUNTY CLERK
HARRIS COUNTY, TEXAS

2007 MAR 22 AM 11:01

FILED

AFTER RECORDING RETURN TO:
FIRST GENERAL REALTY COMPANY
10375 Richmond Ave., Suite 750
Houston, TX 77042

ACT
AMERICAN TITLE COMPANY
of Houston
15915 KATY FREEWAY, SUITE 405
HOUSTON, TEXAS 77094