

Amend

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AMENDMENT TO RESTRICTIONS FOR MARYWOOD SECTION ONE (1)

Whereas MARYWOOD, SECTION ONE (1) is a subdivision of a tract of land containing 7.6727 acres out of the Joel Wheaton Survey, Abstract No. 80 in Harris County, Texas, according to the map or plat thereof recorded under Harris County Clerk's File No. R218054, in the real property records of Harris County, Texas (the Subdivision), and

Whereas, on or about September 26, 1995, restrictive covenants for the Subdivision were executed by the WOODWAY II CORPORATION, MARY K KICKERILLO TRUSTEE and KELLIWOOD LAKES DEVELOPMENT COMPANY, the developer and owners of the Subdivision as Declarants, said restrictive covenants being subsequently recorded on October 3, 1995 at Clerk's File No. R606659 of the Harris County real property records (the Restrictions), and

Whereas, Kickerillo Development Company, a Texas corporation, is successor by merger to Woodway II Corporation and Kelliwood Lakes Development Company, and

Whereas, by virtue of Article IX, Section 3 of the Restrictions, the Declarants are given the power to "for a period of (10) ten years from the date of this Declaration, without the joinder or consent of any other party, to amend this Declaration by an instrument in writing duly signed by Declarants only, acknowledged and filed for record.", and

Whereas, the Undersigned are Declarants, or successor to the Declarants, who desire to alter, amend and change the Restrictions in the following respects: to add Subsection (D) to Article III, Section 3 which shall allow the Directors of Marywood Homeowners Association to temporarily suspend the assessments against the Lots in the Subdivision, without limiting their right to reimpose and increase the assessments,

Now therefore, the Undersigned, being the Declarants or successor to the Declarants in Marywood Section One (1) Subdivision, hereby adopt the following covenant and restriction, which shall be taken and deemed as a covenant to run with the land and to be binding upon all parties and persons now or hereafter owning property in Marywood Section One (1) Subdivision, and as an alteration, amendment and/or change to the Restrictions, by adding Subsection D to Article III, Section 3, the text of which is set forth below, to wit:

(D) In the event the Directors shall determine, in their sole discretion, that the Association has sufficient funds to allow the full or partial suspension of annual assessments, the Directors shall so notify the Owners. During such period of full or partial suspension of annual assessments, the ten percent (10%) annual increase in assessments as provided and allowed in subsection A immediately above, shall continue to accrue and be cumulative. At

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Beverly B. Keeferson
COUNTY CLERK
HARRIS COUNTY, TEXAS

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such time as the Directors, in their sole discretion, determine that the annual assessments should be reimposed, the amount of such annual assessments shall be limited to the amount of the annual assessment for the year immediately prior to the period of suspension, plus ten percent (10%) per year for each year of the suspension period.

Executed as of the dates of our respective acknowledgements below.

DECLARANTS

KICKERILLO BUILDING COMPANY, successor by merger to WOODWAY II CORPORATION and KELLIWOOD LAKES DEVELOPMENT COMPANY

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Thomas H. McQuilling
Thomas H. McQuilling
Executive Vice President

Mary K Kickerillo, Trustee
Mary K Kickerillo, Trustee under
Trust Agreement dated September 15, 1986

THE STATE OF TEXAS]
COUNTY OF HARRIS]

This instrument was acknowledged before me on this the 6 day of June, 2002, by Thomas H. McQuilling, Executive Vice President of Kickerillo Building Company, a Texas corporation, successor by merger to Woodway II Corporation and Kelliwood Lakes Development Company.

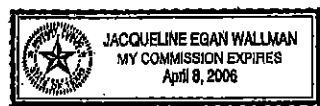
Jacqueline Egan Wallman
Notary Public, State of Texas
Printed Name: Jacqueline Egan Wallman
Commission Expires: 4/8/2006



THE STATE OF TEXAS]
COUNTY OF HARRIS]

This instrument was acknowledged before me on this the 6th day of June, 2002, by Mary K Kickerillo, Trustee under Trust Agreement dated September 15, 1986.

Jacqueline Egan Wallman
Notary Public, State of Texas



AFTER RECORDING RETURN TO:
LAW & SMITH, P.C.
1415 Louisiana, Suite 1415
Houston, Texas 77002

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 herein by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas on

JUN 17 2002



Bonny L. Kayman
COUNTY CLERK
HARRIS COUNTY, TEXAS