

R042283

SUPPLEMENTAL DECLARATION

500-88-2893

FOR

09/06/94 00000783 R042283 \$ 16.00

RESTRICTED RESERVES "A" AND "B"  
TWIN LAKES, SECTION THREE

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, by instrument designated as the "Declaration of Covenants, Conditions and Restrictions For Twin Lakes, Section One", executed by Oakreal Corporation, as Declarant, and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File No. M-249843, and refiled under County Clerk's File Nos. M-259977, M-350960 and N-082649, (said instrument as corrected and refiled being hereinafter referred to as "the Declaration"), that certain tract and parcel of land described therein and known as TWIN LAKES, SECTION ONE (hereinafter referred to as "Section One"), was encumbered and subjected to certain easements, covenants, restrictions, conditions and charges described in the Declaration, reference to which is hereby made for a more particular description thereof and for all other pertinent purposes; and

WHEREAS, Section 6 (Annexation) of Article IX (General Provisions) of the Declaration provides that additional land within the area described in Exhibit "A" attached to the Declaration may be annexed from time to time by the Declarant, Oakreal Corporation, its successors or assigns, without the consent of other Owners (as defined in the Declaration), or their mortgagees, within ten (10) years of the date of recording of the Declaration; and

WHEREAS, by instrument designated as the "Supplemental Declaration for Twin Lakes, Section Two" and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File No. N-168846, certain additional property within the area described in Exhibit "A" attached to the Declaration, specifically Twin Lakes, Section Two, being a 19.7277 acre subdivision located in Harris County, Texas, according to the map of said subdivision recorded in Film Code

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No. 349028 of the Map Records of Harris County, Texas (hereinafter referred to as "Section Two") was annexed to "Section One" under and pursuant to the provisions of Section 6 of Article IX of the Declaration and submitted and subjected to the easements, restrictions, covenants, conditions and charges contained in the Declaration and submitted to the jurisdiction of Twin Lakes Homeowners Association, Inc. (hereinafter referred to as the "Association"), with the same force and effect as if "Section Two" had been originally included in the Declaration as part of the original development; and

WHEREAS, by instrument designated as the "Supplemental Declaration for Twin Lakes, Section Three" and recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File No. N-865354, certain additional property within the area described in Exhibit "A" attached to the Declaration, specifically Twin Lakes, Section Three, being a Subdivision located in Harris County, Texas, according to the map of said subdivision recorded in Film Code No. 352012 of the Map Records of Harris County, Texas, SAVE AND EXCEPT Restricted Reserve "A" (13.8037 acres) and Restricted Reserve "B" (0.5354 acre) (hereinafter referred to as "Section Three") was annexed to "Section One and Section Two" under and pursuant to the provisions of Section 6 of Article IX of the Declaration and submitted and subjected to the easements, restrictions, covenants, conditions and charges contained in the Declaration and submitted to the jurisdiction of the Association, with the same force and effect as if "Section Three" had been originally included in the Declaration as part of the original development; and

WHEREAS, at the time of the "Supplemental Declaration for Twin Lakes, Section Three" referenced above, Restricted Reserve "A" and Restricted Reserve "B" as delineated and defined on the recorded map of Twin Lakes, Section Three, referenced above, were excluded from the annexation and thereby from the description and definition of Common Properties as established by the Declaration, in the same manner as in Article I, Section 7 of the

Declaration in which Restricted Reserve "C", the detention and sedimentation pond portion of "Section One," was likewise excluded from the description and definition of Common Properties; and

WHEREAS, the exclusion of Restricted Reserve "A" and Restricted Reserve "B" of Section Three from the "Supplemental Declaration for Twin Lakes, Section Three" was effected to accommodate contemplated Harris County Municipal Utility District No. 255 ("HCMUD 255") requirements that title to Restricted "A" and Restricted "B" of Section Three be transferred and conveyed in fee simple to HCMUD 255 and subjected to documentation (x) creating easements or similar rights in favor of Harris County Flood Control District ("HCFCD") thereon and (y) creating covenants, obligations and provisions for maintenance and repair of Restricted Reserve "A" and Restricted Reserve "B" of Twin Lakes, Section Three, referenced above, to the extent of and as required by HCFCD, HCMUD 255 or any other entity or authority with jurisdiction over same; and

WHEREAS, the policy of HCMUD 255 has now changed with reference to required ownership of Restricted Reserve "A" and Restricted Reserve "B" of Twin Lakes, Section Three, referenced above, thereby accommodating the inclusion and annexation of Restricted Reserve "A" and Restricted Reserve "B" of Twin Lakes, Section Three, referenced above, into and as part of the Common Properties as defined in the Declaration; and

WHEREAS, Oakreal Corporation, a Texas corporation, is the owner of:

Restricted Reserves "A" and "B", TWIN LAKES, SECTION THREE, a Subdivision in Harris County, Texas, according to the map or plat of said subdivision recorded under Film Code No. 352012 of the Map Records of Harris County, Texas,

which Restricted Reserves "A" and "B" are within the area described in Exhibit "A" attached to the Declaration and shall hereinafter be referred to as the "Additional Reserves"; and

WHEREAS, Oakreal Corporation, as the owner of the "Additional Reserves", desires to annex said "Additional Reserves" to "Section One", "Section Two" and "Section Three"

and to extend and include to said "Additional Reserves" by such annexation all the easements, covenants and conditions, restrictions, charges and all other applicable provisions of the Declaration applicable to the Common Properties.

NOW, THEREFORE, OAKREAL CORPORATION, acting herein by and through its duly authorized officers, hereby annexes said "Additional Reserves" to said "Section One", "Section Two" and "Section Three" under and pursuant to the provisions of Section 6 of Article IX of the Declaration, and declares that the "Additional Reserves" shall be held and maintained as Common Properties under and subject to the applicable easements, restrictions, covenants, conditions and charges contained in the Declaration, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of "Section One", "Section Two", Section Three and subsequent sections annexed under the provisions of the Declaration. The "Additional Reserves" are hereby submitted to the jurisdiction of the Association, with the same force and effect as if the "Additional Reserves" were originally included in the Declaration as a part of the original development. The easements, covenants, restrictions, conditions and charges applicable to Common Properties under the Declaration shall be binding upon all parties having or acquiring any right, title or interest in said "Additional Reserves", or any part thereof, and shall inure to the benefit of each Owner thereof (as defined in the Declaration). The Declaration is amended to the extent that (i) any specific reference to "Section One", the "Property" or the "Properties" shall also refer to and include the "Additional Reserves", wherever and whenever applicable, (ii) any specific reference to "Common Properties" shall also refer to and include Restricted Reserve "A" and Restricted Reserve "B" as delineated and defined on the recorded map of TWIN LAKES, SECTION THREE, referenced above, and (iii) any specific reference to "Common Facilities" shall also refer to and include all improvements existing and subsequently provided by Declarant or the Association on, in or about the "Additional Reserves" for the

purpose of maintenance and care of and enhancing and/or preserving the natural beauty and aesthetic quality thereof.

In addition, the recorded map of TWIN LAKES, SECTION THREE, referenced above, establishes certain dedications, limitations, reservations and restrictions applicable to the "Additional Reserves" and each of such dedications, limitations, restrictions and reservations are incorporated herein by reference and made a part hereof as if fully set forth herein, and shall be construed as being adopted in each and every contract, deed or conveyance executed or to be executed by or on behalf of Declarant, Oakreal Corporation, its successors and assigns, conveying said property or any part thereof.

The undersigned TWIN LAKES HOMEOWNERS ASSOCIATION, INC. joins in the execution of this instrument for the purpose of evidencing its consent and agreement to the annexation of the "Additional Reserves" as Common Properties and the establishment of the easements, restrictions, covenants, conditions and charges contained in the Declaration as applicable to Common Properties covering the "Additional Reserves".

IN WITNESS WHEREOF, the undersigned parties have hereunto set their hands and seals this 26 day of August, A. D., 1994.

ATTEST:

*Nancy Baraban*  
Name: Nancy Baraban  
Title: Secretary

OAKREAL CORPORATION, a Texas  
corporation

BY: *Robert L. Farrar, Jr.*  
Robert L. Farrar, Jr.  
Vice President

ATTEST:

*Cecil L. Holley*  
Cecil L. Holley,  
Secretary

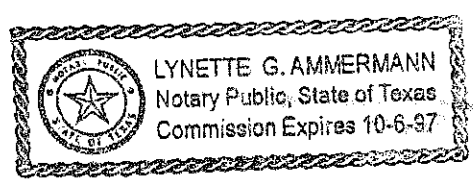
TWIN LAKES HOMEOWNERS  
ASSOCIATION, INC., a Texas  
non-profit corporation

BY: *Robert L. Farrar, Jr.*  
Robert L. Farrar, Jr.  
President

THE STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me this 26 day of August, A. D., 1994, by Robert L. Farrar, Jr., Vice President of OAKREAL CORPORATION, a Texas corporation, on behalf of said corporation.

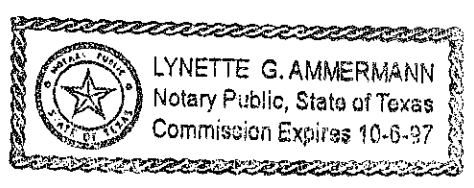


*Lynette G. Ammermann*  
Notary Public - State of Texas

THE STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me this 26 day of August, A. D., 1994, by Robert L. Farrar, Jr., President of TWIN LAKES HOMEOWNERS ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said corporation.



*Lynette G. Ammermann*  
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 the time stamped hereon by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas on

SEP 6 1994



*Beaully B. Kaufman*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

VA: SUP42061.RES1

AFTER RECORDING RETURN TO:  
WALSH, WHITE & TOMPKINS  
800 Bering Drive, Suite 401  
Houston, Texas 77057  
Attn: H. Wayne White

FILED  
94 SEP -6 AM 9:59  
*Beaully B. Kaufman*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS