

45-04-1554

Amend
20
y

01/26/05 Y218242 30033093

436.00

FIRST AMENDMENT TO
SUPPLEMENTAL DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
REMINGTON RANCH, SECTION SIX (6)

lee

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

WHEREAS, KB Home Lone Star LP and RR Houston Development, L.P., Declarants, caused that certain instrument entitled "Declaration of Covenants, Conditions and Restrictions for Remington Ranch" (the "Declaration") to be recorded in the Official Public Records of Real Property of Harris County on September 17, 2004 under Clerk's File No. X927202, which Declaration imposes various covenants, conditions and restrictions upon the real property described in Exhibit "A" attached to the Declaration, including the land subsequently platted as Remington Ranch, Section Six (6); and

WHEREAS, Declarants caused that certain instrument entitled "Supplemental Declaration of Covenants, Conditions and Restrictions for Remington Ranch, Section Six (6)" (the "Supplemental Declaration") to be recorded in the Official Public Records of Real Property of Harris County, Texas on December 22, 2004, under Clerk's File No. Y144952, which Supplemental Declaration imposes additional covenants, conditions and restrictions upon the land comprising Remington Ranch, Section Six (6); and

WHEREAS, Article VIII, Section 8.5, of the Declaration grants to Declarants the authority to amend a supplemental declaration at any time within five (5) years of the date the supplemental declaration is recorded, without the joinder or consent of any other party, for the purpose of clarifying or resolving any ambiguities or conflicts or correcting any inadvertent misstatements, errors or omissions; and

WHEREAS, Declarants discovered subsequent to the date the Supplemental Declaration was recorded an inadvertent mistake in one (1) of the provisions thereof;

Hold Texas America

NOW, THEREFORE, Declarants hereby amend the Supplemental Declaration for the purpose of correcting an inadvertent mistake as follows:

Article II, Section E (Location of Improvements - Setbacks), of the Supplemental Declaration is hereby amended to read:

E. LOCATION OF IMPROVEMENTS - SETBACKS. No Residential Dwelling, garage or Improvement other than approved fencing and/or landscaping on any Lot in Remington Ranch, Section Six (6), shall be located nearer to the rear property line than four (4) feet. No Residential Dwelling, garage or Improvement other than approved fencing and/or landscaping on any Lot in Remington Ranch, Section Six (6), shall be located nearer to a side property line than three (3) feet, except a corner Lot in which case no Residential Dwelling, garage or Improvement other than approved fencing and/or landscaping shall be located nearer to the side property line adjacent to the side street than that shown on the Plat for Remington Ranch, Section Six (6). Notwithstanding the foregoing, the Architectural Review Committee may grant variances from these setbacks, in the manner provided in the Declaration, when, in its sole discretion, a variance is deemed necessary or appropriate.

Except as amended herein, the provisions of the Supplemental Declaration remain in full force and effect.

All capitalized terms have the same meanings as ascribed to them by the provisions of the Declaration and the Supplemental Declaration.

Executed on the date(s) set forth below, to be effective upon recording in the Official Public Records of Real Property of Harris County, Texas.

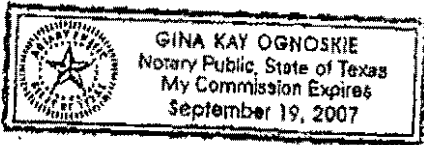
THE STATE OF TEXAS

§
§
§

COUNTY OF HARRIS

BEFORE ME, the undersigned Notary Public, on this day personally appeared J. Dickson Rogers, President of RR Houston Developers, L.L.C, 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 in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 25 day of January, 2005.



Gina Kay Ognoskie
Notary Public in and for the State of Texas

ANY PROVISION HEREIN WHICH ATTEMPTS TO AFFECT OR AFFECTS THE USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS WHOLLY AND UNENFORCEABLE UNDER FEDERAL LAW THE STATE OF TEXAS COUNTY OF HARRIS
I hereby certify that this instrument was FILED in file number 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

JAN 26 2005



Dorely B. Hayden
COUNTY CLERK
HARRIS COUNTY TEXAS

FILED
JAN 26 PM 12:52
COUNTY CLERK
HARRIS COUNTY TEXAS