

T910480

527 49 1438

FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
for
SHEPHERD TRACE
A HARRIS COUNTY SUBDIVISION

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF HARRIS § 08/16/99 300312072 T910480 \$141.50

WHEREAS, SUFFOLK, INC., a Texas corporation (the "Declarant") was the sole owner of that certain property known as Shepherd Trace, a Harris County subdivision according to the map or plat thereof recorded in Volume 278, Page 78 of the Map Records of Harris County, Texas (the "Subdivision"); and

WHEREAS, by that certain instrument entitled "Declaration of Covenants, Conditions and Restrictions", filed of record in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File No. F786720 and Film Code No. 107-94-2402 et seq. (the "Declaration") imposed on the Subdivision all those certain covenants, conditions and easements therein set forth; and

WHEREAS, Article X, Section 2 of the Declaration provide the terms of the Declaration can be amended by an instrument signed and acknowledged by the then owners of two-thirds (2/3rds) of the total number of Lots in the Subdivision, which said instrument shall be effective on the date the instrument is filed of record in the Official Public Records of Real Property of Harris County, Texas; and

WHEREAS, Texas Property Code, Section 204.008 provides several methods by which a modification of restrictions proposed by a property owner's association may be adopted; (the "Ballot(s)"); and

WHEREAS, the Subdivision is under the jurisdiction of Shepherd Trace Homeowners Association, Inc. (the "Association"); and

WHEREAS, this modification to the Declaration has been proposed by the Association as evidenced by the signature of the President of the Association; and

WHEREAS, the undersigned being the owners of at least two-thirds (2/3rds) of the total number of Lots in the Subdivision wish to amend the Declaration as set forth below.

NOW, THEREFORE, the owners of at least two-thirds (2/3rds) of the total number of Lots in the Subdivision hereby amend the Declaration as follows:

Ret
Shepherd trace
c/o RANDALL MANAGEMENT, INC. First Amendment
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11415 CHIMNEY ROCK, SUITE 208
HOUSTON, TX 77035

ANY PROVISIONS HEREIN WHICH RESTRICT THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER THE FEDERAL LAW.

A CERTIFIED COPY

ATTEST: **AUG 28 2003**
BEVERLY B. KAUFMAN, County Clerk
Harris County, Texas

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Deputy

Article VIII, Section 10 of the Declaration is hereby amended to read as follows:

Section 10. "Driveways". Unless the Committee agrees otherwise in writing, each Lot shall have driveway access to the street on which the Living Unit constructed thereon faces and shall not have driveway access to a street on which it may side. Subject to the foregoing limitation, the Owner of each Lot shall construct and maintain at his expense a driveway from his garage to an abutting street, including the portion of the street right-of-way. The garage shall not face the street on which the Living Unit fronts unless i) the Committee agrees otherwise in writing, or ii) the front of the garage is at least sixty feet (60') from the front lot line.

The amendment of the Declaration set forth above shall be deemed to be a part of and shall be interpreted in accordance with the Declaration. All provisions of the Declaration not amended hereby are hereby ratified and confirmed in each and every particular, and shall continue in full force and effect pursuant to the terms of the Declaration.

IN WITNESS WHEREOF, the undersigned, either in person or by and through their attorney-in-fact, representing the owners of at least two-thirds (2/3rds) of the total number of Lots in the Subdivision execute this instrument to be effective upon its filing of record in the Official Public Records of Real Property of Harris County, Texas.

DATED this 19th day of July, 1998. 1999 (90/10)

ATTEST:

SHEPHERD TRACE HOMEOWNERS
ASSOCIATION, INC.

By: Rosalind St. Haith
Rosalind Haith, Secretary

By: Michael Abdouch
Michael Abdouch, President and
Attorney-in-Fact for those individuals
listed in Exhibit "A"

STATE OF TEXAS §
COUNTY OF HARRIS §

Before me, a notary public, on this day personally appeared Michael Abdouch, President of Shepherd Trace Homeowners Association, Inc. and Attorney-in-Fact for those individuals listed in Exhibit "A", known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he/she executed same in the capacity and consideration therein expressed. Given under my hand and seal of office this the 19th day of July, 1998.



Sandra L. Hawkins
NOTARY PUBLIC - STATE OF TEXAS 45456

First Amendment
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ANY PROVISIONS HEREIN WHICH RESTRICT THE SALE, RENTAL
OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF
COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER
THE FEDERAL LAW.

A CERTIFIED COPY

ATTEST: AUG 28 2003
BEVERLY B. KAUFMAN, County Clerk
Harris County, Texas

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