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07/05/2012 RP1 122.00

**ANNEXATION AND SUPPLEMENTAL DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
for  
AUBURN LAKES RESERVE, SECTION FIVE (5)  
A SUBDIVISION IN HARRIS COUNTY, TEXAS**

THE STATE OF TEXAS     §  
                                   §     KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF HARRIS     §

WHEREAS, by that certain instrument entitled "Declaration of Covenants, Conditions and Restrictions for Auburn Lakes Reserve" dated October 13, 2006 and executed by Peramco, Inc., a Florida corporation ("Declarant"), which was filed of record in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File No. 20060120160 and was re-filed under County Clerk's File No. 20060162866 (the "Declaration"), Declarant did subject all of the property in:

Auburn Lakes Reserve, Section One (1), a subdivision in Harris County, Texas according to the map or plat thereof recorded under Harris County Clerk's File No. 20060087620 and Film Code No. 604294 of the Map Records of Harris County, Texas.

to those certain easements, covenants, restrictions and conditions described in the Declaration;

WHEREAS, the Declaration was amended by that certain instrument entitled "First Amendment to Declaration of Covenants, Conditions and Restrictions for Auburn Lakes Reserve" filed of record in the Official Public Records of Real Property of Harris County, Texas under County Clerk's File No. 20070234119 (the Declaration as amended hereinafter still referred to as the "Declaration");

WHEREAS, the Declaration was amended by that certain instrument entitled "Second Amendment to Declaration of Covenants, Conditions and Restrictions for Auburn Lakes Reserve" filed of record in the Official Public Records of Real Property of Harris County, Texas under County Clerk's File No. 20070613068 (the Declaration as amended hereinafter still referred to as the "Declaration");

WHEREAS, Article VIII, Section 8.3 of the Declaration entitled "**ANNEXATION**" provides:

**SECTION 8.3.     ANNEXATION.** Additional land may be annexed and subjected to the provisions of this Declaration by Declarant, without the consent of the Members, within ten (10) years

of the date that this Declaration is recorded in the Official Public Records of Real Property of Harris County, Texas. Thereafter, additional land may be annexed and subjected to the provisions of this Declaration only with the consent of not less than two-thirds (2/3) of the Members of the Association present and voting, in person or by proxy, at a meeting of the Members called for that purpose at which a quorum is present. The annexation of additional land shall be effective upon filing of record an annexation instrument in the Official Public Records of Real Property of Harris County, Texas. Provided that, no land made subject to this Declaration shall be deannexed within ten (10) years of the date this Declaration is recorded without the written consent of Declarant. Additionally, the Declarant, its successors and assigns, shall have the right to create a master association, which may include other homeowners associations and other properties (the "Master Association"), and place the Association within the jurisdiction of such Master Association.

WHEREAS, Declarant is the owner of all that certain property known as Auburn Lakes Reserve, Section Five (5), a subdivision in Harris County according to the map or plat thereof filed of record under Film Code No. 648250 of the Official Public Records of Harris County, Texas ("Auburn Lakes Reserve, Section Five (5)"); and

lll

WHEREAS, Declarant desires Auburn Lakes Reserve, Section Five (5) to be annexed into Auburn Lakes Homeowners Association, Inc. (the "Association") pursuant to the terms of Article VIII, Section 8.3 of the Declaration as evidenced by the signatures below.

NOW, THEREFORE, Auburn Lakes Reserve, Section Five (5) is hereby annexed into the jurisdiction of the Association and subjected to all those certain easements, covenants, restrictions and conditions described in the Declaration, which shall run with the Auburn Lakes Reserve, Section Five (5) and be binding on all subsequent purchasers thereof, save and except the following provisions of the Declaration, which provisions of the Declaration as to Auburn Lakes Reserve, Section Five (5), shall be amended as follows:

1. Article I, Section 1.18 of the Declaration entitled "**PLAT or PLATS**" as to Auburn Lakes Reserve, Section Five (5) is amended to include the Plat of Auburn Lakes Reserve, Section Five (5).

2. Article I, Section 1.20 of the Declaration entitled "**PROPERTIES**" as to Auburn Lakes Reserve, Section Five (5) is amended to include Auburn Lakes Reserve, Section Five (5).
3. Article I, Section 1.24 of the Declaration entitled "**SUBDIVISION**" as to Auburn Lakes Reserve, Section Five (5) is amended to include Auburn Lakes Reserve, Section Five (5).
4. Article II, Section 2.5.1 of the Declaration entitled "**LOCATION AND MATERIALS**" as to Auburn Lakes Reserve, Section Five (5) is amended to add the following text at the end thereof:

Notwithstanding anything contained in the Declaration to the contrary, Lot One (1) in Block Two (2) in Auburn Lakes Reserve, Section Five (5) will have the Subdivision Perimeter Fence located on the portion of the Lot adjacent to the right-of-way immediately adjacent to Lawson Knoll Drive.

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 for the purpose of acknowledging its consent and approval to this "Annexation and Supplemental Declaration of Covenants, Conditions and Restrictions for Auburn Lakes Reserve, Section Five (5) a Subdivision in Harris County, Texas" Declarant has executed this instrument as of the date set forth below to be effective upon filing of record in the Official Public Records of Real Property of Harris County, Texas.

**PERAMCO, INC.,**  
a Florida corporation

By:

  
\_\_\_\_\_  
Gonzalo Velazquez, Vice President

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THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

This instrument was acknowledged before me on the 25 day of October, 2012, by Gonzalo Velaachaga, Vice President of Peramco, Inc., a Florida Corporation, for the consideration and in the capacities stated therein.

Stacey Ann Patton  
Notary Public in and for the State of Texas



Return to:  
Butler | Hailey  
8901 Gaylord, Suite 100  
Houston, Texas 77024

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 THE LAWS OF THE STATE OF TEXAS.  
COUNTY OF HARRIS  
I hereby certify that this instrument was FILED in File Number            on the            day of            20           at the City of           , Texas, and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.

NOV - 5 2012



Stan Stewart  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

Stan Stewart  
COUNTY CLERK  
HARRIS COUNTY, TEXAS  
2012 NOV - 5 PM 11:12  
FILED