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**ANNEXATION AND SUPPLEMENTAL DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS**

for
**AUBURN LAKES PINES, SECTION THREE (3)
A SUBDIVISION IN HARRIS COUNTY, TEXAS**

Lee

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 Pines" dated November 7, 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. 20060180454 (the "Declaration"), Declarant did subject all of the property in Auburn Lakes Pines, Section One (1) and Auburn Lakes Pines, Section Two (2), subdivisions in Harris County, Texas, according to the maps or plats thereof recorded under County Clerk's File Nos. 20060087618 and 20060087619 of the Map Records of Harris County, Texas to those certain easements, covenants, restrictions and conditions described in 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, the Declarant is the owner of all that certain property known as Auburn Lakes Pines, Section Three (3), a subdivision in Harris County according to the map or plat thereof filed of record under Film Code No. 618221 of the Map Records of Harris County, Texas ("Auburn Lakes Pines, Section Three (3)"); and

WHEREAS, Declarant desires Auburn Lakes Pines, Section Three (3) to be annexed into Auburn Lakes Homeowners Association (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 Pines, Section Three (3) is hereby annexed into the jurisdiction of the Association and subjected to all those certain easements, covenants, restrictions and conditions described in the Declaration by virtue of this "Annexation and Supplemental Declaration of Covenants, Conditions and Restrictions for Auburn Lakes Pines, Section Three (3) a Subdivision in Harris County, Texas" ("Supplemental Declaration"), which Declaration and this Supplemental Declaration shall run with the Auburn Lakes Pines, Section Three (3) 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 Pines, Section Three (3), shall be amended as follows:

1. Article I, Section 1.16 of the Declaration entitled "**NEIGHBORHOOD**" as to Auburn Lakes Pines, Section Three (3) is amended to add a sentence to the end thereof to read as follows:

Auburn Lakes Pines, Section Three (3) is also a Neighborhood subject to this Declaration.

2. Article I, Section 1.20 of the Declaration entitled "**PROPERTIES**" as to Auburn Lakes Pines, Section Three (3) is amended to add a sentence to the end thereof to read as follows:

Auburn Lakes Pines, Section Three (3) is also defined as part of the Properties.

3. Article I, Section 1.24 of the Declaration entitled "**SUBDIVISION**" as to Auburn Lakes Pines, Section Three (3) is amended to add a sentence to the end thereof to read as follows:

Auburn Lakes Pines, Section Three (3) is also defined as part of the Subdivision.

4. Article II, Section 2.5.1 of the Declaration as to Auburn Lakes Pines, Section Three (3) is amended to read as follows:

2.5.1. LOCATION AND MATERIALS. No fence or wall shall be located nearer to the front property line of a Lot than five feet (5') behind the front of the Residential Dwelling. No fence or wall shall be located nearer to the side street adjacent to a corner Lot than the side wall of the Residential Dwelling or the front of a side entry garage, as applicable. No hedge or pergola that serves as a fence or wall shall be allowed to grow more than four feet (4') in height; provided that, all of the provisions in this Section 2.5 relating to the existence and location of a fence or wall shall be applicable to a hedge or pergola that serves as a fence or wall. Except as otherwise provided in this Section, each fence constructed on a Lot shall be a solid cedar wood fence which can be no taller than the Subdivision Perimeter Fence defined below and which must be constructed in accordance with the following specifications, as approved by the Architectural Control Committee: four inch (4") by four inch (4") treated wood or steel posts; and one inch (1") by six inch (6") number two (2) or better D. E. cedar pickets. Additionally, the fences constructed on the common property line of two (2) adjacent Lots must be of the type commonly referred to as a "Good Neighbor" fence.

The fence located on the most southerly side Lot line of Lot One (1), Block One (1) contiguous with Reserve "A" ("Subdivision Perimeter Fence") shall be built by the Builder or Owner of the Lot prior to the completion of the Residential Dwelling and thereafter maintained in accordance with Section 2.5.1. The Subdivision Perimeter Fence must be a solid wood fence, which is approximately six feet (6'), eight inches (8") in height and constructed in accordance with the following specifications: (i) four inch (4") by four inch (4") treated wood or steel posts which are apparently seven feet (7') on center, (ii) one inch (1") by six inch (6") by six foot (6') number two (2) or better D. E. cedar pickets, and (iii) topped by a two inch (2") by six inch (6") cap rail with a two inch (2") by six inch (6") rot board located at the bottom. No Owner may ever alter the Subdivision Perimeter Fence in any way.

In no event shall any fence or portion thereof be constructed of chain link or wire.

EXECUTED by the respective parties on the dates set forth below to be effective the date this document is filed of record in the Official Public Records of Real Property of Harris County, Texas.

DECLARANT:

PERAMCO, INC.,
A Florida Corporation

By: _____
Gonzalo Velaochaga, Vice President

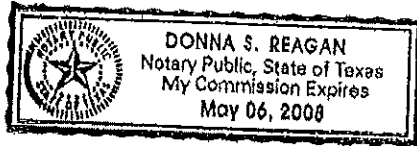
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THE STATE OF TEXAS

COUNTY OF HARRIS

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This instrument was acknowledged before me on the 23rd day of January, 2008, by Gonzalo Velaochaga, Vice President of Land Peramco, Inc., a Florida corporation, for the consideration and in the capacities stated therein.



Donna S. Reagan
Notary Public in and for the State of Texas

FILED
2008 JAN 24 AM 11:16
County Clerk
HARRIS COUNTY, TEXAS

CONSENT OF LIENHOLDER

The undersigned, being a lienholder against Auburn Lakes Pines, Section Three (3), does hereby consent and agree to the foregoing "Annexation and Supplemental Declaration of Covenants, Conditions and Restrictions for Auburn Lakes Pines, Section Three (3) a Subdivision in Harris County, Texas" to which this instrument is attached.

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RBC CENTURA BANK

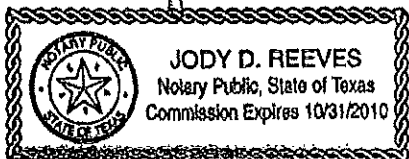
JAN. 24, 2008
Date

By: [Signature]
Name: DAVID J. BOURG
Title: Vice President

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this day personally appeared DAVID J. BOURG, Vice President of RBC Centura Bank known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 24th day of January, 2008, to certify which witness my hand and official seal.



Jody D. Reeves
Notary Public in and for the State of Texas

Return to:
Butler & Hailey, P.C.
1616 S. Voss, Suite 500
Houston, Texas 77057

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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

137616

JAN 24 2008



[Signature]
COUNTY CLERK
HARRIS COUNTY, TEXAS