

4
Annex

**ANNEXATION AND SUPPLEMENTAL DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS**
for
AUBURN LAKES RESERVE, SECTION FOUR (4)
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

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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 Four (4), a subdivision in Harris County according to the map or plat thereof filed of record under Film Code No. 643200 of the Official Public Records of Harris County, Texas ("Auburn Lakes Reserve, Section Four (4)"); and

WHEREAS, Declarant desires Auburn Lakes Reserve, Section Four (4) 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 Four (4) 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 Four (4) 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 Four (4), shall be amended as follows:

Article I, Section 1.18 of the Declaration entitled "PLAT or PLATS" as to Auburn Lakes Reserve, Section Four (4) is amended to include the Plat of Auburn Lakes Reserve, Section Four (4).

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Article I, Section 1.20 of the Declaration entitled "PROPERTIES" as to Auburn Lakes Reserve, Section Four (4) is amended to include Auburn Lakes Reserve, Section Four (4).

Article I, Section 1.24 of the Declaration entitled "SUBDIVISION" as to Auburn Lakes Reserve, Section Four (4) is amended to include Auburn Lakes Reserve, Section Four (4).

Article II, Section 2.5.1 of the Declaration entitled "LOCATION AND MATERIALS" as to Auburn Lakes Reserve, Section Four (4) is amended to add the following text at the end thereof:

Notwithstanding anything contained in the Declaration to the contrary, the Subdivision Perimeter Fence is located along the most southerly side Lot line of the following Lots in Auburn Lakes Reserve, Section Four (4):

- Lots One (1), Nine (9) and Ten (10) in Block One (1);
and
- Lots One (1), Six (6), Seven (7) and Thirteen (13) in Block Two (2).

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.

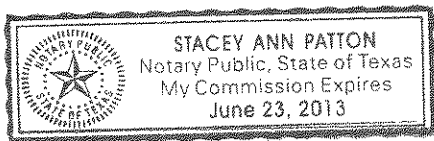
PERAMCO, INC.,
a Florida corporation

By: _____
Gonzalo Velachaga, Vice President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 21 day of December, 2011, by Gonzalo Velachaga, 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



APPROVAL OF ANNEXATION OF ADDITIONAL PROPERTY
into
AUBURN LAKES HOMEOWNERS ASSOCIATION, INC.

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

KNOW ALL PERSONS BY THESE PRESENTS:

Peramco, Inc., a Florida Corporation, joins in the execution of this "Annexation and Supplemental Declaration of Covenants, Conditions and Restrictions for Auburn Lakes Reserve, Section Four (4) a Subdivision in Harris County, Texas", to evidence its approval of the annexation of Auburn Lakes Reserve, Section Four (4) into the jurisdiction of the Auburn Lakes Homeowners Association, Inc., a Texas non-profit corporation. Such right was established in Article VII, Section 1 of that certain document entitled "Declaration of Covenants, Conditions and Restrictions for Village Auburn Lakes, Section 1" filed of record in the Official Public Records of Real Property of Harris County, Texas under County Clerk's File No. X202143 ("Auburn Lakes Declaration"). For the purpose of complying with Article IV, Section 1 of the Auburn Lakes Declaration, this Supplemental Declaration and the Declaration shall also be known as the "Declaration of Covenants, Conditions and Restrictions and an Annexation Agreement" referenced therein.

PERAMCO, INC.,
A Florida Corporation

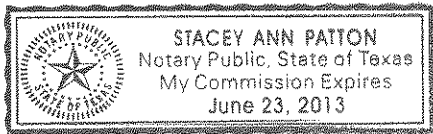
By: _____

Gonzalo Velazcochaga, Vice President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Before me, a notary public, on this day personally appeared Gonzalo Velazcochaga, Vice President of Peramco, Inc., a Florida Corporation 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 executed same in the capacity and consideration therein expressed. Given under my hand and seal of office this the 21 day of December, 2011.

Stacey Ann Patton
NOTARY PUBLIC - STATE OF TEXAS



✓ Ret: Butler / Hailey
8901 Gaylord Dr. Suite 100
Houston, TX 77024

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000-32-1169

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

DEC 22 2011



Sta Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

FILED
2011 DEC 22 AM 10:32
Sta Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS