

Amend

174-35-2207

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**AMENDMENT OF SUPPLEMENTAL DECLARATION OF
COVENANTS AND RESTRICTIONS
INWOOD WEST, SECTION TWO**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS AMENDMENT made this 13th day of November, 1980, by T.M.C. Funding, Inc., a Texas corporation, and Austin Northwest Development Co., a Texas corporation (together, the "Developers"), N.P.C. Realty, Inc. and Wood Bros. Homes, Inc. ("Builders") by and through their duly authorized officers.

WITNESSETH:

WHEREAS, heretofore a Supplemental Declaration of Covenants and Restrictions was filed of record in the Official Public Records of Real Property of Harris County, Texas under County Clerk's File No. G-650436, said Supplemental Declaration of Covenants and Restrictions being hereinafter called "said Declaration" and covering the following described land and premises located in Harris County, Texas, to-wit:

All of Inwood West, Section Two, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 295, Page 82 of the Map Records of Harris County, Texas; and,

WHEREAS, Developers and Builders together own all of the property subject to said Declaration; and,

WHEREAS, Developers and Builders desire to amend the said Declaration as hereinafter provided.

NOW, THEREFORE, Developers and Builders hereby amend that certain Supplemental Declaration of Covenants and Restrictions for Inwood West, Section Two recorded under County Clerk's File No. G-650436 of the Official Public Records of Real Property of Harris County, Texas, as follows:

I.

Section 1 of Article IV of said Declaration is deleted in its entirety and the following is substituted in lieu thereof:

"Section 1. Land Use and Building Types. The Lots shall be known and described as residential, single-family dwelling or two-family dwelling Lots. Only one single-family or two-family dwelling shall be built or permitted on each Lot. Any single-family dwelling shall be a detached dwelling of one story, one and one-half story, or two story construction and shall have a garage, whether attached or detached, for not less than two

cars nor more than three cars. Any two-family dwelling shall be a detached dwelling of one story, one and one-half story, or two story construction and shall have not less than two garages, either attached or detached, each for not less than one car nor more than three cars. No garage apartments for rental purposes shall be permitted."

II.

There is hereby added a new subparagraph (f) at the end of the existing

Section 13, Article IV, as follows:

"(f) No garage shall be used for storage purposes. For the purposes hereof, storage purposes shall mean placing of material in a garage in such a manner that prevents the parking of the number of cars fully therein that such garage is designed to accommodate. To the extent permitted by space limitations of garages, all motor vehicles of owners shall be parked inside garages overnight and when not in use. The purpose of this provision is to keep the streets and driveways within the subdivision free of cars as much as possible, however, same shall not be construed to prohibit the temporary parking of an Owner's vehicle in his driveway or on a street for a short period of time during the day."

III.

Section 3 of Article VIII of said Declaration is deleted in its entirety and the following is substituted in lieu thereof:

"SECTION 3. AMENDMENT. This Declaration may be amended during the initial forty (40) year term by an instrument executed by the Owners of seventy-five percent (75%) of the Lots and thereafter by the Owners of sixty percent (60%) of the Lots.

The Developer shall have and reserve the right at any time and from time to time, without the joinder or consent of any other party to amend this Declaration by any instrument in writing duly signed, acknowledged and filed for record for the purpose of correcting any typographical or grammatical error, ambiguity or inconsistency appearing herein, provided that any such amendment shall be consistent with and in furtherance of the general plan and scheme of development as evidenced by the Declaration and any Supplemental Declarations taken collectively, and shall not impair or affect the vested property rights of any Owner or his mortgagee."

Mortgage & Trust, Inc., the owner and holder of a lien or liens covering the property effected hereby, joins in the execution hereof in order to evidence its consent to the amendments contained herein.

Except as expressly modified and amended herein, said Declaration is hereby ratified and confirmed, and the changes herein made are made a part thereof for all purposes.

IN WITNESS WHEREOF, T.M.C. Funding, Inc., Austin Northwest Development Co., and N.P.C. Realty Co./ and Wood Bros. Homes, Inc. have executed this Amendment the date and year first above written.

ATTEST:

T.M.C. FUNDING, INC.

Beverly A. Osterlom
Asst. Secretary
BEVERLY A. OSTERLOM

By: *Carl J. Stephens*
CARL J. STEPHENS President

(5)
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174-35-2209

AUSTIN NORTHWEST DEVELOPMENT CO.

By: Charles M. Lusk, III
CHARLES M. LUSK, III Asst. Secretary

By: Henry J. Martyn, III
HENRY J. MARTYN, III President

ATTEST:

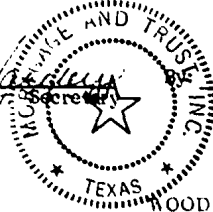
N.P.C. REALTY CO.

By: _____
Secretary

By: Norm Hammond
NORM HAMMOND, Vice President
MORTGAGE & TRUST, INC.

ATTEST:

By: Samona Harvey
SAMONA HARVEY Asst. Secretary

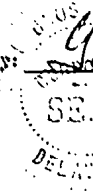


By: Henry J. Martyn, III
HENRY J. MARTYN, III President

ATTEST:

WOOD BROS. HOMES, INC.

By: Gary P. Nass
GARY P. NASS Secretary



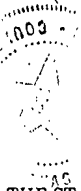
By: Stan Davis
STAN DAVIS President

174-95-2210

OF TEXAS §
§
TY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared CARL J STEPHENS, PRESIDENT of T.M.C. Funding, Inc., a corporation, 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 consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this, the 13th day of November, 1980.



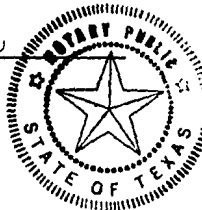
Debbie Jean Guidry
Notary Public in and for
Harris County, T E X A S
DEBBIE JEAN GUIDRY
MY COMMISSION EXPIRES 7-25-81

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared HENRY J. MARTYN, III, vice President of Austin Northwest Development Co., a corporation, 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 consideration therein expressed in the capacity therein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this, the 19th day of November, 1980.

Patsy Swink
Notary Public in and for
Harris County, T E X A S
PATSY SWINK
My Commission Expires 8-23-81



THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared KON HAMMONDS, VICE-PRESIDENT of N.P.C. Realty Co., a corporation, 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 consideration therein expressed in the capacity therein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this, the 26th day of NOVEMBER, 1980.

Frances E. Dowling
Notary Public in and for
Harris County, T E X A S

FRANCES E. DOWLING
Notary Public State of Texas
My Commission Expires September 29, 1984
Bonded by L. Alexander Lovett, Lawyers Surety Corp.

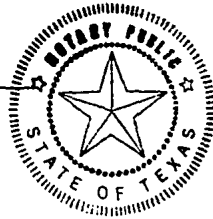
174-95-2211

STATE OF TEXAS §
COUNTY OF HARRIS §

Before me, the undersigned authority, on this day personally appeared HENRY J. MARTYN, III, Vice President of Mortgage & Trust, Inc., a corporation, 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 consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this, the 19th day of November, 1980.

Patsy Swink
Notary Public in and for
Harris County, TEXAS
PATSY SWINK
My Commission Expires 8-23-81

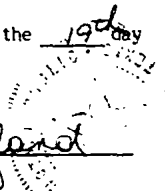


THE STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Stan Davis, Asst. Vice Pres. of Wood Bros. Homes, Inc., a corporation, 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 consideration therein expressed in the capacity therein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this, the 19th day of December, 1980.

Lucretia D. Ragland
Notary Public in and for
Harris County, TEXAS
LUCRETIA D. RAGLAND
Notary Public - Harris County
My Commission Expires June 18, 1981
Bonded By Narco Ins. Services



FILED
DEC 30 2 05 PM 1980
County Clerk
HARRIS COUNTY, TEXAS

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 herein by me and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas on

DEC 30 1980



Quita Lockman
COUNTY CLERK
HARRIS COUNTY, TEXAS