

*Annexed
DD*

138-13-0869

E725868

ANNEXATION

OF

WESTBANK, SECTION TWO

lv

THE STATE OF TEXAS)
COUNTY OF HARRIS)

KNOW ALL MEN BY THESE PRESENTS:

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Whereas, by that certain instrument dated August 14, 1974, and designated as "Declaration of Covenants, Conditions and Restrictions", executed by U.S. Home Corporation of Texas, as Declarant, recorded at Document File No. E231472 and at Film Code 108-09-2011 of the Official Public Records of Real Property of Harris County, Texas, (hereinafter referred to as "said Declaration") those certain tracts and parcels of land therein described and known as WESTBANK, SECTION ONE, (hereinafter referred to as "Section One"), were encumbered and subjected to those certain easements, covenants, restrictions and conditions described in said Declaration, to which said Declaration reference is here made for more particular description and all other pertinent purposes; and

Whereas, Section 5 (Annexation) of Article IX (General Provisions) of said Declaration provided as follows:

"Additional residential property and common area within the area described at Film Code Nos. 140-31-0399, 136-31-1589 and 136-35-0264 of the official Public Records of Real Property of Harris County, Texas, may be annexed to the Properties with the consent of two-thirds (2/3) of each class of membership; or upon submission and approval by FHA/VA of an overall plan of the entire development, and subsequent approval of each stage of development, such additional stages may be annexed by the Developer without approval by the membership."

Whereas, Section 7 (FHA/VA Approval) of said Article IX of said Declaration provides as follows:

As long as there is a Class B membership, the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration.

Annexation of additional properties, conveyance and/or dedication of Common Area, Amendment of this Declaration of Covenants, Conditions and Restrictions, Mergers and Consolidations, Mortgaging of the Common Area and Management Agreements.


Whereas, U.S. Home Corporation of Texas is the owner of certain additional property within the area described at Film Code Nos. 140-31-0399, 136-31-1589 and 136-35-0264 of the Official Public Records of Real Property of Harris County, Texas, which is more particularly described as follows:

Lots One (1) through Sixty-seven (67), both inclusive, in Block One (1);
 Lots One (1) and Two (2) in Block Two (2);
 Lots One (1) through Nineteen (19), both inclusive, in Block Three (3);
 Lots One (1) through Sixty-three (63), both inclusive, in Block Four (4);
 Lots One (1) through Thirty-five (35), both inclusive, in Block Five (5);
 Lots One (1) through Forty-five (45), both inclusive, in Block Six (6);
 Lots One (1) through Seventy-four (74), both inclusive, in Block Seven (7);
 Lots One (1) through Twenty-two (22), both inclusive, in Block Eight (8);
 Lots One (1) through Thirty-one (31), both inclusive, in Block Nine (9);
 all out of WESTBANK, SECTION TWO (2), an addition in Harris County,
 Texas according to the map or plat thereof recorded at Document
 File No. E-495367 and at Film Code 124-09-0715 and 124-09-0716 of the
 Map Records of Harris County, Texas (hereinafter referred to as Section 2).

Whereas, detailed plans for the development of said Section Two have heretofore been submitted to the Federal Housing Administration and the Veterans Administration as required by the foregoing Sections 5 and 7 of Article IX of said Declaration, and U.S. Home Corporation of Texas, as the owner of said Section Two desires to annex said Section Two to said Section One and to extend and include to said Section Two by such annexation all of the easements, covenants, conditions, restrictions and all other applicable terms and provisions of said Declaration.

NOW, THEREFORE, U.S. Home Corporation of Texas, (hereinafter referred to as "Declarant") hereby annexes said Section Two to said Section One under and pursuant to the provisions of Section 5 of Article IX of said Declaration and declares that all of the property comprising said Section Two shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions contained in said Declaration, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the real property covered hereby. The easements, covenants, restrictions and conditions of said Declaration shall be binding upon all parties having or acquiring any right, title or interest in said Section Two or any part thereof, and shall inure to the benefit of each owner thereof. Wherever in said Declaration there is a specific reference to Section One, said Declaration is hereby amended to also refer to and to include Section Two.

In Witness Whereof, we the undersigned, being the Declarant herein has hereunto set its hand and seal this 29 day of December, 1975.

ATTEST:

 Judy Boyd
 Asst. Secretary

U.S. HOME CORPORATION OF TEXAS

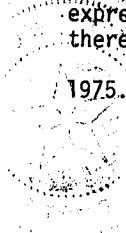
By: 
 Gary J. Hannon
 Vice President

THE STATE OF TEXAS)
COUNTY OF HARRIS)

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared GARY J. HANNON, Vice President of U.S. Home Corporation of Texas, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said corporation, and in the capacity therein stated.

1975.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 29th day of December.



Dorothy N. Kuhlmann
Notary Public in and for Harris County,
TEXAS

Acceptance of Association is evidenced by duly authorized officers of the Westbank Homeowner Association, Inc. as shown by their signatures below.

ATTEST:

WESTBANK HOMEOWNERS ASSOCIATION, INC.

Annita S. Hogarty
Secretary

By: Charlie Frank, Jr
President

THE STATE OF TEXAS)
COUNTY OF HARRIS)

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Charlie Frank, Jr, President of the Westbank Homeowners Association, Inc., known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said corporation, and in the capacity therein stated.

1976.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 1st Day of April.



John W. Hill
Notary Public in and for Harris County,
TEXAS