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ANNEXATION
OF
WESTBANK, SECTION FIVE

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THE STATE OF TEXAS
COUNTY OF HARRIS

KNOW ALL MEN BY THESE PRESENTS:

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 (corporate predecessor of U. S. Home Corporation), as Declarant, recorded at Document File No. E-231472 and 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

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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, 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 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.

RETURN TO:
U. S. HOME CORP.
LEGAL DEPT.
P. O. DRAWER D
STAFFORD, TEXAS 77477

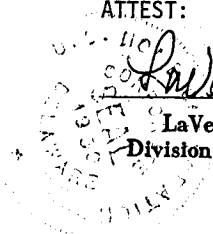
Lots Three (3) through Fifteen (15), both inclusive, in Block One (1); Lots Three (3) through Eleven (11), both inclusive, in Block Two (2); Lots Six (6) through Fifty (50), both inclusive, in Block Three (3); Lots Thirty-Eight (38) through Forty-Seven (47), both inclusive, in Block Four (4); Lots Two (2) through Seventeen (17), both inclusive, in Block Five (5); Lots One (1) through Ten (10), both inclusive, in Block Six (6); Lots One (1) through Five (5), both inclusive, in Block Seven (7); Lots Ten (10) through Nineteen (19), both inclusive, in Block Eight (8); and Lots Twenty-Four (24) through Thirty-Three (33), both inclusive, in Block Nine (9); all out of WESTBANK, SECTION FIVE (5), an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 284, Page 149 of the Map Records of Harris County, Texas, (hereinafter referred to as Section 5).

Whereas, detailed plans for the development of said Section Five 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, as the owner of said Section Five desires to annex said Section Five to said Section One and to extend and include to said Section Five 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 (hereinafter referred to as "Declarant") hereby annexes said Section Five 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 Five 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 Five 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 Five.

IN WITNESS WHEREOF, we the undersigned, being the Declarant herein has hereunto set its hand and seal this 12th day of February, 1979.

ATTEST:


LaVerne Horelica
LaVerne Horelica
Division Asst. Secretary

U. S. HOME CORPORATION

By: Nolan B. Marye
Nolan B. Marye, Division Vice President

THE STATE OF TEXAS
COUNTY OF FORT BEND

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Nolan B. Marye, Division Vice President of U. S. HOME CORPORATION, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 12th day of February 1979.

Bertha Perez
Notary Public in and for
Fort Bend County, Texas
BERTHA PEREZ

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

ATTEST:

Anita Hagerty Schenk
Anita Hagerty Schenk, Secretary

WESTBANK HOMEOWNERS ASSOCIATION, INC.
By: *Ben Baldwin*
Ben Baldwin, 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 BEN BALDWIN, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 12th day of February 1979.

Debbie F. Helweg 450-78-6031
Notary Public in and for
Harris County, Texas
DEBBIE F. HELWEG