

V887697

FIRST AMENDMENT TO CONDOMINIUM DECLARATION FOR LAKESIDE GREEN CONDOMINIUMS

THE STATE OF TEXAS COUNTY OF HARRIS

WHEREAS, Marix Housing Corporation, as Declarant, caused that certain instrument entitled "Condominium Declaration for Lakeside Green Condominiums" ("the Declaration") to be recorded on July 15, 1982 under Volume 125, Page 131, et seq., of the Condominium Records of Harris County, Texas, which Declaration established Lakeside Green as a condominium regime and subjected the properties within Lakeside Green to various covenants, conditions and restrictions, and

Whereas, Article VIII, Section 8.1, of the Declaration sets forth the approval requirements for amendments to the Declaration, which approval requirements are different depending upon the subject matter of the proposed amendment; and

WHEREAS, the undersigned Unit Owners desire to amend the provisions in the Declaration regulating pets; and

WHEREAS, the amendments proposed herein require the consent of Unit Owners to which at least sixty-seven percent (67%) of the votes in Lakeside Green Owners Association, Inc. ("the Association") are allocated, pursuant to Article VIII, Section 8.1(f), of the Declaration;

NOW, THEREFORE, the undersigned, being Unit Owners to which at least sixty-seven percent (67%) of the votes in the Association are allocated hereby amend the Declaration as follows:

Article II, Section 2.9, paragraph (e), subparagraph (12), of the Declaration is hereby amended to read as follows:

(12) No animals, livestock, reptiles, or poultry, of any kind shall be raised, bred or kept in any Unit or the Common Elements, except as expressly permitted herein. No animal or bird, other than a maximum of one (1) generally recognized house or yard pet, shall be kept in any Unit and then only if the pet is kept therein solely as a domestic pet. The maximum weight of a fully grown, permitted pet shall not exceed thirty pounds (30 lbs.). No permitted pet shall be allowed to make an unreasonable amount of noise, or to become a nuisance. The owner of a pet is required to remove from the Common Elements all feces discharged by his/her pet, the failure of the owner to do so shall constitute a nuisance. The Board of

Directors of the Association shall have the authority to determine, in its sole and absolute discretion, whether a particular pet is a generally recognized house or yard pet, or a nuisance, and its determination shall be final. The Association, acting through its Board of Directors, shall have the right and authority to prohibit any pet from being kept within the development which is not permitted because it exceeds the maximum weight or because the pet is deemed to be a nuisance. The Association shall also have the right and authority to require the removal of a pet from a Unit because the number of pets in the Unit exceeds one (1) or because the owner of the pet has repeatedly failed, after notice, to clean up after his/her pet. All permitted pets must be kept within the Unit, an enclosure, or a fully enclosed patio area, or on a leash held by a person capable of controlling the animal. Each enclosure used by a pet owner must be maintained to prevent escape by the pet; further, each enclosure which is visible from any portion of the Common Elements must be approved by the Board of Directors of the Association with respect to location and appearance. An animal which is running loose within the development may be taken to a pound or animal shelter by or at the request of the Association. The owner of a pet is liable for any property damage or personal injuries caused by the pet.

This amendment shall become effective upon recording. Any circumstances or conditions relating to pets which exist prior to the date this amendment is recorded and which are not in compliance with this provision shall not be required to be abated or removed. Provided, however, if any such circumstances or conditions relating to pets are voluntarily or involuntarily removed, abated or discontinued after the date this amendment is recorded, such circumstances or conditions may not be renewed or replaced in a manner inconsistent with this provision. Notwithstanding the foregoing, this provision shall not be construed to affect the right of the Association or any Unit Owner to proceed with or initiate action against any person who is in violation of the provisions of the prior Section 2.9(e)(12) after the effective date of this amendment so long as the acts, circumstances or conditions constituting a violation of the prior Section 2.9(e)(12) also violate this provision.

EXECUTED on the date set opposite each name to be effective upon recording in the Condominium Records of Harris County, Texas

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

CERTIFICATE

THE STATE OF TEXAS COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared, Heather Davis, known to me to be the person whose name is subscribed below who, being by me first duly sworn, did depose and state as follows:

My name is Heather Davis. I am over the age of twenty-one (21) years, I have never been convicted of a crime, and I am fully competent to make this affidavit.

I am the Secretary of Lakeside Green Owners Association, Inc. ("the Association"). Attached hereto are consent forms executed by Unit Owners subject to the Condominium Declaration for Lakeside Green Condominiums recorded on July 15, 1982 under Harris County Clerk's File No. H1532202 ("the Declaration"). I have reviewed these consent forms and checked each owner's name against the ownership records maintained by the Association. I hereby certify that the attached consent forms represent the approval of Unit Owners to which at least sixty-seven percent (67%) of the votes in the Association are allocated.

Heather Davis, Secretary

Given under my hand and seal of office this 17 day of June, 2002



Doretha B. Harms, Notary Public in and for the State of Texas

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

OFFICE OF BEVERLY B. KAYMAN COUNTY CLERK, HARRIS COUNTY, TEXAS

CONDOMINIUM RECORDS OF COUNTY CLERK 185095 FILM CODE LAKESIDE GREEN CONDOMINIUMS FIRST AMENDMENT TO CONDOMINIUM DECLARATION

THIS IS PAGE 1 OF 1 PAGES REDUCTION 36% CAMERA DESIGNATION MRG1

RECORDER'S MEMORANDUM: At the time of recording, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All bookends, photocopies and changes were present at the time recording and changes were noted.

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.

NOT RECORDED BECAUSE OF ILLEGIBILITY OF THE ORIGINAL INSTRUMENT. THE INSTRUMENT WAS RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF HARRIS, TEXAS.

JUN 21 2002 Beverly B. Kayman COUNTY CLERK, HARRIS COUNTY, TEXAS

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