

54034 COMPARED
INDEXED

SECOND AMENDMENT OF DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS

DEED
958 567

QUAIL GREEN WEST, SECTION ONE

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

THIS AMENDMENT made as of this 1st day of November, 1980, by ALLIED BANK OF TEXAS, GEMCRAFT HOMES, INC., and GENERAL HOMES CONSOLIDATED COMPANIES, INC., by and through their duly authorized officers.

WITNESSETH:

WHEREAS, heretofore on July 23, 1979, a Declaration of Covenants, Conditions and Restrictions dated July 9, 1979, covering Blocks One (1) through Twelve (12), inclusive, of Quail Green West, Section One, a subdivision in Fort Bend County, Texas, according to the map or plat thereof recorded in Volume 22, Page 56 of the Map Records of Fort Bend County, Texas, was filed under Volume 848, Page 707 of the Deed Records of Fort Bend County, Texas (said Declaration of Covenants, Conditions and Restriction is hereinafter called "said Declaration"); and

WHEREAS, said Declaration was heretofore amended by instrument dated July 22, 1980 recorded in Volume 916, Page 368 of the Deed Records of Fort Bend County, Texas; and

WHEREAS, Article IV, Section 3 of said Declaration provides that the maximum annual assessment set forth therein may be increased above that established by the formula set forth therein only by written approval of two-thirds (2/3 rd's) of each class of membership of the Quail Green Homeowners Association, Inc. ("Association"); and

WHEREAS, Allied Bank of Texas, a state banking corporation ("Allied") constitutes all of the Class B membership of the Association and General Homes Consolidated Companies, Inc., a Texas corporation ("General") and Gemcraft Homes, Inc., a Texas corporation ("Gemcraft") constitute in excess of two-thirds (2/3 rd's) of the votes of the Class A membership of the Association and together, the said Allied, General and Gemcraft own 90% of the lots described in said Declaration and pursuant to Article X, Section 6 thereof may amend said Declaration; and

WHEREAS, Allied, Gemcraft and General desire to increase such maximum annual assessment by again amending the said Declaration as hereinafter provided:

NOW, THEREFORE, Allied, Gemcraft and General hereby amend that certain Declaration of Covenants, Conditions and Restrictions for Blocks One (1) through Twelve (12), inclusive, of Quail Green West, Section One, dated July 9, 1979,

and recorded under Volume 848, Page 707 of the Deed Records of Fort Bend County, Texas, as follows:

I.

Section 3 of Article IV of said Declaration is hereby amended so that the maximum annual assessment shall be \$200.00 per lot rather than \$120.00 per lot as set forth therein. All other provisions of said Article IV, Section 3 shall remain as originally written.

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

IN WITNESS WHEREOF, Allied, Gemcraft and General have executed this Amendment the date and year first above written.

ALLIED BANK OF TEXAS

By:

Chris T. Walters
Vice President

GEMCRAFT HOMES, INC.

By:

Bob H. Hester
President

GENERAL HOMES
CONSOLIDATED COMPANIES, INC.

By:

A. J. Yager
Vice President

THE STATE OF TEXAS
COUNTY OF HARRIS

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DEED

958 569

BEFORE ME, the undersigned authority, on this day personally appeared H. H. Walter, Vice, President of ALLIED BANK of TEXAS, a state banking 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 bank.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this, the 10 day of April, 1980.

[Signature]
Notary Public in and for
Harris County, T E X A S

CORA A. WIMLEY

Notary Public in and for Harris County, Texas

My Commission Expires 5-31-81
12 17 30-3-77

THE STATE OF TEXAS
COUNTY OF HARRIS

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BEFORE ME, the undersigned authority, on this day personally appeared Sub Lutchins, President of GEMCRAFT 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 9 day of April, 1980.

[Signature]
Notary Public in and for
Harris County, T E X A S

THE STATE OF TEXAS
COUNTY OF HARRIS

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Before me, the undersigned authority, on this day personally appeared S. H. VAGER, VICE President of GENERAL HOMES CONSOLIDATED COMPANIES, 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 8 day of April, 1980.

[Signature]
Notary Public in and for
Harris County, T E X A S

NOTARY PUBLIC
My Commission Expires 12-31-84

Return to
Allied Bank of Texas
c/o T.M.C. Management, Inc.
P. O. Box 7479
Houston, Texas 77008
Attn: Ray Mullins

FILED FOR RECORD

NO. 7100 JUNE 21 1980

APR 15 1981

[Signature]
COUNTY CLERK, FORT BEND COUNTY, TEX.