

STATE OF TEXAS

COUNTY OF HARRIS

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, by instrument dated May 29, 1963, recorded in Volume 5138, Pages 37-49, of the Harris County Deed Records (said instrument being hereinafter sometimes referred to as "Restrictions"), Fairmont Park Corporation and Fairmont Park Sales Company, both being Texas Corporations , of Harris County, Texas, did make certain reservations and place certain restrictions upon Fairmont Park West, Section 1, an addition in Harris County, Texas, according to the plat thereof, filed for record in the office of the County Clerk of Harris County, Texas, on the 29th day of May, 1963, under Clerk's File No. B-696935; and,

WHEREAS, there has been no change in the ownership of any of the property comprising any of the lots in said Fairmont Park West, Section 1; and,

WHEREAS, the fifth paragraph of said "Restrictions" reads as follows:

"WHEREAS, it is the desire of FAIRMONT PARK CORPORATION AND FAIRMONT PARK SALES COMPANY to place restrictions, covenants, conditions, stipulations and reservations upon and against all of the property owned by said corporation in said Fairmont Park West, Section 1; such property being, expressly, but not by way of limitation, as hereinabove set forth:"; and,

WHEREAS, it is desired to change the phrase "property owned by said corporation", to read "property owned by said corporations"; and,

WHEREAS, paragraph "(1)" under "General Restrictions" reads as follows:

"(1) These restrictions shall be effective until January 1, 1990 and shall automatically be extended thereafter for successive periods of ten (10) years; provided, however, that the owners of a majority of the square foot area of the lots in Fairmont Park West, Section 1, may release all of the lots hereby restricted from any one or more of said restrictions, or may release any lot from any restriction imposed hereby or created by deed from FAIRMONT and/or FAIRMONT PARK SALES COMPANY, or either of them, on either January 1, 1990, or at the end of any successive ten year period thereafter by executing and acknowledging an appropriate agreement or agreements in writing for such purpose, and filing the same for record in the office of the County Clerk of Harris County, Texas, at any time prior to January 1, 1985, or at any time prior to five years preceding the expiration of any successive ten year period thereafter."; and,

WHEREAS, it is desired to change the references to "January 1, 1990" and "January 1, 1985," respectively, to read "January 1, 2005" and "January 1, 2000," respectively; and,

5151 no 575

FILED IN 2160
090-16-1206

830
J

DEED RECORDS
5151 REC 576
090-16-1207

WHEREAS, reference is here made to each and all of above-mentioned instruments and the record thereof for all purposes:

YOR

NOW, THEREFORE, for and in consideration of the premises, Fairmont Park Corporation and Fairmont Park Sales Company, each acting by and through its proper officers, hereunto duly authorized by its Board of Directors, and being the sole owners (as set forth in said "Restrictions") of all of said lots comprising said Fairmont Park West, Section 1; have and do hereby provide, stipulate and agree that:

(1) The said fifth paragraph of said "Restrictions" shall be and it is hereby changed to read as follows:

ICE

"WHEREAS, it is the desire of FAIRMONT PARK CORPORATION AND FAIRMONT PARK SALES COMPANY to place restrictions, covenants, conditions, stipulations and reservations upon and against all of the property owned by said corporations in said Fairmont Park West, Section 1; such property being, expressly, but not by way of limitation, as hereinabove set forth:"; and,

(2) The said paragraph "(1)" under "General Restrictions" shall be and it is hereby changed to read as follows:

"(1) These restrictions shall be effective until January 1, 2005, and shall automatically be extended thereafter for successive periods of ten (10) years; provided, however, that the owners of a majority of the square foot area of the lots in Fairmont Park West, Section 1, may release all of the lots hereby restricted from any one or more of said restrictions, or may release any lot from any restriction imposed hereby or created by deed from FAIRMONT and/or FAIRMONT PARK SALES COMPANY, or either of them, on either January 1, 2005, or at the end of any successive ten year period thereafter by executing and acknowledging an appropriate agreement or agreements in writing for such purpose, and filing the same for record in the office of the County Clerk of Harris County, Texas, at any time prior to January 1, 2000, or at any time prior to five years preceding the expiration of any successive ten year period thereafter.";

All to the same effect as though such changes had been embodied in said "Restrictions", as originally written and filed for record; said "Restrictions" being otherwise unaffected in any manner whatsoever by the herein instrument.

WITNESS our hands at Houston, Texas, as of the 11 day of June, 1963.

FILED
Harris County
COUNTY CLERK
HARRIS COUNTY, TEXAS

1963 JUN 12 AM 10 31

[Handwritten signature and scribbles]

5151 REC 577

ATTEST:

Robert Carroll
Secretary

By: Wm. G. Farrington
Wm. G. Farrington, President

ATTEST:

FAIRMONT PARK SALES COMPANY

Robert Carroll
Secretary

By: Wm. G. Farrington
Wm. G. Farrington, President

SUBSCRIBED AND SWORN TO before me this the 11th day of June,
1963.

Rex V. Shultz REX V. SHULTZ
Notary Public in and for
Harris County, Texas

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared WM. G. FARRINGTON, as President of FAIRMONT PARK CORPORATION, and ROBERT C. CARROLL, as Secretary of said Corporation, known to me to be the persons and officers whose names are subscribed to the foregoing instrument, and acknowledged to me that they 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 the 11th day of June, 1963.

Rex V. Shultz REX V. SHULTZ
Notary Public in and for
Harris County, Texas

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared WM G. FARRINGTON, as President of FAIRMONT PARK SALES COMPANY, and ROBERT C. CARROLL, as Secretary of said Corporation, known to me to be the persons and officers whose names are subscribed to the foregoing instrument, and acknowledged to me that they 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 the 11th day of June, 1963.

Rex V. Shultz REX V. SHULTZ
Notary Public in and for
Harris County, Texas

STATE OF TEXAS
COUNTY OF HARRIS

First City National Bank of Houston, Houston, Texas, as Trustee, successor to First National Bank in Houston, under and by virtue of the authority granted to said First National Bank in Houston in deed from W. Everett DuPuy, et al, to Wm. G. Farrington, dated June 7, 1955, recorded in Volume 2905, Page 407, of the Harris County Deed Records, and the authority granted to said First National Bank in Houston in deed of trust from Wm. G. Farrington to First National Bank in Houston, as Trustee, dated June 7, 1955, filed for record in the office of the County Clerk of Harris County, Texas, on June 8, 1955, under Clerk's File No. 1438121; does hereby ratify, adopt and join in this instrument amending the "Reservations, Restrictions and Covenants in Fairmont Park West, Section 1", as hereinabove set forth, in the capacity of said Trustee.

FILED
62-1-31-1010

In Testimony Whereof, First City National Bank of Houston, as Trustee, has caused these presents to be signed by Carroll D. Simmons its Vice-president, thereunto authorized, attested by its Assistant Cashier, M. Klaus, and its common seal hereunto affixed this 11th day of June, A.D., 1963.

WITNESSES: FIRST CITY NATIONAL BANK OF HOUSTON

M. Klaus
Assistant Cashier
By: Carroll D. Simmons
Vice-President

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Carroll D. Simmons as Vice-President of First City National Bank of Houston, 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 purpose and consideration therein expressed, in the capacity therein stated, and as the act and deed of said First City National Bank of Houston.

GIVEN under my hand and seal of office, this 11th day of June, 1963.

Mills D. Levenson
Notary Public in and for
Harris County, Texas

MILLS D. LEVENSON
Notary Public in and for Harris County, Texas
My Commission Expires June 1, 1965

