

STEWART TITLE HOUSTON DIVISION #27

527-99-0897

Amend
T960045

09/18/99 10148841 T960045

\$15.00

**SUPPLEMENTAL AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
THE VILLAGES OF OAK CREEK COLONY SECTION TWO**

This SUPPLEMENTAL AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE VILLAGES AT OAK CREEK COLONY, SECTION TWO ("Supplemental Amendment") is made as of the date set out below, by Beazer Homes Texas, L.P. (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant filed that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE VILLAGES OF OAK CREEK COLONY SECTION ONE, which is recorded under Clerk's File No. GAC 9850757 in the Official Public Records of Real Property of Galveston County, Texas ("Declaration"); and

WHEREAS, Beazer Homes Texas, L.P. is the Declarant under the Declaration; and

WHEREAS, said Declaration contains the following provision for annexation of property:

Article III. Property Subject to Restrictions:

B. Annexation of Additional Property:

Without the joinder of any other Owners or Members, the Declarant reserves the exclusive right for the twenty-five (25) years following the execution of this Declaration to annex any additional property. So long as there is Class "B" Membership, no additional property may be annexed without the prior approval of the Department of Housing and Urban Development and/or Department of Veterans Affairs. Such annexation shall be accomplished by the execution and filing for record of a Supplemental Declaration setting forth the land being annexed and/or the specific restrictions relating to such property, if different, provided the maintenance fee provision shall be uniform as to all Lots.

WHEREAS, Beazer Homes Texas, L.P., is the owner of that certain tract of land, which is a portion of the real property described in that certain plat recorded under Clerk's File No. 9926162, (the "Plat") in the Plat Records of Galveston County, Texas a subdivision containing 37.8099 acres of land, consisting of one hundred twenty-five (125) lots in four (4) blocks, and five (5) reserves located in the John Dickinson Survey, A-9, Galveston County, Texas; (the "Subdivision"). The one hundred twenty-five (125) lots within the Subdivision shall hereinafter carry with them all the rights, privileges and obligations granted to the property described in Exhibit "A" of the Declaration.

WHEREAS, Declarant desires to subject the one hundred twenty-five (125) lots within the Subdivision to the Declaration, and

527-99-0898

NOW THEREFORE, the Declarant hereby subjects the one hundred twenty-five (125) lots within the Subdivision to the Declaration; the one hundred twenty-five (125) lots within the Subdivision shall hereinafter carry with them all the rights, privileges and obligations granted to the property described in Exhibit "A" of the Declaration, and the one hundred twenty-five (125) lots within the Subdivision shall be subject to the following:

Owners of Lots within the Subdivision are advised that the following easements appear on the Plat:

1. Adjoining the Southern boundary of Section Two is a 150-foot wide Drainage Easement, which easement is described in detail under Film Code No. 008-39-1214 of the Official Public Records of Real Property of Galveston County, Texas.
2. Within Restricted Reserve "B" of Section Two there is a 60-foot wide United Gas Pipeline Easement, which easement is described in detail under Vol. 1139, Page 276; and vol. 1143, Page 96 of the Galveston County Deed Records.
3. Adjoining the Southeastern boundary of Section Two there is a 60-foot wide Exxon Pipeline Easement, which easement is described in detail under Vol. 3269, Page 881 of the Galveston County Deed Records.
4. Adjoining the Southeastern boundary of Section Two there is a 20-foot wide Exxon Pipeline Easement, which easement is described in detail under Vol. 3269, Page 881 of the Galveston County Deed Records.
5. Adjoining the Southeastern boundary of Section Two there is a 150-foot wide Galveston County Municipal Utility District No. 2 Drainage Easement, which easement is described in detail under Film Code No. 002-27-0181 of the Official Public Records of Real Property of Galveston County, Texas.
6. Adjoining the Southeastern boundary of Section Two there is a 200-foot wide Houston Lighting & Power Easement, which easement is described in detail under Vol. 1069, Page 345 of the Galveston County Deed Records.
7. Within Restricted Reserve "E" and adjoining the Southeastern boundary of Section Two there is a 150-foot wide Houston Lighting & Power Easement, which easement is described in detail under Vol. 1069, Page 9 of the Galveston County Deed Records.
8. Adjoining the Southeastern corner of Section Two there is a 10-foot wide Community Public Service Easement, which easement is described in detail under Vol. 2079, Page 766 of the Galveston County Deed Records.

Executed on this the 25th day of August, 1999.

Supplemental Addendum
Village of Oak Creek Colony, Section 7

2

527-99-6899

(2) ✓

DECLARANT:

BEAVER HOMES TEXAS, L.P.

BY: DAN OLSONPrinted Name: DAN OLSONTitle: Exec. VP/Law

STATE OF TEXAS

COUNTY OF HARRIS

REPORT MADE the 15th day of July, 1999, before me, the Notary Public of Beaver Homes Texas, L.P. known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER BY HAND AND SEAL OF OFFICER, this the 15th day of July, 1999.



Notary Public, State of Texas



JUANITA D. GREEK
Notary Public for and the State of Texas
My Commission Expires April 12, 2001

After Recording
Return to:
Beaver Homes

10285 West University, Suite 240
Houston, TX

Attn: Juanita D. Greek
77084

Supplemental Assignment
Village of Oak Creek Overlay, Section 2

3

TITLE DATA, INC. ST

182.188.15.8 HA 7960046 003

527-39-0900

APPROVAL OF DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

I, Ronald L. Gaines, being the authorized signatory of the Department of Housing and Urban Development, approve the foregoing Supplemental Amendment to the Declaration of Covenants, Conditions and Restrictions for The Villages of Oak Creek Colony, Section Two, a Galveston County Subdivision, as required by Article III of the Declaration.

Date: 8/18/99DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT*br*By: Ronald L. GainesPrint Name: Ronald L. GainesTitle: Senior Manager, Specialist

Colorado

STATE OF TEXAS

COUNTY OF Denver

BEFORE ME, the undersigned Notary Public, on this the 18 day of August, 1999, personally appeared Ronald L. Gaines, on behalf of the Department of Housing and Urban Development, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of August, 1999.

Notary Public - State of Texas

Colorado

SEARCHED INDEXED SERIALIZED FILED
08/18/99 01:35:59 PM 1999
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RETURN TO:
STEWART TITLE CO. - HOUSTON
P. O. Box 1504
Houston, TX 77251-1504
ATTN: Donna Small

Supplemental Amendment
Villages of Oak Creek Colony, Section 2

Title Data, Inc. ST

1B2 168 15 E HA T9600+5 004

Title date Inc ST
192188155 MA T96045006

527-99-0901

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 10/10/2001 BY SP5
EXPIRATION DATE 10/10/2006 BY SP5
MAILED TO SP5
BY SP5

SEP 10 1999



Beauford L. Johnson
COUNTY CLERK
HARRIS COUNTY TEXAS