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Sari LaGrone
CHARTER TITLE COMPANY
4266 San Felipe, Suite 350
Houston, TX 77027

**AMENDED AND RESTATED
SUPPLEMENTAL DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
FULBROOK, SECTION FIVE-A**

THIS AMENDED AND RESTATED SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FULBROOK, SECTION FIVE-A (this "Supplemental Declaration") is made as of the date and year set forth on the signature page hereof, by Fulbrook Partners, Ltd., a Texas limited partnership (herein referred to and acting as "Declarant").

WHEREAS, Fort Bend/Fulbrook, Ltd. executed that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FULBROOK dated June 15, 1999, which was filed under County Clerk's File No. 1999051521 and recorded in the Official Public Records of Real Property of Fort Bend County, Texas (the "Official Records"), as amended by various amendment instruments recorded in the Official Records (the "Declaration");

WHEREAS, Declarant is the successor in interest to the rights of Fort Bend/Fulbrook, Ltd. as the Declarant under the Declaration by virtue of that certain Assignment of Rights and Designation of Successor Declarant instrument dated August 11, 2003 and recorded in the Official Records;

WHEREAS, by that certain Declaration of Annexation instrument dated January 31, 2006, which was filed under County Clerk's File No. 2006070090 and recorded in the Official Records, Declarant annexed, among other property, that certain tract of land which has been platted as Fulbrook, Section Five-A according to the plat thereof recorded as Plat No. 20070026 in the Plat Records of Fort Bend County, Texas into the jurisdiction of the Fulbrook Homeowners Association, Inc. (the "HOA") and subjected such property to the provisions of the Declaration;

WHEREAS, as contemplated by the Declaration and in accordance with the provisions thereof, Declarant subjected the Lots in Fulbrook, Section Five-A (the "Subdivision") to the provisions of that certain Supplemental Declaration of Covenants, Conditions and Restrictions for Fulbrook, Section Five-A filed under Clerk's File No. 2007039516 and recorded in the Official Records (the "Original Supplemental Declaration");

WHEREAS, Declarant owns all of the Lots subject to the Original Supplemental Declaration and desires to amend and restate the Original Supplemental Declaration in certain respects.

NOW, THEREFORE, Declarant does hereby declare that the Lots within Fulbrook, Section Five-A shall be held, transferred, sold, conveyed, used and occupied subject to the covenants, restrictions, easements, charges and liens set forth in this Amended and Restated Supplemental Declaration, in addition of those contained in the

Declaration. All capitalized terms used herein which are not otherwise defined herein shall have the meanings set forth for such terms in the Declaration.

SECTION 1. FENCES.

(a) All fences must be approved in writing by the Fulbrook New Construction Committee.

(b) In order to maintain the theme and character of the Properties in general, and the uniform plan and character of the Subdivision in particular, the Owner of each Lot in the Subdivision shall install and maintain a wooden rail fence in the style specified in the Architectural Guidelines adopted by the Fulbrook New Construction Committee at the following location(s) on the Lots in the Subdivision:

<u>Lot</u>	<u>Location of Fence</u>
All Lots	Front Lot line and Rear Lot line (except for a Rear Lot line bordering Reserve G as shown on the plat of the Subdivision)
All Lots	Side Lot line bordering an open space reserve (except Reserve G as shown on the plat of the Subdivision) or road right-of-way

SECTION 2. UTILITY EASEMENTS. Declarant hereby grants to Fort Bend County and to any other public authority or agency, utility district or public or private utility company, a perpetual easement upon, over, under and across the portion of each Lot in the Subdivision which is within twenty-five (25) feet of a Road right-of-way for the purpose of installing, replacing, repairing, maintaining, and operating all utilities, including, but not limited to, electrical, gas, telephone, cable television, water, sanitary sewer and storm sewer lines and related facilities.

SECTION 3. LIVING AREA REQUIREMENTS. The square feet of living area of the single family residences, exclusive of open porches and garages, constructed on the Lots in the Subdivision shall not contain less nor more than the applicable minimum and maximum numbers of square feet hereinafter specified:

<u>Number of Stories</u>	<u>Minimum Square Feet</u>	<u>Maximum Square Feet</u>
1 story residence	3,700 s.f.	6,000 s.f.
2 story residence	4,500 s.f.	10,000 s.f.

In the event that two (2) or more adjacent Lots are consolidated into a single Lot by replatting, the applicable maximum square feet of living area numbers specified above shall be increased by 25% for the resulting replatted consolidated Lot.

SECTION 4. BUILDING SETBACKS. The single family residences constructed on Lots 1 through 15 of Block 1 shall not be closer than seventy-five (75) feet from the right-of-way of the Road at the front of such Lots. The residences constructed on all other Lots in the Subdivision shall not be closer than one hundred (100) feet from the right-of-way of the Road at the front of such lots. All single family residences constructed in the Subdivision shall not be closer than twenty-five (25) feet from the side lot lines of the Lots, except for the single family residence constructed on Lot 15 of Block 1 in the Subdivision which shall not be closer than fifty (50) feet from the side lot lines of such Lot.

SECTION 5. MAILBOXES. Mailboxes shall be constructed and maintained for all Lots in the Subdivision in accordance with the Architectural Guidelines for the Fulbrook project for a Type 2 mailbox.

SECTION 6. TRAIL. The HOA shall maintain a pedestrian trail within the road right of way located between the paving of Riverlake Road and the lot lines of Lots 1 through 5 of Block 1.

SECTION 7. GARAGES. In order to maintain the theme and character of the Properties in general, and the uniform plan and character of the Subdivision in particular, the Owner of the following Lots in the Subdivision shall have constructed and maintained a garage in accordance with the following restrictions:

<u>Lots</u>	<u>Location of Garage and/or Garage doors</u>
Lot 1, Block 1	Garage doors must not face northwest, west, or southwest
Lot 15, Block 1	Garage must be located on side of Lot closest to Lot 14 of Block 1
Lot 1, Block 2	Garage must be located on side of Lot closest to Lot 2 of Block 2
Lot 7, Block 2	Garage must be located on side of Lot furthest from Lot 6 of Block 2

SECTION 8. DRIVEWAY. The driveway for the residence on Lot 5 of Block 1 must connect with Old Pecan Trail. Access to Riverlake Road is not permitted from such Lot.

SECTION 9. INTENT AND AMENDMENT. It is the intent of Declarant that the covenants, conditions and restrictions provided for in this Supplemental Declaration apply only to the Lots in the Subdivision. Notwithstanding any provisions of this Supplemental Declaration to the contrary, it is also the intent of Declarant that the specific restrictions that are imposed on the Lots in the Subdivision only in and by virtue of this Supplemental Declaration (other than those in the Declaration that are, in whole or in part, repeated herein) may be amended by an instrument evidencing the written consent of both (i) the Owners of a majority of the Lots subject to this Supplemental Declaration and (ii) Declarant, as long as Declarant owns any part of the Properties within the jurisdiction of the Association.

SECTION 10. AGREEMENT. Each Owner of a Lot in the Subdivision by such Owner's claim or assertion of ownership or by accepting a deed to any such portion of the Lot in the Subdivision, whether or not it shall be so expressed in such deed, is hereby conclusively deemed to covenant and agree, as a covenant running with title to such Lot, to accept and abide by this Supplemental Declaration as well as all restrictions, obligations, requirements and liabilities set forth in the Declaration.

This Supplemental Declaration replaces the Original Supplemental Declaration in its entirety. Further, this Supplemental Declaration shall remain in full force and effect for the term, and shall be subject to the renewal and other provisions, of the Declaration.

IN WITNESS WHEREOF, this Supplemental Declaration is executed this 11th day of April, 2007.

FULBROOK PARTNERS, LTD.,
a Texas limited partnership

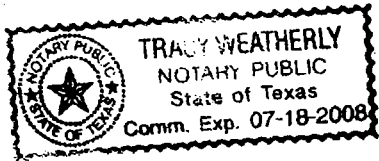
By: Fulshear/Fulbrook GP, L.L.C.,
General Partner

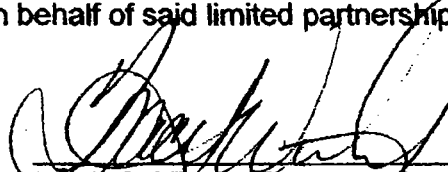
By: [Signature]

Its: President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 11 day of April, 2007 by Paula Brooks, President of Fulshear/Fulbrook GP, L.L.C., a Texas limited liability company, which is the general partner of Fulbrook Partners, Ltd., a Texas limited partnership, on behalf of said limited partnership.





NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dr. Dianne Wilson

2007 Apr 12 11:32 AM

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CAK \$29.00

Dianne Wilson, Ph.D. COUNTY CLERK

FT BEND COUNTY TEXAS