

J545539

ANNEXATION OF ADDITIONAL PROPERTIES  
TO.  
WESTBRANCH, SECTIONS ONE (I) AND TWO (II)

THE STATE OF TEXAS  
COUNTY OF HARRIS

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KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by that certain instrument dated October 19, 1978, and designated "Restrictions", executed by Affiliated Capital Corporation, as Declarant, recorded under Clerk's File No. F816257 and at Film Code No. 109-95-2084, et. seq., of the Official Public Records of Real Property of Harris County, Texas, (hereinafter referred to as "the Declaration"), that certain tract and parcel of land therein described and known as WESTBRANCH, SECTION I, (hereinafter referred to as Section I"), was encumbered and subjected to those certain easements, covenants, conditions and restrictions described in the Declaration, to which reference is herein made for more particular description and for all other purposes; and

WHEREAS, by that certain instrument dated May 3, 1982, and entitled "Annexation of Westbranch, Section II", executed by Affiliated Capital Corporation, Declarant, recorded under Clerk's File No. H530162 and at Film Code No. 019-95-0950, et. seq., of the Real Property Records of Harris County, Texas, additional properties within that certain tract or parcel of land known as Westbranch, Section II, were encumbered and subjected to those certain easements, covenants, conditions and restrictions described in the Declaration; and

WHEREAS, Paragraph 37 (Annexation) of the Declaration provides as follows:

Additional land within the area described in Deed Book under Clerk's File Numbers F001580 and F001582 of the Land Records of Harris County, Texas, may be annexed by the Declarant without the consent of the members within 15 years of the date of this instrument provided that the FHA and the VA determine that the annexation is in accord with the general plan theretofore approved by them.

WHEREAS, Habitch Models, Inc. is the owner of certain additional property within the area described in Deed Book under Clerk's File Numbers F001580 and F001582 of the Land Records of Harris County, Texas, which property is more particularly described as follows:

Lots One (1) through Four (4), inclusive, Block One (1), Westway, Section Three (3), a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 319, Page 26, of the Map Records of Harris County, Texas.

WHEREAS, detailed plans for the development of the property described above,

have heretofore been submitted to the Federal Housing Administration and the Veterans Administration as required by Paragraph 37 of the Declaration and FHA and VA have determined that the annexation of such properties is in accord with the general plan previously approved; and

WHEREAS, Affiliated Capital Corporation, as Declarant, and Habitch Models, Inc., as the owner of the above described properties desires to annex said properties to Westbranch, Sections One (I) and Two (II) and to extend and include to said properties all of the easements, covenants, conditions and restrictions and all other applicable terms and provisions of the Declaration;

NOW THEREFORE, Affiliated Capital Corporation, Declarant, and Habitch Models, Inc., Owner, hereby annexes the above described properties to Westbranch, Sections One (I) and Two (II), under and pursuant to the provisions of Paragraph 37 of the Declaration, and declare that all of said property shall be held, sold, and conveyed subject to the easements, covenants, conditions and restrictions contained in the Declaration, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the real property covered thereby. The easements, covenants, conditions and restrictions set forth in the Declaration shall be binding upon all parties having or acquiring any right, title or interest in any of said properties and shall inure to the benefit of each owner thereof. Wherever in the Declaration there is a specific reference to Section I, the reference shall also mean and include the properties hereby annexed.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seal this the 24<sup>th</sup> day of April, 1984.

AFFILIATED CAPITAL CORPORATION

Attest:

M. Rubin  
By: MARY RUBIN  
VICE-PRESIDENT

(2)  
/or

ASSISTANT Toni A. Hollister  
Secretary

HABITCH MODELS, INC.

Ron Tuttle  
By: Ron Tuttle, Vice President of U. S. Home Corporation, authorized agent for Habitch Models, Inc.

/or

Attest:

Joe Weatherly  
Secretary

084-94-2551

THE STATE OF TEXAS  
COUNTY OF HARRIS

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BEFORE ME, the undersigned authority, on this day personally appeared Maury Rubin, Vice President of AFFILIATED CAPITAL CORPORATION, known to me to be the person and the officer whose name is subscribed to the foregoing instrument, who, being by me first duly sworn, did depose and state that he 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 on this the 24th day of April, 1984.



Linda M. Grandorff  
Notary Public - State of Texas  
Print Name LINDA M. GRANDORFF  
My Commission Expires 3/16/89

THE STATE OF TEXAS  
COUNTY OF HARRIS

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BEFORE ME, the undersigned authority, on this day personally appeared RON TUTTLE, Vice President of U. S. HOME CORPORATION, authorized agent for HABITCH MODELS, INC., known to me to be the person and the officer whose name is subscribed to the foregoing instrument, who, being by me first duly sworn, did depose and state that he 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 on this the 24 day of April, 1984.

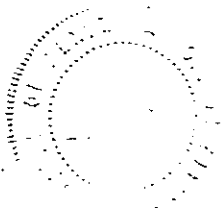


Marjorie J. Brinegar  
Notary Public - State of Texas  
Print Name Marjorie J. Brinegar  
My Commission Expires 19 Dec. 87

FILED  
JUN 8 10 48 AM '84  
Christa Raderhausen  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

Return To:  
TEXAS AMERICAN TITLE CO  
12200 NORTHWEST FRELWAY STE. 440  
HOUSTON, TEXAS 77092

084-94-2552



STATE OF TEXAS }  
COUNTY OF HARRIS }

I hereby certify that this instrument was FILED in  
File Number Sequence on the date and at the time stamped  
hereon by me; and was duly RECORDED, in the Official  
Public Records of Real Property of Harris County, Texas on

JUN 8 1984 .



*Quita Rosekramer*  
COUNTY CLERK,  
HARRIS COUNTY, TEXAS

Yancy Cruse  
Notary Public in and for the State of Texas  
My Commission expires 2-18-84

I, Albert D. Gutierrez, an authorized under the laws of the State of Texas to practice the profession and hereby certify that the above subdivision is true and correct; was made from an actual survey of the property made under my supervision on the ground, that all corners, angle points, points of curvature and other points of reference have been marked with (or suitable permanent metal) pipes or rods having an outside diameter of not less than one-quarter inch and a length of not less than three (3) feet; and that the plat hereon has been filed to the nearest survey corner and to the City of Houston survey records.

Albert D. Gutierrez  
Alberto D. Gutierrez, P.L., P.F.S.  
Texas Registration No. 3735



It is to certify that the City Planning Commission of the City of Houston, Texas has approved this plat and subdivision of Westway Section Three in conformance with the laws of the State and the ordinances of the City of Houston as shown hereon and authorized the filing of this plat this 24 day of May, 1983.

By: [Signature]  
Chairman  
By: [Signature]  
Efraim S. Garcia, Secretary

Richard F. Doss, County Engineer of Harris County, do hereby certify that the plat of this subdivision complies with all of the existing rules and regulations of this office as promulgated by the Harris County Commissioners' Court; and further, that it complies or will comply with the laws included in the Harris County Road Law, also including Section 31-C as amended by Chapter 614, Acts of 1973, 63rd Legislature.

[Signature]  
Richard F. Doss  
County Engineer

James D. Green, Flood Control Director of Harris County Flood Control District, Harris County, do hereby certify that the plat of this subdivision complies with requirements of the Harris County Flood Control District drainage as adopted by Commissioners' Court; however, no certification is made as to the effect of drainage from this subdivision on the intersecting drainage system stream or on any other area or subdivision within the watershed.

[Signature]  
James D. Green, Director of  
Harris County Flood Control District

By the Commissioners' Court of Harris County, Texas, this 24 day of May, 1983.

By: [Signature]  
Commissioner, Precinct 1

By: [Signature]  
County Judge

By: [Signature]  
Commissioner, Precinct 4

By: [Signature]  
County Clerk

By: [Signature]  
County Clerk

By: [Signature]  
County Clerk

By: [Signature]  
County Clerk

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County Clerk

By: [Signature]  
County Clerk

# WESTWAY SECTION THREE

PLAT OF 0.6171 ACRES OF LAND  
T OF THE W.C.R.R. CO. SECTION 9  
LOCK I SURVEY, ABSTRACT 917  
HARRIS COUNTY, TEXAS

I BLOCK 4 LOTS

NOTICE TO THE PUBLIC  
THIS PLAT IS FILED FOR RECORD  
AND IS SUBJECT TO THE  
RECORDS OF THE COUNTY CLERK  
OF HARRIS COUNTY, TEXAS  
AND IS SUBJECT TO THE  
RECORDS OF THE COUNTY CLERK  
OF HARRIS COUNTY, TEXAS



STATE OF TEXAS  
COUNTY OF HARRIS

The U.S. Home Corporation, acting by and through Chris Rediger, President and Ron Tuttle, Vice President, being officers of U.S. Home Corporation, owner hereinafter referred to as Owners, of the 0.6177 acre tract described in the above and preceding map of Westway Section Three, do hereby make and establish said subdivision and development plan of said property according to the uses, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public for streets, alleys, parks, water courses, drains, easements and public places shown thereon the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, assigns and executors to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners do hereby covenant and agree that these presents do dedicate to the use of the public for public utility purposes an unobstructed aerial easement five (5) feet in width from a plane twenty (20) feet above the ground level, located adjacent to all public utility easements shown hereon.

FURTHER, Owners do hereby covenant and agree that all parcels of land designated as lots on this plat are originally intended for the construction of residential dwelling units thereon for the placement of mobile homes and shall be restricted for the same under the terms and conditions of such restrictions as may be imposed.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to prevent the drainage of any septic tank into any public or private street, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen (15) feet wide on each side of the center line of any and all bays, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located and depicted upon in said plat, as easements for drainage purposes, giving the City of Houston, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

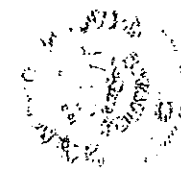
FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, chimneys and other obstructions to the operations and maintenance of the drainage facility and that such existing property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owners certify and covenant that they have complied with or will comply with the existing Harris County Road Law, Section 31-C as amended by Chapter 614, Acts of 1973, 63rd Legislature and all other regulations heretofore on file with the Harris County Engineer and adopted by the Commissioners' Court of Harris County.

FURTHER, the Owners certify that this plat does not attempt to alter, amend or remove any covenants or restrictions.

IN TESTIMONY WHEREOF, the U.S. Home Corporation has caused these presents to be signed by Chris Rediger, its President, thereunto authorized, attested by its Vice President, Ron Tuttle, and its common seal hereunto affixed this 21st day of April, 1983.

U.S. HOME CORPORATION  
By: Chris Rediger  
Chris Rediger, President  
Attest: Ron Tuttle  
Ron Tuttle, Vice President



STATE OF TEXAS  
COUNTY OF HARRIS

BERNICE MC, the undersigned authority, on this day personally appeared Chris Rediger, President and Ron Tuttle, Vice President of U.S. Home Corporation, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 21st day of April, 1983.  
Nancy Cruise  
Nancy Cruise  
Notary Public in and for the State of Texas  
My Commission Expires 3-18-84

STATE OF TEXAS  
COUNTY OF HARRIS

I, Alberto D. Gutierrez, an authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground, that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarter inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the nearest survey corner and to the City of Houston survey marker system.

Albert D. Gutierrez  
Alberto D. Gutierrez, P.E., R.S.S.  
Texas Registration No. 3735



This is to certify that the City Planning Commission of the City of Houston, Texas has approved this plat and subdivision of Westway Section Three in conformance with the laws of the State of Texas and the ordinances of the City of Houston as shown hereon and authorized the recording of this plat this 22nd day of May, 1983.

By: W. J. Meagitt  
W. J. Meagitt, Chairman  
By: Erwin S. Correll  
Erwin S. Correll, Secretary

I, Richard P. Hoss, County Engineer of Harris County, do hereby certify that the plat of this subdivision complies with all of the existing rules and regulations of this office as adopted by the Harris County Commissioners' Court; and further, that it complies or will comply with all of the laws included in the Harris County Road Law, also including Section 31-C as amended by Chapter 614, Acts of 1973, 63rd Legislature.

Richard P. Hoss  
Richard P. Hoss  
County Engineer

I, James B. Green, Flood Control Director of Harris County Flood Control District, Harris County, Texas, do hereby certify that the plat of this subdivision complies with requirements for internal subdivision drainage as adopted by Commissioners' Court; however, no certification is hereby given as to the effect of drainage from this subdivision on the interconnecting drainage artery or parent street or on any other area or subdivision within the watershed.

James B. Green  
James B. Green, Director of  
Harris County Flood Control District

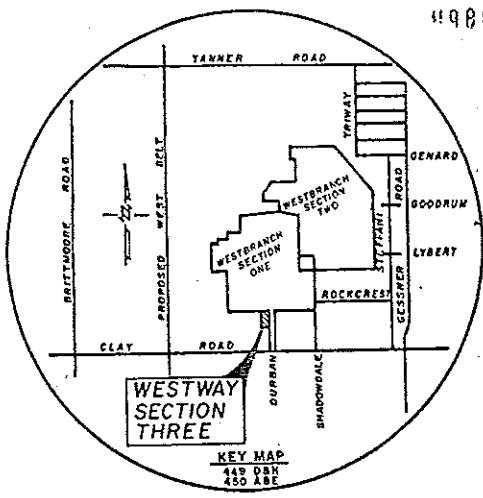
APPROVED BY the Commissioners' Court of Harris County, Texas, this 22nd day of May, 1983.

For His Honor  
Commissioner, Precinct 1  
W. J. Meagitt  
W. J. Meagitt  
Commissioner, Precinct 1

Commissioner, Precinct 2  
Erwin S. Correll  
Erwin S. Correll  
Commissioner, Precinct 2

I, Ross Spivey, Clerk of the County Court of Harris County, do hereby certify that the within instrument with its certificate of certification was filed for registration in my office on this 22nd day of May, 1983, at 1:00 o'clock P.M. and duly recorded on this 22nd day of May, 1983, at 1:00 o'clock P.M.





VICINITY MAP  
N.T.S.

