

Amend

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**AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR BELMONT FARMS SUBDIVISION**

This Amendment to Declaration of Covenants, Conditions and Restrictions for Belmont Farms Subdivision (hereinafter "Amendment") is made this 23rd day of September, 2004, by all of the owners of the effective property, being, Jacqueline Foster, Donald Foster, Brian Swearingen, Lynn Swearingen, Neal Herman, Rosie Herman, John Devine and Nubia Devine (hereinafter collectively referred to as "Declarant");

WITNESSETH

Declarant intends by this Amendment Declarations to amend the declarations imposed upon the property described in this declaration.

Whereas, the Declarant is the owner of all of the property contained in Belmont Farms a subdivision in Harris County, Texas (hereinafter referred to as the "Land"). By recordation of this Amendment, Declarant intends and desires to amend and change the previously recorded restrictions applicable to the Land which are filed in the Harris County Real Property Records at Film No. 415020. Declarant, as owner of the Land, has the right and power to impose, amend and specify the restrictions, covenants and conditions set forth herein to be applicable to the Land.

Now therefore, Declarant hereby declares that the previously filed declarations, are amended to read as follows:

Section 1 entitled "Land Use" shall read as follows:

Section 1. Land Use. The Land shall be exclusively for residential purposes and for such limited and appropriate agricultural, recreational, and open-space purposes in conjunction therewith as the Architectural Control Committee may designate and approve. However, where not in

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violation of any laws, codes, or ordinances, Owners may use their residences for such business purposes as necessary for the conduct of personal or professional business which (a) does not alter the physical appearance of the residence or surrounding property, (b) does not cause any nuisance (visual, audio, or otherwise), (c) is not sexually oriented or involve the use of hazardous material, (d) does not utilize any business signage or advertisement on the Property and is not otherwise apparent when viewed from the street, (e) does not cause any traffic or parking inconveniences or excessive wear and tear on the private streets of the subdivision, and (f) does not involve retail sales to the public. Only single-family type dwellings (which may include a garage, guest house, quarters for live-in servants and a barn or other similar building) shall be allowed on the Land or on any residential lot. The term "single-family" shall include the members of the primary family, i.e. husband, wife, and children as well as the parents, grandparents, and grandchildren of the husband and/or wife. Without limitation, such single-family residential use specifically excludes the rental to or occupancy by non-primary family members. Without limitation, such single-family residential use specifically excludes all multi-family and/or multi-unit type structures.


Ret ✓✓
Brian Swearingen
21218 Belmont Farms
Tomball, TX 77375

In witness whereof, the undersigned being the Declarant herein, have hereunto set their respective hands and seal this 23rd day of September, 2004.

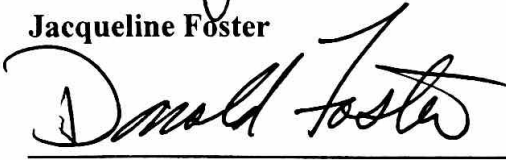
DECLARANT:



Jacqueline Foster



Neal Herman



Donald Foster



Rosie Herman



Brian Swearingen



John Devine



Lynn Swearingen

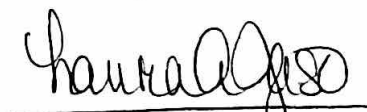


Nubia Devine

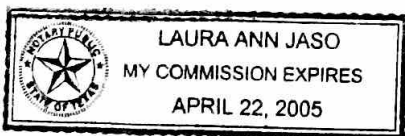
Z:\CSJ-LAW\OPENFILES\7140\7140 001\AMENDMENT TO DECLARATION - FINAL WPD

State of Texas
County of Harris

Sworn to and subscribed to before me by
Brian Swearingen and Lynn Swearingen on this 24th day
of September, 2004.



Notary Public



FILED
04 SEP 24 PM 2:48
COUNTY CLERK
HARRIS COUNTY TEXAS
Rose J. Herman

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ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE 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

SEP 24 2004



Beverly L. Kaufman

COUNTY CLERK
HARRIS COUNTY, TEXAS