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**AMENDMENT TO RESTRICTIONS  
OF  
AMBERWOOD  
A Recorded Subdivision in Montgomery County, Texas**

WHEREAS, the restrictions of AMBERWOOD, a recorded subdivision in Montgomery County, Texas and being located in the H. A. Peters Survey, A-434, have been recorded in Volume 964 at Page 14 of the Deed Records, Montgomery County Clerk's Office, Montgomery County, Texas, and, Whereas, it is provided at Page 8, Paragraph 15, thereof, that "These covenants and restrictions shall run with the land, and shall be binding upon Grantor, its successors and assigns, and all persons or parties claiming under it for a period of twenty-five years from the date hereof, at which time they shall be automatically extended for successive periods of ten years each, unless prior to the expiration of any such period the then owners of a majority of the land area in AMBERWOOD shall execute and record an instrument changing these covenants and restrictions in whole or in part, the provisions of said instrument to become operative at the expiration of the period in which it is executed and recorded. These covenants and restrictions may be amended prior to the expiration of the above mentioned twenty-five year period, provided the owners of a majority of the land area in AMBERWOOD execute and record an instrument doing so."

WHEREAS, prior to the expiration of the twenty-five year term as provided therein, the owners of a majority of the land area in AMBERWOOD do hereby agree that the Restrictions pertaining to Amberwood subdivision shall be extended for a period of ten years except as to those particular restrictions amended in this document.

**AMENDMENT I.**

The Section entitled The Amberwood Committee, Paragraph 3 only of this Section shall be amended to read as follows:

Such election (or any other election for the removal or replacement of Committee members) shall be governed by the following: The Committee (or Grantor until such Committee is initially elected) shall serve written notice of such election to each of the then lot owners in AMBERWOOD by addressing such notice by United States Mail, to the last known address of such owners who live outside of AMBERWOOD at least two weeks prior to such election, therein apprizing said owners of the time and place of said election. Lot owners who reside in AMBERWOOD will be given notice by public display within the subdivision by the Amberwood Civic Committee marque notifying the type of meeting, the date, and location of the meeting. Such notice to be displayed continuously for two weeks before the meeting date. Votes of owners shall be evidenced by written ballot furnished

by the Committee and the Committee shall maintain said ballots as a permanent record of such election. Any owner may appoint a proxy to cast his ballot in such election, provided that his written appointment of such proxy is attached to the ballot as a part thereof.

**AMENDMENT II**

The subtitle entitled THE AMBERWOOD COMMITTEE shall be amended to add an additional paragraph which shall read as follows:

Upon the sale, conveyance or transfer of title to any lot in Amberwood, there shall be imposed on the Seller of any such lot, a transfer fee of Twenty-Five Dollars (\$25.00) payable to The Amberwood Committee. This transfer fee shall constitute a lien against the land. The Amberwood Committee is authorized to collect and expend the funds from transfer fees. The Amberwood Committee may enforce the collection thereof as is authorized herein for the collection of maintenance fees, including the enforcement of the lien created by reason of the failure to pay the transfer fee.

**AMENDMENT III**

The subtitle entitled RESTRICTIONS, Section IV, shall be amended to read as follows:

Any resident (except for mobile homes) constructed in AMBERWOOD must have a living area of not less than 1,200 square feet, exclusive of open or screened porches, terraces, driveways, carports and garages.

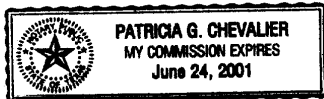
**AMENDMENT IV**

The subtitle entitled RESTRICTIONS, Section VI., shall be amended to read as follows:

- (A) No mobile home (except as provided under sub-paragraph "B" and "C" below), tent, shack, or other temporary structure shall ever be erected, placed, or maintained on any lot or building site in AMBERWOOD, for human or animal habitation, and no
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temporary building, basement, garage, or other out building erected on any lot or building site in AMBERWOOD, shall be at any time used for human or animal habitation (except by bona fide servants, as stated) temporarily or permanently. This provision does not exclude parking of mobile homes on property owned by lot owners, provided it is uninhabited and is parked generally behind the main house structure and no closer than 100 feet to any street. Further, this provision does not exclude erection of permanent bona fide servant and/or guest housing, animal stables and tack rooms, or workshops, provided, however, such structures are approved following the procedure outlined in Section I hereof and are erected generally behind the main house structure.

- (B) Mobile homes shall be allowed on Lots 1 through 6, 70 through 94, and 96 through 102. However, said mobile homes must be 1997 or newer models. No mobile homes older than a 1997 model will be permitted on any lot in the subdivision. All mobile homes must contain a living area of at least 1,000 square feet.
- (C) Mobile homes must be anchored and skirted appropriately (as approved by the Committee). No mobile home currently set up on a lot in AMBERWOOD may be moved to another lot in AMBERWOOD if it was manufactured before 1997.



  
SHELLY BURGER, Secretary

**THE AMBERWOOD COMMITTEE**

  
BY: BILLY SCOTT, President

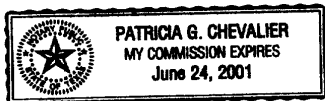
ACKNOWLEDGMENT

THE STATE OF TEXAS §

COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared BILLY SCOTT, known to me to be the President of THE AMBERWOOD COMMITTEE, a property owners association authorized under the terms of the Restrictions for the Amberwood subdivision, and acknowledged to me that after due consideration of the Amendment to Restrictions of Amberwood as provided herein and a vote authorizing these amendments by a majority of the land owners in the Amberwood subdivision, he executed this Amendment to the Restrictions for the purposes and consideration therein expressed, and in the capacity therein stated, and as the act and deed of said property owners association.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28th day of Aug., 1999.



*Patricia G. Chevalier*  
Notary Public, State of Texas  
Printed Name: PATRICIA G. CHEVALIER  
Comm. Expires: 6-24-01

FILED FOR RECORD  
99 SEP -1 PM 2:05  
MARK TURNBULL, CO. CLERK  
MONTGOMERY COUNTY, TEXAS  
*[Signature]*  
DEPUTY

STATE OF TEXAS  
COUNTY OF MONTGOMERY  
I hereby certify that this instrument was filed in File Number Sequence on the date and at the time stamped herein by me and was duly RECORDED in the official Public Records of Real Property of Montgomery County, Texas.

SEP 01 1999



*Mark Turnbull*  
COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

*Amberwood Subd.  
✓ P.O. Box 1575  
Splendora, TX 77372-1575*