

AMENDMENT TO CONDOMINIUM DECLARATION FOR
RIVERTREE CONDOMINIUMS

Whereas, by a Condominium Declaration for Rivertree Condominiums (the "Declaration"), dated May 6th, 1983, and filed for record with the County Clerk of Brazoria County, Texas, on the 6th day of September, 1983, at Volume 1, Page 278, and the 15th day of November, 1983, of the Condominium Records of Brazoria County, Texas, the same being Brazoria County Clerk's File Nos. 29715 and 38488, Rivertree Condominiums, a Condominium Regime was created; and

WHEREAS, the Rivertree Owners Association, Inc., as assignee of the Declarant, is empowered to amend the Declaration in accordance with the terms and conditions of Tex. Prop. Code §81.111 and Declaration Art. VIII, 8.1, AMENDMENT TO THE DECLARATION: APPROVAL OF OWNERS AND MORTGAGEES, found therein; and

WHEREAS, all conditions precedent to Declaration amendment have occurred including ratification of this amendment by all owners and mortgagees as demonstrated in Exhibit "A" (a true and correct copy of which is attached hereto and incorporated herein for all purposes);

NOW THEREFORE, the Rivertree Owners Association, Inc. hereby amends Art. V, 5.1 to read as follows:

Art. V, 5.1: ASSESSMENTS FOR COMMON EXPENSES. All owners shall be obligated to pay the estimated assessments imposed by the Association to meet the Common Expenses. Assessments for the estimated Common Expenses shall be due monthly in advance on or before the first (1st) day of each month. Failure to pay this assessment, or any additional special assessment, by the fifteenth (15th) day of each month shall require the imposition and assessment of a late charge of Twenty-Five Dollars (\$25.00) on the sixteenth (16th) day, plus an additional Two Dollars (\$2.00) per day thereafter until the fee is paid. Additionally, all returned checks received by the Association shall be subject to a Twenty-Five Dollar (\$25.00) fee.

EXCEPT as specifically set forth hereinabove, all provisions of the Declaration for

Rivertree Condominiums as previously recorded shall remain valid and unaffected. In the event of any ambiguities between the original Declaration and this Amendment, the terms of this Amendment shall be controlling.

EXECUTED this 15 day of December, 1997.

RIVERTREE OWNERS ASSOCIATION, INC.

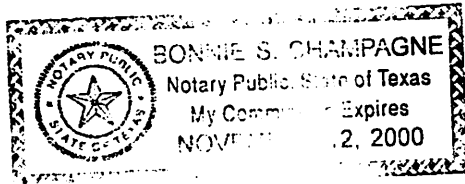
By: Nelson Hollis
Nelson Hollis, President

ATTEST:

By: BEA [Signature]
Secretary

THE STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

This instrument was acknowledged before me on the 15 day of December, 1997, by Nelson Hollis, President of Rivertree Owners Association, Inc., on behalf of said corporation.



Bonnie S. Champagne
Notary Public for the
State of Texas

My Commission expires: _____.

Return to:

✓ Gammon & Associates
1 Greenway Plaza, Ste. 1005
Houston, Texas 77046
(713) 964-5340
(713) 964-5341 fax

AFFIDAVIT OF NELSON HOLLIS

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

On this day, Nelson Hollis, appeared before me, the undersigned notary public, and after I administered an oath to him, upon his oath, he said:

"My name is Nelson Hollis. I am more than 21 years of age and capable of making this affidavit."

"I am president of the Rivertree Owners Association, Inc. (the "Association") and have personal knowledge of the facts stated in this affidavit. On November 19, 1997, following due notice as required under the Association's dedicatory instruments, the Association held its Annual Meeting. One of the stated purposes for this meeting was to ratify an amendment to the Condominium Declaration for Rivertree Condominiums (the Declaration") which would increase certain penalties related to delinquent owner assessments."

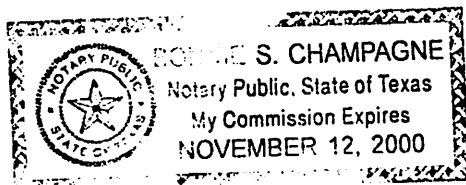
"A quorum being present, the Association discussed amendment of Declaration Art. V, 5.1. As a result of this discussion, it was decided that the present late charge of five dollars (\$5.00) be increased to twenty-five dollars (\$25.00) together with an additional two dollars (\$2.00) per day thereafter until the assessment is paid. This penalty was to be applicable not only to the general assessment, but also to any special assessment levied by the Association. Additionally, it was also decided that a twenty-five dollar (\$25.00) fee should be charged for all returned checks. This amendment was then ratified by an open vote of those in attendance at the Annual Meeting in accordance with the terms of Declaration Art. VIII, 8.1."

Nelson Hollis

President of the Rivertree Owners Association, Inc.

SWORN TO and SUBSCRIBED before me by Nelson Hollis on the 15 day of

December, 1997.



Bonnie S. Champagne

Notary Public in and for the State of Texas

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