

U258501

03/03/00 101254721 U258501

\$71.00

530-00-2790

NOTICE

NOTICE OF DEDICATORY INSTRUMENTS
FOR
THE DEERWOOD COUNCIL OF CO-OWNERS

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The undersigned, being the President of The Deerwood Council of Co-Owners, a property owners' association as defined in Section 202.001 of the Texas Property Code ("the Association"), hereby certifies as follows:

1. Subdivision: The Subdivision to which the Notice applies is described as follows:

All of Deerwood, a condominium regime in Harris County, Texas according to the Condominium Declaration recorded under Clerk's File No. F667826 of the Condominium Records of Harris County, Texas. *hw*

2. Restrictive Covenants. The description of the document(s) imposing restrictive covenants on the Subdivision, the amendment(s) to such document(s), and the recording information for such document(s) are as follows:

*71
R*

- a. Document: Condominium Declaration for Deerwood.
b. Recording Information: File No. F667826, Condominium Records of Harris County, Texas.

3. Dedicatory Instruments: In addition to the Restrictive Covenants identified in Paragraph 2, above, the following documents are Dedicatory Instruments governing the Association:

- a. Articles of Incorporation
b. ByLaws
c. Rules and Regulations

True and correct copies of such Dedicatory Instruments are attached to this Notice.

This Notice is being recorded in the Official Records of Real Property of Harris County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby

certify that the information set forth in this Notice is true and correct and that the copies of the Dedicatory Instruments attached to this Notice are true and correct copies of the originals.

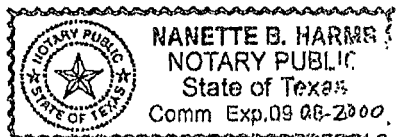
Delbert Owings
Delbert Owings, President
of The Deerwood Council of Co-Owners

107

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this day personally appeared Delbert Owings, President of The Deerwood Council of Co-Owners, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 23 day of February, 2000, to certify which witness my hand and official seal.



Nanette B. Harms
Notary Public in and for the State of Texas

Return to:
Butler & Hailey, P.C.
1616 South Voss Road, Suite 500
Houston, Texas 77057

FILED
In the Office of the
Secretary of State of Texas

FEB 05 1976

ARTICLES OF INCORPORATION

OF

Loma Salzman
Deputy Director, Corporation Division

THE DEERWOOD COUNCIL OF CO-OWNERS

530-00-2792

We, the undersigned natural persons of the age of twenty-one years or more, at least two of whom are citizens of the State of Texas, acting herein as incorporators of a corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation:

ARTICLE I

The name of the corporation is THE DEERWOOD COUNCIL OF CO-OWNERS.

ARTICLE II

The corporation is a non-profit corporation.

ARTICLE III

The period of its duration is perpetual.

ARTICLE IV

Purpose and Powers of the Corporation

This corporation does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation, and operation of THE DEERWOOD CONDOMINIUM PROJECT on that certain tract of property described on Exhibit "A" attached hereto and made a part

hereof, as provided for in the Condominium Declaration hereinafter described, and to promote the health, safety, and welfare of the members within the above described project, and for this purpose to:

- A. Exercise all of the powers and privileges and to perform all of the duties and obligations of the Council of Co-Owners ("Council") as set forth in the Condominium Act (Art. 1301a, Revised Civil Statutes of Texas) and in that certain Condominium Declaration, hereinafter called the "Declaration," applicable to the property and recorded or to be recorded, in the Condominium Records of Harris County, Texas, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at length;
- B. Fix, levy, collect, and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Council, including all licenses, taxes, or governmental charges levied or imposed against the property of the Council;
- C. Acquire (by gift, purchase, or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Council;
- D. Borrow money, and, with the assent of the members, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;
- E. Have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Texas may now or hereafter have or exercise.

ARTICLE V

Membership

Every person or entity who is a record Co-owner of a fee or undivided fee interest in any Unit (as defined in the Declaration) shall be a member of the Council. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any Unit which is part of the Condominium Project. The word "member" shall be synonymous with the word "Co-Owner" as defined in the Declaration.

ARTICLE VI

Voting Rights

Each member shall be entitled to a vote for each unit owned by such member weighted in accordance with the Unit's interest in the common elements as set forth in the Declaration.

ARTICLE VII

Board of Administrators

The affairs of this corporation shall be managed by a Board of not less than seven persons, who shall be known as "Administrators", and who shall be members of the Council (except for the initial Administrators named below or their successors prior to the first

annual meeting of the members). Subject to such limitation, the number of Administrators shall be fixed by the Condominium Declaration and the By-Laws of the corporation and amendments thereto from time to time, except as to the number of the initial Board of Administrators. No decrease in the number of Administrators at any time shall affect or shorten the term of any incumbent Administrator.

The number of Administrators constituting the initial Board of Administrators of the corporation is seven, and the names and addresses of the persons who are to serve as the initial Administrators are:

<u>Lance Funston</u>	<u>2236 So. Piney Point Rd. #101 Houston, Texas 77063</u>
<u>James Russell</u>	<u>2236 So. Piney Point Rd. #103 Houston, Texas 77063</u>
<u>Frank Gentzer</u>	<u>2236 So. Piney Point Rd. #111 Houston, Texas 77063</u>
<u>Alice Harroff</u>	<u>2236 So. Piney Point Rd. #218 Houston, Texas 77063</u>
<u>Nancy Miller</u>	<u>2236 So. Piney Point Rd. #101 Houston, Texas 77063</u>
<u>Cam Mottl</u>	<u>2236 So. Piney Point Rd. #103 Houston, Texas 77063</u>
<u>Beverly Cassel</u>	<u>2236 So. Piney Point Rd. #103 Houston, Texas 77063</u>

ARTICLE VIII

By-Laws

The initial By-Laws of the corporation shall be adopted by the Developer of the Condominium Project as provided by the Declaration and may be amended as provided for therein.

ARTICLE IX

Dissolution

The corporation may be dissolved with the assent given in writing and signed by all of the members.

ARTICLE X

Initial Registered Office and Agent

The post office address of the corporation's initial registered office is 2236 South Piney Point Road, Suite 101, Houston, Texas 77042, and the name of the corporation's initial registered agent at such address is Lance Funston.

ARTICLE XI

Amendments

Amendment to these Articles shall require the assent of votes representing 75% of the total units.

ARTICLE XII

Incorporators

The following persons, whose addresses are shown opposite

530-00-2797

their names, all of whom are citizens of the State of Texas of the age of twenty-one (21) years or more, are the incorporators of this corporation:

Mina Robbins

1415 Fannin
Houston, Texas 77002

Jerry Williams

1415 Fannin
Houston, Texas 77002

Virginia Wilkins

1415 Fannin
Houston, Texas 77002

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Texas, we, the undersigned, constituting the incorporators of this corporation, have executed these Articles of Incorporation this 4th day of February, 1976.

Mina Robbins
Mina Robbins

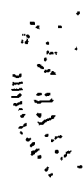
Jerry Williams
Jerry Williams

Virginia Wilkins
Virginia Wilkins

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Mina Robbins, Jerry Williams and Virginia Wilkins, known to me to be the persons whose names are subscribed to the foregoing instrument, who each being by me first duly sworn, severally declared that they are the persons who signed the foregoing document as incorporators, and that the statements therein contained are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 4th day of February, 1976,

A circular notary seal is partially visible on the left side of the page. It contains the text "NOTARY PUBLIC" around the perimeter and a central emblem.
Ira F. Barksdale

Notary Public in and for
Harris County, Texas

A tract of land containing 7.713 acres of land, more or less, in the John D. Taylor League, Abstract No. 72, Harris County, Texas, being all of DEERWOOD TOWNHOUSES AND APARTMENTS, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 160, Page 86 of the Map Records of Harris County, Texas; Subject to:

1. Taxes for the year 1975 and subsequent years.
2. The following lien(s) and all terms, provisions and conditions of the instrument(s) creating or evidencing said lien(s):

Vendor's Lien retained in deed dated June 30, 1975 from Frank H. Malone and Arthur L. Talk, to Portfolio Management, Inc., a Delaware corporation, securing the payment of one certain promissory note of even date therewith in the principal amount of \$4,250,000.00 payable to the order of Republic of Texas Savings Association, as therein provided. Said note being additionally secured by a Deed of Trust of even date therewith to Conway F. Jordan, Jr., Trustee, filed for record in the office of the County Clerk of Harris County, Texas on July 8, 1975 under Clerk's File No. E-479371, and refiled on July 11, 1975 under Harris County Clerk's File No. E-482353. Said note additionally secured by Assignment of Rentals dated June 30, 1975 under Clerk's File No. E-479372.

3. Twenty (20) foot sanitary sewer easement over the Southwesterly portion of the herein described property as shown on map recorded in Volume 160, Page 86 of the Map Records of Harris County, Texas.
4. Drainage easement to Harris County Flood Control District over the Westerly portion as shown on map recorded in Volume 160, Page 86 of the Map Records of Harris County, Texas.
5. Easement Five (5) feet in width for the use of public utilities, along a portion of the Northerly line of the herein described property as shown on map recorded in Volume 160, Page 86 of the Map Records of Harris County, Texas.
6. Ten (10) foot water main easement, adjacent to and adjoining the paved private street, and Two (2) Ten (10) foot water main easements across said street, as shown on map recorded in Volume 160, Page 86 of the Map Records of Harris County, Texas.
7. Ten (10) foot easement for water line purposes, as granted to the City of Houston in strument recorded in Volume 8136, Page 239 of the Deed Records of Harris County, Texas.
8. Easement for ingress and egress crossing the South line of the herein described property and within a Forty-one (41) foot roadway, as set out in Deed recorded in Volume 7493, Page 521 of the Deed Records of Harris County, Texas.

9. One-half (1/2) of all oil, gas and other minerals of every character in and under the herein described property reserved by The Board of Regents of The University of Texas in instrument recorded in Volume 1165, Page 652 of the Deed Records of Harris County, Texas, reference to which instrument is here made for all purposes. Title to said interest has not been investigated subsequent to date of the aforesaid instrument.
10. One-half (1/2) royalty interest in all of the oil, gas and other minerals in and under the herein described property reserved by The Board of Regents of The University of Texas, in instrument recorded in Volume 1165, Page 652 of the Deed Records of Harris County, Texas.
11. Unrecorded Agreement referred to in Deed dated January 30, 1969 recorded in Volume 7493, Page 521 of the Deed Records of Harris County, Texas from Fred T. Couper to Frank H. Malone and Arthur L. Talk.
12. Permission to build over various Easements granted to Arthur L. Talk and Frank H. Malone, in instruments recorded in Volume 7970, Page 266, Volume 8057, Page 47, Volume 8057, Page 49, all of the Deed Records of Harris County, Texas.