

BY-LAWS  
OF  
HIDDEN LAKE TOWNHOUSE HOMEOWNERS ASSOCIATION, INC.

ARTICLE I

Section 1. The words "the property" as used in these ByLaws shall be deemed to mean the following described real property situated in Harris County, Texas, described on the attached Exhibit "A".

ARTICLE II

The name of this Corporation shall be HIDDEN LAKE TOWNHOUSE HOMEOWNERS ASSOCIATION, INC. Its principal office shall be located at 704 Worthshire, Houston, Texas 77008.

ARTICLE III

Section 1. The purposes for which this Corporation is formed are the civic and social benefit and betterment of the residents and property owners of HIDDEN LAKE TOWNHOUSES Planned Unit Development, which purposes are more specifically described as follows:

(a) To exercise all of the powers and privileges and to perform all of the duties and obligations of the Corporation as set forth in the Declaration of Covenants, Conditions and Restrictions (the "Restrictions") for HIDDEN LAKE TOWNHOUSES Planned Unit Development;

(b) To affix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Restrictions referred to hereinabove; to pay all expenses in connection therewith and all office and other expenses incident to the conduct

of the business of this Corporation, including all licenses, taxes or governmental charges levied or imposed against the property of this Corporation;

(c) To acquire by gift or purchase or to 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 this Corporation subject to the limitations of the Restrictions;

(d) To borrow money, to mortgage, pledge or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred, subject to the limitations of the Restrictions;

(e) To provide for services such as garbage and rubbish collections and disposal;

(f) To promote and provide recreational facilities for the residents and the property owners of the property;

(g) ~~To provide safety or police patrols;~~

(h) To maintain streets, street lights, sidewalks and traffic controls;

(i) To provide general sanitation and cleanliness of common areas;

(j) ~~To provide control of insects, rodents and animals;~~

(k) To provide maintenance of drainage facilities;

(l) To provide maintenance and upkeep of common areas and facilities and of ~~townhouse exteriors as provided in the Restrictions;~~

(m) To provide any activity necessary for the mutual benefit of resident owners, and to have and to exercise any and all powers, rights, and privileges which a corporation organized under the Non-Profit Corporation laws of the State of Texas, by law may now or hereafter exercise.

Section 2. The Corporation may annex additional residential property and common area as provided in the Declaration of Covenants, Conditions and Restrictions applicable to the property.

#### ARTICLE IV

The Corporation shall have and continuously maintain in the State of Texas a registered office and a registered agent, whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act. The registered office may be, but need not be, identical with the principal office in the State of Texas, and the address of the registered office may be changed from time to time by the Board of Directors.

#### ARTICLE V

Section 1. Every person or entity who is a record owner of a fee or undivided fee interest in any Lot which is subject, by covenants of record, to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. No Owner shall have more than one membership. Membership shall be appurtenant to and may not be separated from any ownership of any Lot which is subject to assessment by the Association. Ownership of such Lot shall be the sole qualification for membership. Any mortgagee or lienholder who acquires title to any Lot which is a part of the Property, through judicial or non-judicial foreclosures or by a deed in lieu of foreclosure, shall be a member of the Association.

Section 2. The Association shall have two classes of voting membership.

CLASS A: Class A members shall be all Owners, with the exception of REALTEX EQUITIES, INC., Trustee, its successors and assigns, who shall be entitled to one vote for each Lot owned. When more than one person holds such interest in any Lot, all such persons shall be Members. The vote for such Lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any Lot.

CLASS B: Class B member(s) shall be REALTEX EQUITIES, INC., and its successors,

and shall be entitled to three (3) votes for each Lot owned, provided that the Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

- (a) when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership, or
- (b) five (5) years from the filing of the Declaration in the Deed Records of Harris County, Texas.

Section 3. The annual meeting of the members shall be held on the first Thurs in Nov. of each year, at 7:00 o'clock P.M., if not a legal holiday, and if a legal holiday, then on the next succeeding business day, for the purpose of electing Directors (after the term of office of the initial Board of Directors or the successors to the initial Board of Directors has terminated), and for the transaction of any and all such other business which may be brought before or submitted to the meeting. All annual meetings of the members shall be held at the office of the Corporation in the City of Houston, Texas, unless otherwise determined by the Board of Directors. No notice of the annual meetings shall be necessary.

Section 4. Special meetings of the members shall be held at the office of the Corporation in the City of Houston, Texas, or at such other places as may be designated in the notice of, waiver, or waivers of notice of the respective meetings. Special meetings of the members may be called by the President or by a majority of the directors or by a vote of each class of members. Written notice of each special meeting shall state the time and place thereof and indicate briefly the purpose or purposes thereof. Notice may be sent by mail or telegram or may be delivered by the Secretary, the President, Vice President or Assistant Secretary, directly to the members of the Corporation and all holders of first liens on the property at their respective addresses, as shown by the records of the Corporation, at least ten (10) and not more than fifty (50) days prior to the date set for the holding of the

meeting. Unless otherwise indicated in the notice or waiver or waivers of notice thereof, any and all business may be transacted at any annual or special meeting of the members. However, no vote to (i) alienate, hypothecate, transfer or assign the Association's interest in the common areas, (ii) change the assessment provisions of Article IV of the Declaration of Covenants, Conditions and Restrictions, (iii) discontinue professional management of the Property and assume self-management by the Association, or (iv) approve, modify, accept or otherwise affect or reject any plan of condemnation of the Property shall be effective until all Lienholders have been notified of said vote and given a period of thirty (30) days in which to contact the Owners or the Association and suggest alternatives or changes in the Association's plans.

Section 5. Those persons or entities holding a majority of the total votes, either in person or by proxy, shall constitute a quorum for all purposes at any meeting of the members. If the number of members necessary to constitute a quorum at any annual or special meeting is not present in person or by proxy, the members may adjourn such meeting from time to time without notice until the number requisite to constitute a quorum shall be present in person or by proxy. Those members holding a majority of all the votes of the members present in person or by proxy, may also adjourn any annual or special meeting from time to time without notice, other than by announcement at the meeting, until the transaction of any and all business submitted or proposed to be submitted to such meeting or any adjournment or adjournments thereof shall have been completed. At any such adjourned meeting at which a quorum may be present, in person or by proxy, any business may be transacted which might have been transacted at the meeting as originally noticed or called.

Section 6. Notwithstanding any other provisions of these By-Laws, any motion to (i) raise the annual assessments according to the terms of Article IV of the Declaration of Covenants, Conditions and Restrictions, or (ii) to make a Special Assessment for capital improvements as provided in said Article IV of the Declaration of Covenants, Conditions and

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Restrictions, must be approved in writing by members entitled to cast two-thirds (2/3) of the votes of the Association.

Section 7. The President of the Corporation, or in his absence, a Vice President of the Corporation, shall call the member meetings to order and in addition shall act as Chairman. In the absence of the President and a Vice President of the Corporation, the members present may appoint a Chairman. The Secretary of the Corporation, or in his absence, an Assistant Secretary, shall act as Secretary of all meetings of the members but in the absence of the Secretary and an Assistant Secretary, the presiding officer may appoint any person to act as Secretary of the meeting.

Section 8. At all meetings of members, all questions, except those expressly governed by statute, the Charter of the Corporation, these By-Laws or the Declaration of Covenants, Conditions and Restrictions shall be decided by a simple majority of the votes of the members present in person or by proxy at a meeting duly called with a quorum present. All voting shall be by voice, except that, upon the determination of the presiding officer of any meeting or upon the demand of any member or his proxy, voting may be by secret ballot. Each ballot shall be signed by the member voting or by his proxy. Cumulative voting for Directors is expressly prohibited. All voting shall be by members in person or by proxy as allowed by statute.

Section 9. Informal action. The Corporation may act, with or without a meeting, on any issue on which a vote of the members is required by obtaining the written consent of members having the requisite majority of all outstanding votes of members of the Corporation.

#### ARTICLE VI

Section 1. The business and property of the Corporation shall be managed and controlled by the Board of Directors and shall be subject to the restrictions imposed by law,

by the Articles of Incorporation of this Corporation, by these By-Laws and by the Restrictions on the property. The Board of Directors may exercise all of the powers of the Corporation.

The number of Directors initially, shall be three (3). The Board of Directors may, by majority vote of its own members, increase the Board to seven (7) members. Notwithstanding the foregoing, until the election of Directors at the first annual meeting of the members, the three initial Board of Directors shall so serve.

At the first annual meeting the Class A members shall elect two (2) Directors for a term of one (1) year, and the Class B member(s) shall elect three (3) Directors for a term of one (1) year; and at each annual meeting thereafter the same procedure shall be followed until there are no longer any Class B member(s); and at such time the Class A members shall thereafter elect the entire Board of Directors. Any Director may be removed from the Board for cause, by a majority of the votes entitled to be cast by those members present in person or represented by proxy at a meeting of the members at which a quorum is present. In the event of death, resignation or removal of a Director, his successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of his predecessor. The Directors need not be members of this Corporation.

Section 2. The Directors may hold their meetings and have offices and keep the books of the Corporation, except as otherwise provided by statute, at the office of the Corporation.

Section 3. No Director shall receive compensation for any service he may render to the Corporation. However, any Director may be reimbursed for his actual reasonable expenses incurred in the performance of his duties.

Section 4. At the first meeting of the Board of Directors in each year at which a quorum is present, the Board of Directors shall proceed to the election of the officers of the Corporation. No notice or waiver of notice of any such first meeting shall be required or

necessary if it is held immediately after either the annual meeting or the adjourned annual meeting of the members, and any and all business of any nature or character may be transacted at such first meeting.

Section 5. Regular meetings of the Board of Directors shall be held at such time and place as shall be designated, from time to time, by resolution of the Board of Directors. Notice of such regular meetings shall not be required.

Section 6. Special meetings of the Board of Directors, shall be held whenever called by the President, or a majority of the Directors in office. Notice of each special meeting shall be given by any officer of the Corporation, by telegraph, mail, telephone or personal delivery to each Director at his residence or usual place of business at least two (2) days prior to the meeting. Unless otherwise indicated in the notice thereof, any and all business may be transacted at a special meeting. At any meeting at which every Director shall be present, even though without any notice, any business may be transacted.

Section 7. The majority of the Directors then in office shall constitute a quorum for the transaction of business, but if at any meeting of the Board of Directors there is less than a quorum present, the majority of those present may adjourn the meeting from time to time without notice, other than by announcement at a meeting, until a quorum is present or in attendance thereat. The act of a majority of the Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board of Directors, except as otherwise provided by law, the Charter of the Corporation, these By-Laws, or the Restrictions.

Section 8. At meetings of the Board of Directors, business shall be transacted in such order as from time to time the Board of Directors may determine. At all meetings of the Board of Directors the President shall preside, and in the absence of the President, a Chairman shall be chosen from the Directors present. The Secretary of the Corporation shall act as Secretary of all meetings of the Board of Directors, but in the absence of the

Secretary, the presiding officer may appoint any person to act as Secretary of the meeting.

Section 9. No Director or Officer of the Corporation shall be required to devote his time or render services exclusively to the Corporation. Each Director and Officer of the Corporation shall be free to engage in any and all other businesses and activities either similar or dissimilar to the business of the Corporation without liability to this Corporation. Likewise, each and every Director and Officer of the Corporation, may become a Director or Officer of any other corporation or corporations, entity or entities, whether or not the purposes of the other corporation conflicts with the business or activities of this Corporation, without breach of duty to this Corporation or its members or without liability of any character or description to the Corporation or its members. No contract or other transaction of this Corporation shall ever be affected by the fact that any Director or Officer of the Corporation is interested in, or connected with any party to such contract or transaction, or is a party to such contract or transactions, provided that such contract or transaction shall be approved by a majority of the disinterested Directors present at a meeting of the Board of Directors at which such contract or transaction shall be authorized or confirmed.

#### ARTICLE VII

Section 1. The officers of the Corporation shall consist of a President (who shall be a Director), one or more Vice Presidents, a Treasurer, a Secretary and such other officers, including but not limited to one or more assistant secretaries and one or more assistant treasurers, as the Board of Directors may from time to time elect or appoint. Any two or more offices may be held by the same person, except the office of President and Secretary. All officers shall be subject to removal, with or without cause, at any time, by vote of a majority of the whole Board of Directors. A vacancy in the office of any officer shall be filled by a vote of a majority of the Directors then in office.

Section 5. Each Assistant Treasurer shall have the usual powers and duties pertaining to his office, together with such other powers and duties as may be assigned to him by the Board of Directors. The Assistant Treasurer shall exercise the powers of the Treasurer during that Officer's absence or inability to act.

Section 6. The Secretary shall keep the minutes of all meetings of the Board of Directors and the minutes of all meetings of the members in books provided for that purpose. He shall attend to the giving and serving of all notices and he may sign with the President or a Vice President in the name of the Corporation all contracts, conveyances, transfers, assignments, authorizations and other instruments of the Corporation and affix the seal of the Corporation thereto. He shall have charge of and maintain and keep such books and papers as the Board of Directors may direct. These books and papers shall be open to inspection by any Director, member of the Association or any holder of a first mortgage on any Townhouse during normal business hours. He shall in general perform all duties incident to the Office of Secretary subject to the control of the Board of Directors.

Section 7. Each Assistant Secretary shall have the usual powers and duties pertaining to the office, together with such other powers and duties as may be assigned to such officer by the Board of Directors. The Assistant Secretaries shall exercise the powers of the Secretary during that officer's absence or inability to act.

#### ARTICLE VIII

Section 1. The Board of Directors, except as otherwise provided herein, may authorize any one or more officers or agents to act in the name of and on behalf of the Corporation, to enter into any contract or execute and deliver any instrument, or do such other things as the Board may from time to time direct and such authority may be general or confined to specific instances. However, unless so authorized by the Board of Directors or expressly authorized by the By-Laws, no officer or agent or employee shall have any power or

authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable in any manner.

Section 2. No loan shall be contracted on behalf of the Corporation, and no negotiable papers shall be issued in its name unless authorized by the Board of Directors.

Section 3. All checks, drafts and other orders for the payment of money out of the funds of the Corporation, and all notes and other evidences of indebtedness of the Corporation shall be signed on behalf of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors.

Section 4. All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks or other depositories as the Board of Directors may select. For the purpose of such deposits, any officer, agent or employ delegated by the Board of Directors, shall have the power to endorse, assign and deliver for deposit checks, drafts and other orders for the payment of money which are payable to the order of the Corporation.

Section 5. The Board of Directors, within ninety (90) days of the fiscal year end, shall cause to be prepared, and shall make available to any Owner or first mortgage holder, annual audited financial statements of the Corporation.

#### ARTICLE IX

Section 1. The fiscal year of the Corporation shall end at midnight on December 31, of each calendar year.

Section 2. The seal of the Corporation shall be circular in form and have inscribed thereon the name of the Corporation.

Section 3. Whenever any notice whatever is required to be given under the provisions of these By-Laws, said notice shall be deemed to be sufficient if given by depositing the same in a post office box in a sealed, post-paid wrapper addressed to the person entitled

thereto at his post office address, as it appears on the books of the Corporation, and such notice shall be deemed to have been given on the day of such mailing. A waiver of notice, whether before or after the time stated therein, shall be deemed equivalent to notice.

Section 4. Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein; or if no time is specified, at the time of its receipt by the President or Secretary. The acceptance of the resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

#### ARTICLE X

Except to the extent that such liability or damage or injury is covered by insurance proceeds, the Board of Directors may authorize the Association to pay expenses incurred by, or to satisfy a judgment or fine rendered or levied against a present or former director, officer, committee member or employee of the Association in an action brought by a third party against such person, whether or not the Association is joined as a party defendant, to impose a liability or penalty on such person while a director, officer, committee member or employee; provided, the Board of Directors determines in good faith that such director, officer or employee was acting in good faith within what he reasonably believed to be the scope of his employment or authority and for a purpose which he reasonably believed to be in the best interests of the Association or its Members. Payments authorized hereunder include amounts paid and expenses incurred in settling any such action or threatened action. The provisions of this Section shall apply to the estate, executor, administrator, heirs, legatees or devisees of a director, officer, committee member or employee, and the term "person" where used in the foregoing Section shall include the estate, executor, administrator, heirs, legatees or devisees of such person.

Notwithstanding, the provisions of the preceding paragraph, no person shall be entitled to indemnification pursuant thereto in relation to any matter in which indemnification is not

permitted by law.

#### ARTICLE XI

These By-Laws may be amended by a written vote of two-thirds (2/3) of the votes entitled to be cast by the members of the Corporation at any annual or special meeting of the members.

Nothing herein shall authorize the members or the Board to alter or amend any of the By-Laws in conflict with the provisions of the Declaration of Covenants, Conditions and Restrictions applicable to the Property.

The words "amend" and "amended" shall be broadly interpreted to include alterations, modifications, additions and repeal, in whole or in part.

#### ARTICLE XII

Other provisions of these By-Laws notwithstanding in order to enhance the marketability in the secondary market of loans secured by units in HIDDEN LAKE TOWNHOUSES the following provisions shall apply:

(a) Except for the Owners Association's right to grant easements for utilities and similar or related purposes, as set out in Section 2.1 of the Declaration, the Common Areas and facilities may not be alienated, released, transferred, hypothecated, or otherwise encumbered without the approval of all holders of first mortgage liens on units in HIDDEN LAKE TOWNHOUSES.

(b) Upon prior written request to the Owners Association, the holder of a first lien mortgage on any unit in HIDDEN LAKE TOWNHOUSES will be entitled to:

(1) Inspect the books and records of the Association during normal business hours,

(2) Receive an annual audited financial statement of the Association within ninety (90) days following the end of any fiscal year of the Association, and

(3) Receive written notice of all meetings of the Association and designate a representative to attend all such meetings.

(c) The holders of first mortgage liens on units in HIDDEN LAKE TOWNHOUSES will be given notice prior to:

- (1) Abandonment or termination of the Association,
- (2) Any material amendment to the Declaration, Articles of Incorporation or these By-Laws, and
- (3) Any decision on the part of the Association to terminate professional management and assume self-management.

(d) Any lease agreement between a unit owner and a lessee shall be in writing, provided that the terms be subject to the Declaration, Articles of Incorporation and these By-Laws, and state that any failure by the lessee to comply with the terms of such documents shall be a default under the lease.

(e) Any institutional mortgage holder will be given notice of any proceeding or proposed acquisition through condemnation or eminent domain not more than twenty (20) days after receipt of same by the Association.

(f) The failure of any unit owner to comply with the provisions of the Declaration, By-Laws and the Articles of Incorporation of the Owners Association will give raise to a cause of action in the Owners Association and in any aggrieved unit owner for the recovery of damages or for injunctive relief or both.

(g) Any management agreement for HIDDEN LAKE TOWNHOUSES shall be terminable for cause upon thirty (30) days' written notice thereof by the Association. The term of the agreement may not exceed one (1) year, renewable by agreement of the parties for successive one-year periods.

The ByLaws adopted by the Board of Directors of the Corporation at the first meeting of the Board of Directors held in Houston, Texas, on the \_\_\_\_ day of

\_\_\_\_\_, 1979.

HIDDEN LAKE TOWNHOUSE  
HOMEOWNERS ASSOCIATION, INC.

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

RP 073-51-1375

JNJ-DB

**"CLOSED"**

CAUSE NO. 762,068-101

HIDDEN LAKE TOWNHOUSE  
HOMEOWNERS ASSOCIATION, INC.

VS.

BOBBY DEAN PHILLIPS, CHERYL  
BROOKSHIRE, LUCILLE  
BIRKHZOLZ, RUTH FOWLER  
STALEY and DIANNE SZKODY

§ IN COUNTY CIVIL COURT

§ AT LAW NUMBER TWO

§ HARRIS COUNTY, TEXAS

588235

DECLARATORY JUDGMENT

SIC

On the 27<sup>th</sup> day of March, 2002, came on for trial the above-entitled and numbered cause filed by Plaintiff, HIDDEN LAKE TOWNHOUSE HOMEOWNERS ASSOCIATION, INC. ("Association"), against Defendants, BOBBY DEAN PHILLIPS, CHERYL BROOKSHIRE, LUCILLE BIRKHZOLZ, RUTH FOWLER STALEY and DIANNE SZKODY. Plaintiff appeared in person and by its attorney of record, WILLIAM S. CHESNEY, III, and announced ready for trial. The Defendants, BOBBY DEAN PHILLIPS, CHERYL BROOKSHIRE and RUTH FOWLER STALEY appeared in person and by their attorney of record, and LUCILLE BIRKHZOLZ and DIANNE SZKODY appeared by their attorney of record, DEBORAH FRINK, and did not otherwise appear. The Court, having reviewed the pleadings, and upon agreement of the parties, is of the opinion a Declaratory Judgment should be entered as provided hereinafter.

IT IS, THEREFORE, ORDERED AND DECREED that pursuant to the TEXAS UNIFORM DECLARATORY JUDGMENT ACT, §37.001 *et seq.*, the Court makes the following findings regarding the rights, status and legal relationship of the Association and Defendants:

(a) The Declaration of Covenants, Conditions and Restrictions of HIDDEN LAKE TOWNHOMES, dated July 7, 1975, and recorded under Harris County Clerk's File No. E479928 and Film Code No. 123-10-0563 of the Harris County Real Property Records ("Declaration"), is a valid

Exhibit

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and enforceable contract;

(b) The Declaration and By-Laws dated 1979 govern the management and operation of the Association, including the date, time and place of the meeting of members;

(c) Any and all proxies executed by Association members prior to April 2, 2002, are null and void;

(d) The November 1, 2001, "Annual Meeting" held by Defendants is null and void;

(e) Article V, Section 3 of the Association's By-Laws has been amended and adopted by a uniform course of proceeding, usage and acquiescence by the Association membership as it relates to the date of the Annual Meeting of members;

(f) All future Annual Meetings of members shall be held on the first Thursday in November of each year at 7:00 p.m. at the clubhouse located on the property, unless the date and place is changed by the Board of Directors and with advance written notice to all members, either in person or by written notice, <sup>MAILED</sup> ~~delivered~~ or postmarked ten (10) days prior to the date scheduled by the Board of Directors for the Annual Meeting.

**IT IS FURTHER ORDERED AND DECREED:**

(a) The 2001 Annual Meeting of members of the Association shall be held on Wednesday, May 1, 2002, at 7:00 p.m. at the clubhouse located on the Association property, for the purpose of electing seven (7) Board of Directors for the November 2001 - November 2002 term;

(b) The Association shall provide written notice to all members of the Association of the date, time and place of the 2001 Annual Meeting, which has been approved in advance by the Master in Chancery;

(c) The Association shall transmit to all Association members the sole PROXY form to be utilized in the election of the Board of Directors, which has been approved in advance by the

Master in Chancery;

(d) The election of the Board of Directors shall be supervised, and ~~to the extent~~ necessary, conducted by Frank Svetlik, who has been appointed Master in Chancery by that certain ORDER OF REFERENCE entered April 2, 2002;

(e) Any Association member may run for the Board of Directors upon application and receipt by the Master in Chancery by April 15, 2002, at 5:00 p.m.;

(f) The election results shall be transmitted to the Court by written report of the Master in Chancery as provided in the ORDER OF REFERENCE;

(g) The By-Laws of the Association dated 1979, attached as Exhibit "A" to PLAINTIFF'S ORIGINAL PETITION FOR DECLARATORY JUDGMENT shall be put in recordable form and forthwith filed of record in the Real Property Records of the Harris County Clerk's office.

IT IS FURTHER ORDERED AND DECREED that the claims for attorneys' fees sought in this case shall be severed from the cause and determined at a subsequent date by the Court.

APR 05 2002

SIGNED this \_\_\_\_\_ day of April, 2002.

JUDGE PRESIDING

FILED  
2002 APR -5 PM 3:41  
K...  
CLERK OF THE COURT  
HARRIS COUNTY TEXAS

RR 073-51-0378

APPROVED:

FRANK, ELMORE, LIEVENS  
CHESNEY & TURET, L.L.P.

*W.S. Chesney, III*

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Facsimile: 713-863-0477

ATTORNEY FOR DEFENDANTS

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

JUL -1 2002



*Dorely B. Keyser*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.