

**AMENDMENT TO ARCHITECTURAL GUIDELINES
FOR
WESTBROOK LAKES SUBDIVISION**

The undersigned, being all of the members of the Board of Directors and the Architectural Review Committee of Westbrook Lakes Homeowner Association a Texas non-profit corporation ("the Association"), do hereby certify that the following resolution was unanimously made and adopted, which shall supercede these guidelines heretofore filed of record in the Official Public Records of Real Property of Harris County, Texas under County Clerk's File No. Y659143:

WHEREAS, Carma Developers (TEXAS) Inc., a Texas corporation Houston First Savings Association, a Texas savings and loan corporation, a Texas corporation, was the owner of that certain property known as WESTBROOK LAKES, SECTION 1, a Harris County Subdivision (the "Subdivision"), of 99.828 acres out of the Michael McCormick Survey, Abstract 533, in Harris County, Texas, according to the plat thereof filed for record on July 9, 1979, and duly recorded on July 11, 1979 in the Volume 289, page 98 of the Map Records of Harris County, Texas and restricted it to the terms and conditions of that certain Instrument entitled "Declaration of Covenants, Conditions & Restrictions for Westbrook Lakes" according to the Harris County Clerk's File No. V240449 ("Declaration"); and

WHEREAS, the Declaration was both amended and supplemented by those certain instrument entitled: "First Amendment to Declaration of Covenants, Conditions & Restrictions for Westbrook Lakes," "Second Amendment to Declaration of Covenants, Conditions & Restrictions for Westbrook Lakes," and "Supplemental Declaration of Covenants, Conditions and Restrictions Westbrook Lakes, Section 2" respectfully recorded under Harris County Clerk's File Nos. V741683, V773970 and V971006 in the Official Public Records of Real Property of Harris County, Texas (the Declaration, as amended and supplemented hereinafter still referred to as the "Declaration" and made to encumber WESTBROOK LAKES, SECTION 2, a Harris County Subdivision according to the map or plat thereof recorded under Film Code No. 518057 of the Map Record of Harris County, Texas (the term "Subdivision" hereinafter including both Westbrook Lakes, Section 1 and Westbrook Lakes, Section 2); and

WHEREAS, the Declaration provides that no buildings or other improvements shall be commenced, constructed, erected, placed, altered or maintained on any lot in the Subdivision until the construction plans and specifications including, but not limited to; (i) site layout; (ii) building location; (iii) building materials; (iv) colors and elevation; have been submitted to and approved in writing by the Architectural Review Committee of the Subdivision (the "ARC"); and

WHEREAS, as provided in Article IV, Section 2 of the Declaration that the ARC shall have the discretion to approve or disapprove plans and specifications for Improvements, defined in Article IV, Section 4 of the Declaration as:

Improvement shall mean and include all buildings, any roofed structures, waterfront structures, parking areas, paved areas, fences, walls, hedges, mass planting, poles, fountains, statuarys, driveways, ponds, swimming pools, tennis and other sport courts, changes in any exterior color or shape, and any new exterior construction or exterior improvement which may not be included in the foregoing. It does not include garden shrub or tree replacements or any other replacement or repair of any magnitude which does not change exterior colors or exterior appearances. It does include both original improvements and all later changes and improvements; and

WHEREAS, Article IV, Section 5 of the Declaration provides the ARC's approval of plans shall be based "...among other things, on adequacy of site dimensions, structural design, conformity and harmony of external design and of location with neighboring structures and sites, relation of finished grades and elevations to that of neighboring sites, and conformity to both the specific and general intent of the protective covenants and restrictions of Article V hereof."; and

WHEREAS, any approval for additions, modifications or improvements made by the ARC committee based on these Guidelines cannot and do not supersede the existing provisions of the Declaration, Article V; and

WHEREAS, Section 204.010(a)(6) of the Texas Property code empowers the Association, acting through its Board of Directors, to "regulate the use, maintenance, repair, replacement, modification and appearance" of the Subdivision; and

WHEREAS, Section 204.010(a)(18)(A) of the Texas Property Code empowers the Association, acting through its Board of Directors, to implement written architectural guidelines; and

WHEREAS, Section 204.010(a)(18)(B) of the Texas Property Code provides architectural control guidelines so adopted may be modified as the needs of the subdivision change; and

WHEREAS, the ARC and Board of Directors of the Association desire to amend the Guidelines as set forth below; and

WHEREAS, the Board of Directors and Architectural Review Committee of the Association in accordance with their power to do so heretofore adopt architectural guidelines, which were filed of record in the Official Public Records of Real Property of Harris County, Texas under County Clerk's File No. Y659143; and

NOW, THEREFORE, the ARC and Board of Directors of the Association hereby amend the following Sections of the Guidelines to read as follows:

- 4.4 Playhouses, gym and swing sets shall meet the requirements of all other outbuildings. Only one (1) playhouse not exceeding sixteen feet (16') in length, ten feet (10') in width and twelve feet (12') in height (including tarpaulin shade) shall be permitted on a lot. The standard, type, quality and color of the materials used in construction of a playhouse shall be harmonious with the standard, type, quality and color of the materials used in construction of the main residence on the lot. This material stipulation is not applicable if not visible from street or adjacent lots. Gym and Swing set approval requests must include a photo and will be reviewed on an individual basis.
- 9.4 No exterior antennas, aerials, satellite dishes, masts or other apparatus for the reception of television, radio, satellite or other signals of any kind shall be placed, allowed, or maintained upon any lot, which are visible from any street, Common Area or another Lot, unless it is impossible to receive an acceptable quality signal from any other location. In that event the receiving device and mast must be placed in the least visible location where reception of an acceptable quality signal is possible as further defined in the Architectural Guidelines. After installation, the ARC may require painting or screening of the receiving device, which painting or screening does not substantially interfere with an acceptable quality signal. In no event are the following items permitted: (i) satellite dishes, which are larger than one (1) meter; (ii) broadcast antennas masts, which exceed the height of the center ridge of the roofline; or, (iii) MMDS antenna masts to exceed the height of twelve feet (12') above the center ridge of the roofline. No exterior antennas, aerials, satellite dishes, or other apparatus shall be permitted, placed, allowed, or maintained upon any lot, which transmit television, radio, satellite or other signals of any kind. This section is intended to be in compliance with the Telecommunications Act of 1996 (the "Act"), as the Act may be amended from time to time. This section shall be interpreted to be as restrictive as possible, while not violating the Act.

This consent is executed pursuant to Article 9.10 of the Texas Non-Profit Corporation Act, which authorizes the taking of action by the Board of Directors by unanimous consent without a meeting.

Westbrook Lakes Homeowner Association, Inc.

Board of Directors and Architectural Review Committee

Date: 3/28/06 [Signature]
Edward McNinch, President

Date: 3/28/06 [Signature]
Mark Zeringue, Vice President

Date: 3/28/06 [Signature]
Melinda Shipp, Secretary

Date: 3/28/06 [Signature]
Rand Lassus, Treasurer

Date: 3/28/06 [Signature]
Duane Stewart, Director-at-large

RP 019-98-1449

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2006 APR - 4 PM 2:52
FILED
Beverly B. Kaufman
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.

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

APR - 4 2006



Beverly B. Kaufman
COUNTY CLERK
HARRIS COUNTY, TEXAS