

N939276 ADOPTION OF RESTRICTIVE COVENANTS 113-44-3414

STATE OF TEXAS
COUNTY OF HARRIS

11/4/92 99926536 M93976 \$ 4 00

WHEREAS, ERNEST W. ROE BUILDING COMPANY, INC., EMPLOYEES PENSION PLAN & TRUST ("Owner"), owns that certain real property described as Lot 23, Block 2, Section One (1) in Champion Forest Subdivision, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 241, Page 18, of the Map Records of Harris County, Texas, and commonly referred to as 9202 New Forest Road, Houston, Harris County, Texas (the "Property"); and

WHEREAS, that certain instrument dated November 1, 1976, entitled "Restrictions and Covenants Governing Property and Lots in Champion Forest, Section One (1), an Addition in Harris County, Texas, which is Owned by Greenwood Properties, Inc.", (the "Restrictions") recorded under Harris County Clerk's File No. E959351 and located at Film Code No. 153-10-1293, et. seq., within the Official Public Records of Real Property of Harris County, Texas, did impose certain restrictive covenants upon the real property located within Champion Forest, Section One (1), an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 241, Page 18 of the Map Records of Harris County, Texas (the "Subdivision"); and

WHEREAS, said Restrictions encumber all properties within the Subdivision with certain restrictions, covenants, stipulations and reservations upon and against all properties within the Subdivision in order to establish a uniform plan for the development, improvement and sale of the properties within the Subdivision, and to ensure the preservation of such uniform plan for the benefit of both the present and future owners of lots within the Subdivision; and

WHEREAS, a dispute has arisen between Owner and Champion Forest Fund, Inc. (the "Fund"), a Texas non-profit corporation, provided for and created under the terms of the Restrictions and its Articles of Incorporation to provide maintenance, preservation, and architectural control for the lots within the Subdivision, as to whether the Property is restricted by the terms and provisions of the Restrictions; and

WHEREAS, the differences between Owner and the Fund have been resolved and Owner and the Fund desire to attach all of those certain restrictions, covenants, conditions, stipulations, and reservations which are provided in the Restrictions upon and against the Property; and

WHEREAS, Owner desires that all of those certain restrictions, covenants, conditions, stipulations and reservations within the Restrictions shall govern all present and future use of the Property and shall be herein deemed as covenants running with the land.

NOW, THEREFORE, for and in consideration of Owner agreeing to restrict the Property as set forth above and the Fund agreeing to said adoption, Owner hereby, with the approval of the Fund, adopts, establishes and imposes upon the Property, all of the reservations, easements, restrictions, stipulations, covenants, and conditions within and provided for under the express terms of the Restrictions for the purpose of enhancing and protecting the value, desirability, and attractiveness of the Property, which reservations shall run with the land and shall be binding upon all parties having or

ANY PROVISIONS 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
The above is a full and correct photographic copy of the original record now in my lawful custody and possession, as the same is recorded in the Official Public Records of Real Property in my office and Preserved on Microfilm and having Microfilm identification Number as stamped thereon. I hereby certify on

DEC 16 1992

ANITA RODEHEAVER
COUNTY CLERK
HARRIS COUNTY, TEXAS
By *[Signature]*
Deputy



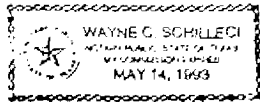
acquiring any right, title, or interest therein, or any part thereof, and shall inure to the benefit of each owner of the Property, both present and future. To evidence its consent and approval of this instrument and Owner's formal adoption of the Restrictions, the Fund joins in the execution of this instrument to be effective the 24 day of ~~June~~ ^{July} 1992.

ERNEST W. ROE BUILDING COMPANY, INC.
EMPLOYEES PENSION PLAN & TRUST

By: [Signature]
Ernest W. Roe, Administrator

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned notary public, on this day personally appeared Ernest W. Roe, Administrator of Ernest W. Roe Building Company, Inc. Employees Pension Plan & Trust, who being by me duly sworn, stated that he executed the above instrument for the purposes therein contained on behalf of said Corporation and in the capacity so indicated.



[Signature]
Notary Public - State of Texas

ATTEST:

CHAMPION FOREST FUND, INC.

By: [Signature]
Printed Name: Thomas Sascher
Title: SECRETARY

By: [Signature]
Printed Name: Kathie G. Smith
Title: PRESIDENT

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned notary public, on this day personally appeared Thomas Sascher, Secretary of Champion Forest Fund, Inc., a Texas Non-profit Corporation, who being by me duly sworn, stated that he/she executed the above instrument for the purposes therein contained on behalf of said Corporation and in the capacity so indicated.

Comp-5927



[Signature]
Notary Public - State of Texas

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DEC 16 1992

ANITA RODEHEAVER
COUNTY CLERK
HARRIS COUNTY, TEXAS

By: [Signature]
Deputy



J. T. CLEVELAND

113-44-3416

STATE OF TEXAS §
§
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this day personally appeared Kellie Helms, President of Champion Forest Fund, Inc., a Texas Non-Profit Corporation, who being by me duly sworn, stated that he/she executed the above instrument for the purposes therein contained on behalf of said Corporation and in the capacity so indicated.



Karen M. Lightfoot
Notary Public - State of Texas

Return to:
BUTLER, LANGRISH, EYALT & HALEY P.C.
Attorneys at Law
5718 Westheimer, Suite 1000
Houston, Texas 77057

NOT RECORDED BECAUSE OF OTHER REASONS OR BECAUSE OF THE EXPIRY OF THE TERM OF THE INSTRUMENT.
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was filed in the Public Records Department on the date and at the time designated herein and was duly RECORDED in the Office of Public Records of Harris County, Texas on

NOV 3 1992



Anita Rodeheaver
COUNTY CLERK
HARRIS COUNTY, TEXAS

FILED
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THE STATE OF TEXAS }
COUNTY OF HARRIS }
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DEC 16 1992

ANITA RODEHEAVER
COUNTY CLERK
HARRIS COUNTY, TEXAS

By J. T. Cleveland
Deputy



J. T. CLEVELAND