

Amend

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I

**FIRST AMENDMENT  
TO  
DECLARATION OF COVENANTS  
CONDITIONS AND RESTRICTIONS  
OF  
SADDLE CREEK FARMS**

WHEREAS, on July 1, 2001, Pebble Phase, Inc., a Texas corporation, as general partner and on behalf of Phase I – FM 2100, LP, a Texas limited partnership, Phase II-BOF, LP, a Texas limited partnership, and Phase III – LFH, LP, a Texas limited partnership (collectively, "Declarant"), executed that one certain Declaration of Covenants, Conditions and Restrictions of Saddle Creek Farms, Section I, II and III (the "Declaration") recorded in the real property records of Harris County, Texas at Clerk's File No. W711387.

WHEREAS, by virtue of the Declaration, Declarant intended, among other things, to establish a general and uniform plan for the development, improvement, use and maintenance of the Lots;

WHEREAS, Section 9.03 of the Declaration allows the Declarant, without the joinder or consent of any Owner or other party, to amend the Declaration by an instrument in writing duly signed, acknowledged and filed for record for the purpose of correcting any typographic or grammatical error, oversight, ambiguity or inconsistency appearing in the Declaration, provided that any such amendment is consistent with an in furtherance of the general plan and scheme of development as evidenced by the Declaration and does not impair or adversely affect the vested property or other rights of any Owner or mortgagee.

WHEREAS, Declarant desires to make changes to the Declaration and amend the Declaration as provided therein;

NOW, THEREFORE, in consideration of the foregoing, the Declarant hereby amends the Declaration as follows:

1. All references in the Declaration to "Saddlecreek" are hereby amended to read "Saddle Creek."
2. All references in the Declaration to "Saddlecreek Farms, Section I, II & III" are hereby amended to read "Saddle Creek Farms."
3. The first recital of the Declaration is hereby amended to read as follows:

"WHEREAS, Declarant is the owner of that certain tract of land known as SADDLE CREEK FARMS, a subdivision of 252.37 acres out of the Frederick H. Rankin Survey, Abstract 57, City of Houston, Harris County, Texas, according to the map or plat thereof recorded at Film Code Number 519014 of the Map Records of Harris County, Texas, and Clerk's File No. V993462 of the real property records of Harris County, Texas (the "Subdivision")."

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4. The name of the Association referenced in Section 1.02 of the Declaration is hereby amended to read "Saddle Creek Farms Property Owners Association, Inc."

5. Section 1.08 of the Declaration is hereby amended to read:

Section 1.08 "Subdivision Plat" shall mean and refer to the map or plat of SADDLE CREEK FARMS, a subdivision of 252.37 acres out of the Frederick H. Rankin Survey, Abstract 57, City of Houston, Harris County, Texas, according to the map or plat thereof recorded at Film Code Number 519014 of the Map Records of Harris County, Texas, and Clerk's File No. V993462 of the real property records of Harris County, Texas, as amended from time to time."

6. For purposes of Section 3.03 of the Declaration, a "dwelling" or "Dwelling" shall mean the main residential structure located on any Lot, and shall not include any detached garage, detached barn, detached work shop or other detached structure.

7. The sentence in Section 3.03 of the Declaration which reads "The use of sheet metal or similar material on the roof or exterior sides of any Dwelling other than as flashing is prohibited unless otherwise provided herein" is hereby amended to read as follows:

Sheet metal or similar material may be used on the roof or exterior sides of any structure on a Lot other than a Dwelling, provided that the color of such sheet metal or similar material is substantially the same as the principal color of the roof or exterior sides (as the case may be) of the Dwelling (all as determined by the Architectural Control Committee).

8. The first sentence of Section 4.02(d) of the Declaration is hereby amended to read as follows: "The duties and powers of the Architectural Control Committee and of the designated representative shall cease on the earlier of (a) fifteen (15) years from the date of this Declaration, or (b) the date Declarant files a statement as provided in the final sentence of Section 4.02(g) of this Declaration."

9. The final sentence of Section 5.01 of the Declaration is hereby amended to read as follows: "The Association shall be governed by a Board of Directors."

10. All capitalized defined terms used herein shall, unless otherwise defined herein, have the meanings given to such terms in the Declaration. Except as modified hereby, all terms of the Declaration remain in full force and effect.

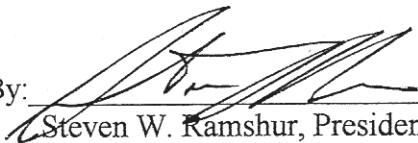
NEXT PAGE IS THE EXECUTION PAGE

Executed to this 14<sup>th</sup> day of July, 2004.

(4)  
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Phase I – FM 2100, LP, a Texas limited partnership

By: Pebble Phase, Inc., a Texas corporation  
Its: General Partner

By:   
Steven W. Ramshur, President


Phase II-BOF, LP, a Texas limited partnership

By: Pebble Phase, Inc., a Texas corporation  
Its: General Partner

By:   
Steven W. Ramshur, President

Phase III – LFH, LP, a Texas limited partnership

By: Pebble Phase, Inc., a Texas corporation  
Its: General Partner

By:   
Steven W. Ramshur, President

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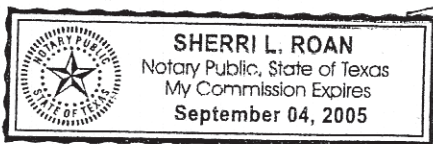
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2004-07-14

THE STATE OF TEXAS   §  
                                  §  
COUNTY OF HARRIS   §

This instrument was acknowledged before me on the 11 day of July, 2004 by Steven W. Ramshur, President of Pebble Phase, Inc., a Texas corporation, as the general partner of Phase I – FM 2100, LP, a Texas limited partnership, Phase II-BOF, LP, a Texas limited partnership, and Phase III – LFH, LP, a Texas limited partnership, on behalf of such corporation and limited partnerships.

*[Handwritten Signature]*



Notary Public, State of Texas  
Printed Name: Sherril L. Roan  
Commission Expires: 9/04/05

After recording, return to:

Jeffrey I. Horowitz  
Crain, Caton & James  
1401 McKinney, Suite 1700  
Houston, Texas 77010

✓  
✓

*[Handwritten Signature]*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

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FILED

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

AUG 17 2004



*[Handwritten Signature]*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

24-22-99-063