

**FIRST AMENDMENT TO THE RESTRICTIONS FOR
HUNTINGTON VILLAGE COMMUNITY ASSOCIATION, INC.**

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HARRIS §

WHEREAS, Huntington Venture, a joint venture, composed of MacNaughton & Co., a Texas corporation and Tenneco Realty, Inc., a Delaware Corporation, hereinafter called Huntington Venture, as Declarant, caused that certain instrument entitled Restrictions (“the Declaration”) to be recorded in the Official Public Records of Real Property of Harris County, Texas on September 7, 1971, under Clerk’s File No. D410083 and Film Code No. 133-34-0822, *et seq.*:

WHEREAS, Huntington Village, Section 2 was annexed to Section 1 by that certain instrument recorded under Clerk’s File No. D511609, Film Code No. 139-34-2403, *et seq.*, in the Real Property Records of Harris County, Texas on January 31, 1972; and

WHEREAS, Huntington Village, Section 3 was annexed to Section 1 by that certain instrument recorded under Clerk’s File No. D742607, Film Code No. 153-31-1415, *et seq.*; in the Real Property Records of Harris County, Texas on November 21, 1972; and

WHEREAS, Huntington Village, Section 4 was annexed to Section 1 by that certain instrument recorded under Clerk’s File No. D992399, Film Code No. 168-35-0883, *et seq.*, in the Real Property Records of Harris County, Texas on October 5, 1973; and

WHEREAS, the Declaration (the above referenced instrument and all annexations thereto being hereinafter collectively referred to as the Declaration) imposed various covenants, conditions, and restrictions governing the use of the following real property:

Section 1, Totaling 378 Lots

Block 1: Lots 1 through 89	Block 5: Lots 1 through 32
Block 2: Lots 1 through 32	Block 6: Lots 1 through 32
Block 3: Lots 1 through 32	Block 7: Lots 1 through 64
Block 4: Lots 1 through 81	Block 8: Lots 1 through 16

and;

WHEREAS, the amendments stated herein are desired by the Lot Owners as evidenced by the signatures below. Currently Section 23 of the Declaration provides the following:

SECTION 23. Maximum Annual Assessment

Until January 1 of the year immediately following the conveyance of the first lot to an Owner, the maximum annual assessment shall be Seventy-Two (\$72.00) per lot.

- (a) From and after January 1 of the year immediately following the conveyance of the first lot to an Owner, the maximum annual assessment may be increased each year not more than three percent (3%) above the maximum assessment for the previous year without a vote of the membership, which increase if not specifically increased from year to year shall be cumulative to the specific year in which an increase becomes effective, but in no event shall the maximum assessment exceed Ninety-Six Dollars (\$96.00) per year.
- (b) From and after January 1 of the year immediately following the conveyance of the first lot to an Owner, the maximum annual assessment may be increased above three percent (3%) by a vote of two-thirds (2/3) of each class of members who are voting in person or by proxy, at a meeting duly called for this purpose, but in no event shall the maximum assessment exceed Ninety-Six Dollars (\$96.00) per year.

- (c) The Board of Directors may fix the annual assessment at an amount not in excess of the maximum.

SECTION 23 is hereby amended to read:

SECTION 23. Maximum Annual Assessment

Until January 1, 2010, the maximum annual assessment shall be Two Hundred and No/100 Dollars (\$200.00) per Lot.

- (a) From and after January 1, 2010, the maximum annual assessment may be increased each year by the Board of Directors of Huntington Village Community Association, Inc. not more than three percent (3%) above the maximum assessment for the previous year without a vote of the membership, which increase if not specifically increased from year to year shall be non-cumulative.
- (b) From and after January 1, 2010, the maximum annual assessment may be increased above three percent (3%) by a vote of two-thirds (2/3) of the members who are voting in person or by proxy (one vote per Lot), at a meeting duly called for this purpose, at which a quorum is present.

SECTION 34 of the Declaration currently provides the following:

SECTION 34. Amendment to the Above Deed Restrictions

The covenants and restrictions of this Declaration shall run with and bind the land for a term of twenty (20) years from the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of ten (10) years. This Declaration may be amended during the first twenty (20) year period by an instrument signed by not less than ninety percent (90%) of the Lot Owners, and thereafter by an instrument signed by not less than seventy-five percent (75%) of the Lot Owners. Any amendment must be recorded.

And,

SECTION 34 of the Declaration is hereby amended to read as follows:

SECTION 34. Amendment to the Above Deed Restrictions

The covenants and restrictions of this Declaration shall run with the land and bind the land for a term of twenty (20) years from the date this First Amendment to the Restrictions for Huntington Village Community Association, Inc. is recorded after which time they shall be automatically extended for successive periods of ten (10) years. This Declaration may be amended by the affirmative vote of two-thirds (2/3) of the members present in person or by proxy (one vote per Lot) at a meeting called for the purpose of amending the Restrictions at which twenty percent (20%) of the voting power is present.

This First Amendment to the Restrictions of Huntington Village Community Association, Inc. shall be effective upon the recording of this instrument (or multiple counter parts thereof) with signatures representing at least seventy-five percent (75%) of the Lot Owners.

The remainder of the restrictions not so amended shall remain in full force and effect.

IN TESTIMONY OF WHICH, the amendments stated herein are desired by the Lot Owners whose signatures are affixed hereto.