

SECOND AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF  
REGENCY POINT

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

2<sup>nd</sup> -  
Amesbury

WHEREAS, that certain instrument entitled "Declaration of Covenants, Conditions and Restrictions for Regency Point" (the "Declaration") was recorded in the Real Property Records of Montgomery County, Texas, under Montgomery County Clerk's File No. 8214686, which Declaration sets forth various covenants, conditions and restrictions governing the use and occupancy of the following real property ("the Property"):

A 5.698 acre townhouse subdivision of eighty-one (81) Lots to be known as "Regency Point" according to the map or plat thereof as recorded in Cabinet B, Sheet 125 of the Map records of Montgomery County, Texas; as modified by replat recorded in Cabinet C, Sheet 185-B of the Map Records of Montgomery County, Texas; and, as further modified by second replat recorded in Cabinet D, Sheet 104-A of the Map Records of Montgomery County, Texas.

WHEREAS, said Declaration was reconstituted and amended by that certain instrument dated December 4, 1990, and entitled "Amendment to the Declaration of Covenants, Conditions and Restrictions of Regency Point" (the "Amended Declaration") recorded in the Real Property Records of Montgomery County, Texas, under Montgomery County Clerk's File No. 9053084, which instrument supersedes and takes the place of the provisions of the Declaration and sets forth additional covenants, conditions and restrictions governing the use and occupancy of the Property; and

WHEREAS, Article VIII, Section 8.04, of the Amended Declaration provides that the same may be amended at any time during the initial twenty-five (25) years by an instrument signed by JO NELL DREW, Individually and as the Testamentary Trustee under the Will of Walter Alvin Drew, Deceased, (the "Declarant"), and non-Declarant Owners of twenty percent (20%) of the Lots of the Property: and

WHEREAS, the undersigned are the Declarant and the non-Declarant Owners of at least twenty percent (20%) of the Lots of the Property, and desire to amend the provisions of the Amended Declaration in the manner set forth below;

NOW, THEREFORE, the undersigned, being the Declarant and the non-Declarant Owners of at least twenty percent (20%) of the Lots of the Property hereby agree and consent to amend the Amended Declaration as follows:

Article V, Section 5.02(a) of the Amended Declaration is deleted and the following is substituted in lieu thereof:

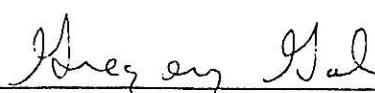
(a) Class A. Class A members shall be composed of all Owners of Lots having a finished Unit thereon. When more than one (1) person holds an interest in any Lot, all such persons shall be members of the Association and the vote for such Lot shall be exercised as they determine among themselves, but in no event shall more than one (1) vote per position be cast with respect to any such Lot. Until such time as the number of Class A Directors is increased as provided for herein, there shall be two (2) Class A Directors. Commencing at the annual meeting of the members in 1992, one (1) Class A Director shall be elected for a term of one (1) year and the other Class A Director shall be elected for a term of two (2) years. Thereafter, the Class A Directors shall be elected to serve for terms of two (2) years. Each Class A Lot shall have one (1) vote for each position up for election. Cumulative voting shall not be permitted. In election of a Class A Director, the person obtaining the greatest number of votes on the first ballot shall be elected, whether or not such a person obtains a majority of the votes in such election. A vote of a sixty percent (60%) of the Class A members may remove a Class A Director, with or without cause.

Except as expressly modified and amended herein, said Amended Declaration is hereby ratified and confirmed, and the changes herein made are made a part thereof for all purposes.

IN WITNESS WHEREOF, the undersigned have executed the Second Amendment to the Declaration of Covenants, Conditions and Restrictions of Regency Point on the date set opposite each name to become effective upon recording in the Real Property Records of Montgomery County, Texas.

  
Joe Nell Drew, Individually and as the Testamentary  
Trustee under the Will of Walter Alvin Drew, Deceased

REGENCY POINT TOWNHOME ASSOCIATION, INC.

  
By: GREGORY GOLIAN  
Title: PRESIDENT

STATE OF TEXAS

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§  
§COUNTY OF Montgomery

This instrument was acknowledged before me on this the 21<sup>st</sup> day of March, 1992, by Jo Nell Drew, Individually and as Testamentary Trustee under the Will of Walter Alvin Drew, Deceased.



ORIGINAL ILLEGIBLE

STATE OF TEXAS

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§COUNTY OF Montgomery

Greg Hallinan This instrument was acknowledged before me on this the 21<sup>st</sup> day of March, 1992, by Greg Hallinan, President of the Regency Point Townhome Association, Inc..

Notary Public in and for the State of Texas

My Commission Expires: 1-6-95



791-01-2117

Owners:

Lot 29

Jim W. Huffines  
(Signature)  
Jim W. HUFFINES  
(Print Name)

Owners:

Lot 29

Clinton Gowans Jr.  
(Signature)  
Clinton Gowans Jr.  
(Print Name)

Owners:

Lot 68

Lou Katona  
(Signature)  
Lou KATONA  
(Print Name)

Owners:

Lot 31

Clinton Gowans Jr.  
(Signature)  
Clinton Gowans Jr.  
(Print Name)

Owners:

Lot 35

MICHAEL HUNN  
(Signature)  
MICHAEL HUNN  
(Print Name)

Owners:

Lot 63

Giles M. Reid  
(Signature)  
GILES M. REID  
(Print Name)

Owners:

Lot 26

Deborah M. Field  
(Signature)  
Deborah M. Field  
(Print Name)

Owners:

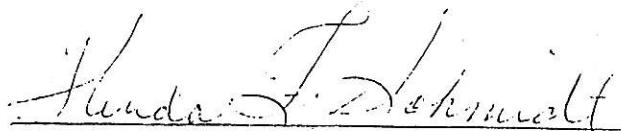
Lot 31

Deborah M. Field  
(Signature)  
Deborah M. Field  
(Print Name)

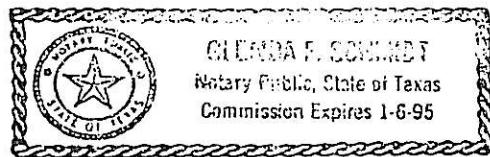
STATE OF TEXAS

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§COUNTY OF Montgomery

This instrument was acknowledged before me on this the 21<sup>st</sup> day of ~~February~~ March, 1992,  
by Sharon Reinecke and \_\_\_\_\_.



Notary Public in and for the State of New York

My Commission Expires: 1-6-95

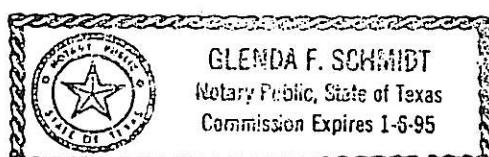
STATE OF TEXAS

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§COUNTY OF Montgomery

This instrument was acknowledged before me on this the 21<sup>st</sup> day of ~~February~~ March, 1992,  
by Nancy McPike and \_\_\_\_\_.



Notary Public in and for the State of New York

My Commission Expires: 1-6-95

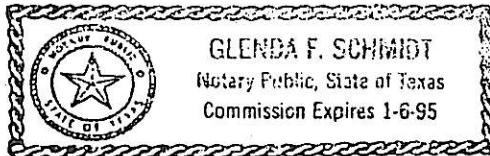
STATE OF TEXAS

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§COUNTY OF Montgomery

This instrument was acknowledged before me on this the 21<sup>st</sup> day of ~~February~~ March, 1992,  
by George Mohr and \_\_\_\_\_.



Notary Public in and for the State of New York

My Commission Expires: 1-6-95

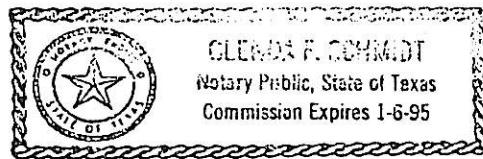
STATE OF TEXAS

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§COUNTY OF Montgomery

This instrument was acknowledged before me on this the 21st day of ~~February~~, 1992,  
by Fletcher W. Hartley and \_\_\_\_\_.



Notary Public in and for the State of New York

My Commission Expires: 1-6-95

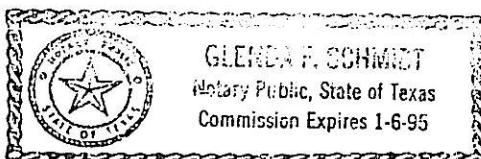
STATE OF TEXAS

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§COUNTY OF Montgomery

This instrument was acknowledged before me on this the 21st day of ~~February~~, 1992,  
by Gregory Golian and \_\_\_\_\_.



Notary Public in and for the State of New York

My Commission Expires: 1-6-95

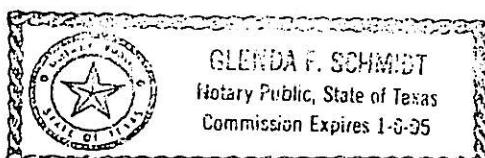
STATE OF TEXAS

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§COUNTY OF Montgomery

This instrument was acknowledged before me on this the 21st day of ~~February~~, 1992,  
by Jo Nell Drew and \_\_\_\_\_.



Notary Public in and for the State of New York

My Commission Expires: 1-6-95

791-01-2120

STATE OF TEXAS

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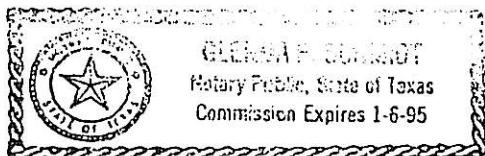
COUNTY OF Montgomery

This instrument was acknowledged before me on this the 21st day of ~~February~~, 1992,  
by Jim Huffines and \_\_\_\_\_.

*Hilda F. Schmidt*

Notary Public in and for the State of New York

My Commission Expires: 1-6-95



STATE OF TEXAS

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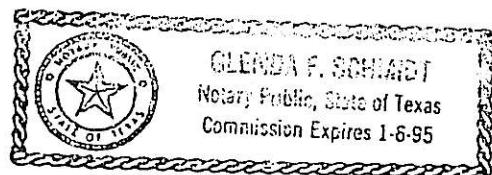
COUNTY OF Montgomery

This instrument was acknowledged before me on this the 21st day of ~~February~~, 1992,  
by Louis Katona and \_\_\_\_\_.

*Hilda F. Schmidt*

Notary Public in and for the State of New York

My Commission Expires: 1-6-95



STATE OF TEXAS

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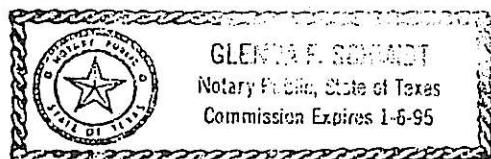
COUNTY OF Montgomery

This instrument was acknowledged before me on this the 21st day of ~~February~~, 1992,  
by Michael Hunn and \_\_\_\_\_.

*Hilda F. Schmidt*

Notary Public in and for the State of New York

My Commission Expires: 1-6-95



791-01-2121

STATE OF TEXAS

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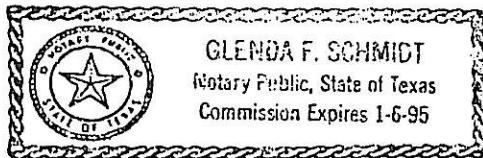
COUNTY OF Montgomery

This instrument was acknowledged before me on this the 21st day of ~~February~~ <sup>March</sup>, 1992,  
by Dean Kisseberth and \_\_\_\_\_.

*Glenda F. Schmidt*

Notary Public in and for the State of New York

My Commission Expires: 1-6-95



STATE OF TEXAS

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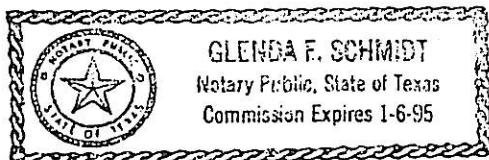
COUNTY OF Montgomery

This instrument was acknowledged before me on this the 21st day of ~~February~~ <sup>March</sup>, 1992,  
by Ruth Zwimpfer and \_\_\_\_\_.

*Glenda F. Schmidt*

Notary Public in and for the State of New York

My Commission Expires: 1-6-95



STATE OF TEXAS

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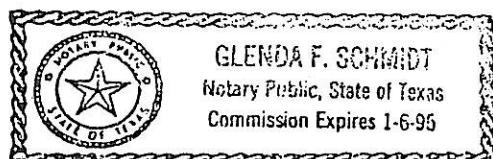
COUNTY OF Montgomery

This instrument was acknowledged before me on this the 21st day of ~~February~~ <sup>March</sup>, 1992,  
by Clinton Gowan, Jr. and \_\_\_\_\_.

*Glenda F. Schmidt*

Notary Public in and for the State of New York

My Commission Expires: 1-6-95



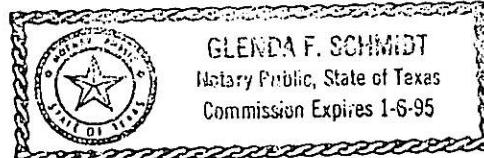
STATE OF TEXAS

COUNTY OF Montgomery§  
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§

March,  
This instrument was acknowledged before me on this the 21st day of ~~February~~, 1992,  
by Giles M. Reed and \_\_\_\_\_.

RECODER'S MEMORANDUM  
ALL BLACKOUTS, ADDITIONS AND  
CHANGES WERE PRESENT AT THE TIME  
THE INSTRUMENT WAS FILED AND RE-  
CORDED.

Glenda F. Schmidt  
Notary Public in and for the State of New York

My Commission Expires: 1-6-95

STATE OF TEXAS

COUNTY OF Montgomery§  
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§

March,  
This instrument was acknowledged before me on this the 21st day of ~~February~~, 1992,  
by Josephine M. Field and \_\_\_\_\_.

STATE OF TEXAS )  
COUNTY OF MONTGOMERY )  
I hereby certify that this instrument was filed  
in File Number Sequence on the date and at the  
time stamped herein by me and was duly RECORDED  
in the official Public Records of Real Property of  
Montgomery County, Texas.

Glenda F. Schmidt  
Notary Public in and for the State of New York

My Commission Expires: 1-6-95

 Roy Harris  
STATE OF TEXAS COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

COUNTY OF \_\_\_\_\_



This instrument was acknowledged before me on this the \_\_\_\_\_ day of February, 1992,  
by \_\_\_\_\_ and \_\_\_\_\_.

Notary Public in and for the State of New York

My Commission Expires: 1-6-95~~FILED FOR RECORD~~

92 MAY 14 PM 3:15

Roy Harris  
COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

Please Return to:  
Regency Point Townhome Assoc  
9424 Emmons  
Houston, Tx. 77080