

SECOND CORRECTED  
DECLARATION OF ANNEXATION  
FOR  
HARBOR VIEW VILLAGE AT LAKE OLYMPIA, SECTION TWO

THE STATE OF TEXAS  
COUNTY OF FORT BEND

THIS SECOND CORRECTED DECLARATION OF ANNEXATION is made by LAKE OLYMPIA DEVELOPMENT N. V., a Netherlands Antilles corporation, doing business as LAKE OLYMPIA DEVELOPMENT CORPORATION ("Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner of all or a portion of the properties described on Exhibits "A", "B" and "C" which are attached hereto and incorporated by reference for all purposes (the "Property") upon which Declarant is in the process of developing a residential/mixed use commercial community known as Lake Olympia pursuant to a common or uniform plan or scheme of development:

AND, WHEREAS, by virtue of Declaration of Covenants, Conditions and Restrictions ("Declaration") recorded in Volume 1355, Page 709 of the Deed Records of Fort Bend County, Texas, Declarant has created, out of that portion of the Property which is more particularly described in the Declaration, a subdivision known as PALMER PLANTATION AT LAKE OLYMPIA, SECTION ONE and has imposed upon such subdivision the covenants, conditions and restrictions described in the Declaration described above (the Declaration and any and all amendments and supplements thereto being hereinafter called the "Declaration");

AND, WHEREAS, as contemplated by the Declaration, Declarant now desires to create, out of that portion of the Property, more particularly described in Exhibit "D" which is attached hereto and incorporated herein by reference for all

purposes, a subdivision to be known as HARBOR VIEW VILLAGE AT LAKE OLYMPIA, SECTION TWO (the "Subdivision") and to impose upon the property constituting the Subdivision, the covenants, conditions and restrictions described in the Declaration, except to the extent that the same are modified or amended herein, all as a part of Declarant's uniform plan or scheme for development of the Property.

NOW, THEREFORE, Declarant hereby declares that all of the Subdivision shall be held, sold and conveyed subject to all of the easements, restrictions, covenants, and conditions described in the Declaration, which is incorporated herein by reference for all purposes, except to the extent that the Declaration is specifically amended herein, all of which easements, restrictions, covenants and conditions shall be binding upon any person or entity owning or claiming any right, title or interest in or to any portion of the property constituting the Subdivision, and their heirs, successors and assigns, and all of which shall inure to the benefit of, and be enforceable by, Declarant and each Owner (as defined in the Declaration); provided, however, that the easements, restrictions, covenants and conditions of the Declaration, so far as they affect the Subdivision, are amended as follows:

1. The Subdivision shall constitute, and the restrictions, covenants and conditions of this Declaration of Annexation shall only cover and affect the following described property:

Lots Four (4) through Six (6), inclusive in Block One (1); Lots One (1) through Twenty-four (24), inclusive in Block Two (2); Lots One (1) through Six (6), inclusive in Block Three (3); and, Lots One (1) through Six (6), inclusive in Block Four (4), all in Harbor View Village at Lake Olympia, Section Two (2), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded on Slide No. 967B in the Plat Records of Fort Bend County, Texas.

2. Section Ten of Article VII of the Declaration is amended by adding thereto the following:

No portion of any deck, porch, patio, landscaping or other similar structure shall be erected or allowed

to extend on any portion of any WATERWAY LOT to a height of more than three (3') feet above the natural elevation of the Lot at any point on the Lot. No structure of any kind shall be so placed on the portion of any WATERWAY LOT behind the house erected thereon so as to prevent or impair the view of any lake or waterway from any adjoining WATERWAY LOT.

3. Article V, Section 4, "Approval of Plans" is hereby amended to the following extent, and to the

following extent only:

- (a) Plans for landscaping and lighting of a particular Lot need not be submitted to the Architectural Control Committee for approval until such time as the Builder or Owner of such Lot is ready, or is obligated, to proceed with installation of landscaping and lighting;
- (b) The final working plans and specifications need not include details of interior mechanical, electrical and plumbing fixtures, systems or installations, but shall include details of any exterior mechanical, electrical and plumbing structures; and
- (c) In the case of a Builder, the Architectural Control Committee may approve a partial preliminary site plan which reflects the exterior elevation, size and configuration of the proposed Living Unit and ancillary buildings, and reasonably identifies and describes all exterior colors and materials, provided that the actual preliminary plan, and final plan, for such Lot, comply with, and follow, such partial preliminary site plan.
- (d) All plans submitted to the Architectural Control Committee, including partial, preliminary and final plans shall show but not be limited to the location of the proposed foundation or slab upon each Lot. The Architectural Control Committee shall have the right to require that the slab or foundation be located within the lot and/or that tree preservation technology be used to the extent that the Architectural Control Committee believes that this may help to preserve the maximum number of trees upon the Lot or within the Subdivision.

4. The following Sections of Article VII are amended as follows:

Section 2. Improvement on Lots. No building or other structure of any kind or type shall be constructed, maintained or allowed on any Lot other than: (i) one (1) detached single-family dwelling, which shall not exceed two and one-half (2 1/2) stories in height; (ii) nor more than one (1) private garage for no less than two (2) nor more than three (3) passenger cars and servant's quarters for household and domestic employees actually employed by the Owner or resident of the Lot, which garages shall open to the front of the Lot unless specifically approved in writing by the

Architectural Control Committee and (iii) a greenhouse to grow plants solely for family or household purposes of the Owner or resident of the Lot, which greenhouse must not be visible from the street or adjacent property unless agreed to in writing by the Architectural Control Committee, and plans for construction and location of which must be approved by the Architectural Control Committee prior to construction of such greenhouse. No carports (which shall not include portecocheres) shall be allowed on any Lot unless specifically approved in writing by the Architectural Control Committee. Notwithstanding the foregoing, two (2) story garages shall not be built upon Lot One (1) and Lot Six (6) of Block Three (3), Lot One (1) and Lot Six (6) of Block Four (4), Lot Six (6) of Block One (1), and Lot Four (4) through Eight (8) and Lot One (1) of Block Two (2), unless specifically approved in writing by the Architectural Control Committee.

**Section 6. Frontage** All improvements shall be constructed on Lots so as to front the street upon which the Lot faces. A corner Lot shall be deemed to face toward the street which is furthest from the building setback line for such Lot. The front exterior wall of a dwelling shall be constructed so as to lie either parallel to the street upon which the Lot faces, or at an angle thereto which does not exceed 45 degrees.

**Section 7. Size.** Each Living Unit constructed upon a Lot within the Subdivision shall contain not less than 1,900 square feet of living area if a one-story Living Unit and not less than 2,400 square feet of living area if a two-story Living Unit. All computations of living area shall be exclusive of opened or screened porches, terraces, patios, driveways, garages, servant's quarters and/or greenhouses. Measurements shall be made to the face of the outside walls of the living area.

**Section 8. Roofing Material.** The roof of any Living Unit (including any garage or servant's quarters) shall be constructed or covered with (i) wood shingles which have been treated with fire retardant as prescribed by the ordinances of the City of Missouri City as then in existence or (ii) asphalt or composition type shingles of a minimum of 250 pound dimensional type, comparable in color to aged or weathered wood shingles. The decision of such comparison shall rest exclusively with the Architectural Control Committee. Any other type of roofing materials shall be permitted only at the sole discretion of the Architectural Control Committee and shall not be deemed approved until approved in writing.

**Section 9. Garages.** Unless the Architectural Control Committee specifically agrees otherwise in writing, each Living Unit shall have a detached enclosed private garage, but in no event more than one (1) garage, for not less than two (2) nor more than three (3) passenger cars. Each Owner or resident of a Lot shall keep all doors to the private garage shut at all times when it is not necessary to keep such doors open. Garages shall be used only for passenger cars and other vehicles, including boats and trailers, of a type and size as will allow the door or doors of the garage to be

shut completely with such vehicle or trailer inside. All garage doors shall open to the front of the Lot unless specifically approved in writing by the Architectural Control Committee.

Section 10. Fences. The provisions of Article VII, Section 10 of the original Declaration, as amended by paragraph two hereof, shall control and be applicable of all Lots of the Subdivision; provided that the Owners of the Lots Eight (8) through Twenty-four (24) inclusive in Block Two (2) shall not be required to construct a fence along Oyster Creek Drainage Easement boundary of Lot Eight (8) through Twenty-four (24), inclusive in Block Two (2); however, if any Owner of such Lots shall erect such a fence, the same shall be in compliance with the other provisions hereof. Unless otherwise specifically agreed in writing by the Architectural Control Committee, no building, fence or other structure shall be placed or built on any Lot nearer to the front lot line or nearer to a side street line than the building setback lines shown on the Subdivision plat nor in any front yard. No building or other structure (except for a fence) shall encroach on any easement reflected on the Subdivision plat.

5. There is added to Article VII new Sections 33 as follows:

Section 33. Window Coverings. Each Owner and occupant of a Living Unit shall provide drapes, blinds or window coverings, the exterior of which, when such window coverings are closed, shall be on white or neutral color.

6. There is added to Article X a new Section 12 as follows:

Section 12. FHA/VA Approval. As long as there is a Class B membership, the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration: annexation of additional properties, dedication of Common Area and amendment of the Declaration.

7. The Declaration is further amended by substitution of the Exhibits "E" and "F" which are attached hereto and incorporated herein by reference for all purposes, for the Exhibits "E" and "F" which are attached to the Declaration.
8. Except to the extent that the Declaration is specifically amended herein, all of the covenants, conditions, restrictions and reservations contained in the Declaration shall be and remain in full force and effect.
9. All words, phrases or terms used herein shall have

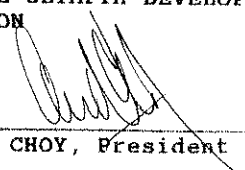
AS PER ORIGINAL

the same meaning as contained in the Declaration,  
unless a contrary definition is given herein.

10. This Declaration of Annexation is made in place of  
and to correct that certain Declaration of  
Annexation executed by Lake Olympia Development,  
N.V., dated March 31, 1989 and recorded in Volume  
2123, Page 796 of the Official Records of Fort Bend  
County, Texas and that certain Corrected Declaration  
of Annexation executed by Lake Olympia Development,  
N.V. dated December 1, 1989 and recorded in Volume  
2172, Page 2131 of the Official Records of Fort Bend  
County, Texas. By mistake, that Declaration of  
Annexation and Corrected Declaration of Annexation  
inadvertently omitted the paragraphs now set forth  
as Paragraph 6, and the Corrected Declaration of  
Annexation inadvertently referred to the subdivision  
as Lakeside Village in the "Witnesseth" and omitted  
the phrase "and location of which must be approved  
by the Architectural Control Committee prior to  
construction" in Paragraph 4, Section 2  
"Improvements on Lots" hereof. This Corrected  
Declaration of Annexation is made by Lake Olympia  
Development, N.V., to correct these mistakes, is  
effective on March 31, 1989, and in all other  
respects confirms the former Declaration of  
Annexation.

IN WITNESS WHEREOF, the undersigned being the Declarant  
herein, has hereunto set its hand and seal this 11th day  
of January, 1990.

LAKE OLYMPIA DEVELOPMENT, N.V.,  
a Netherlands Antilles Corporation  
D/B/A LAKE OLYMPIA DEVELOPMENT  
CORPORATION

BY:   
ANDREW CHOY, President

AS PER ORIGINAL

THE STATE OF TEXAS  
COUNTY OF FORT BEND

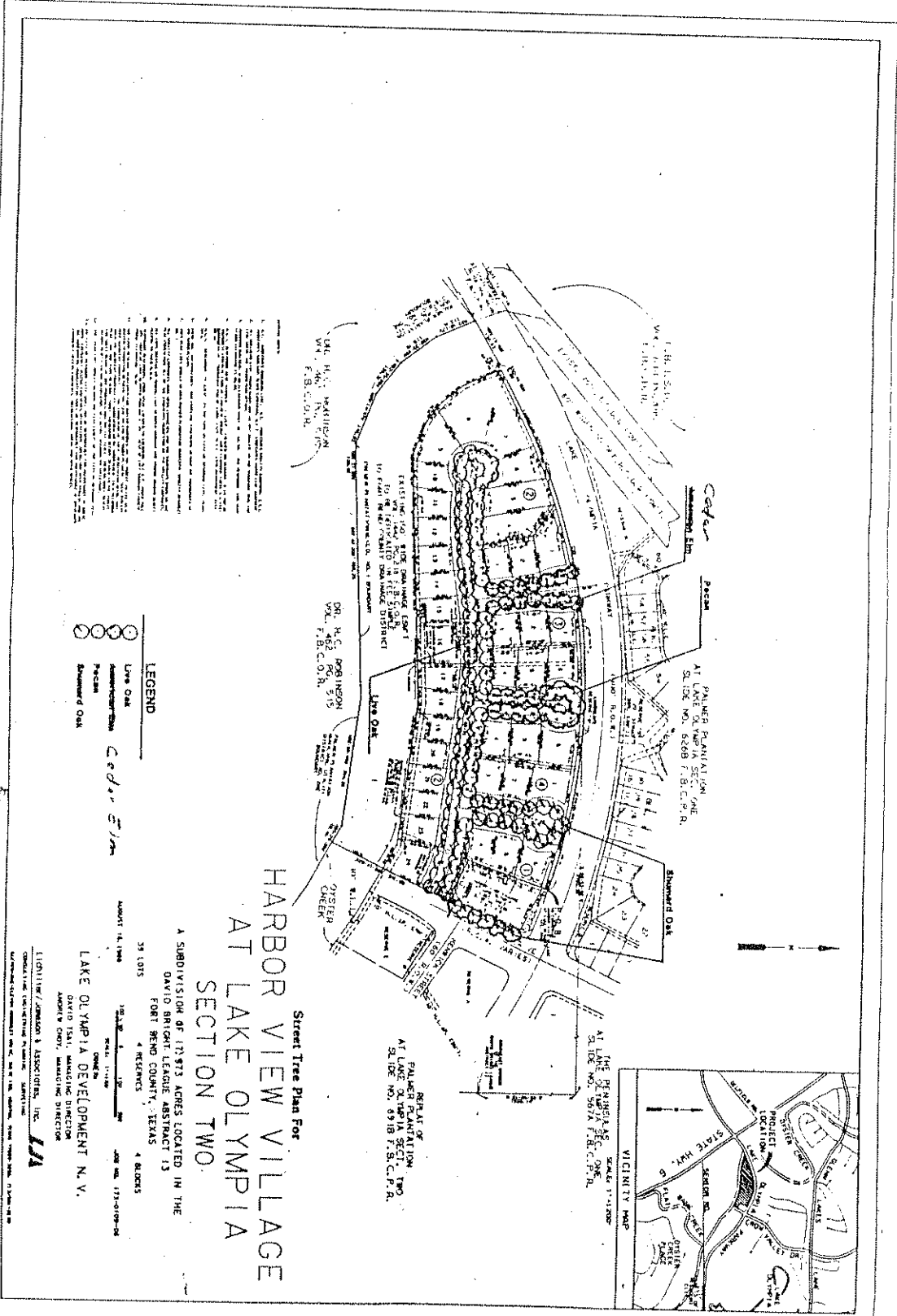
This instrument was acknowledged before me on the 11th  
day of January, 1990 by ANDREW CHOY, President  
of LAKE OLYMPIA DEVELOPMENT, N. V., a Netherlands Antilles  
Corporation, D/B/A LAKE OLYMPIA DEVELOPMENT CORPORATION, on  
behalf of said corporation.



Brenda Harris  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS  
NAME: Brenda Harris  
MY COMMISSION EXPIRES: 4/23/91

RETURN TO: LAKE OLYMPIA DEVELOPMENT  
2700 LAKE OLYMPIA PARKWAY  
MISSOURI CITY, TEXAS 77459

AS PER ORIGINAL



Street Tree Plan For  
**HARBOR VIEW VILLAGE**  
**AT LAKE OLYMPIA**  
**SECTION TWO.**

1. The trees shown on this plan are to be planted in accordance with the specifications and standards of the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design.

2. The trees shown on this plan are to be planted in accordance with the specifications and standards of the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design.

3. The trees shown on this plan are to be planted in accordance with the specifications and standards of the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design.

4. The trees shown on this plan are to be planted in accordance with the specifications and standards of the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design.

5. The trees shown on this plan are to be planted in accordance with the specifications and standards of the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design.

6. The trees shown on this plan are to be planted in accordance with the specifications and standards of the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design.

7. The trees shown on this plan are to be planted in accordance with the specifications and standards of the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design.

8. The trees shown on this plan are to be planted in accordance with the specifications and standards of the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design.

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10. The trees shown on this plan are to be planted in accordance with the specifications and standards of the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design, and the Texas Department of Transportation, Division of Transportation Planning and Design.

**LEGEND**

Live Oak	○
Pecan	○
Shumard Oak	○

*Cedar Elm*

A SUBDIVISION OF 17,873 ACRES LOCATED IN THE  
 DAVID BRIGHT LEIGUE DISTRICT 13  
 FORT BEND COUNTY, TEXAS

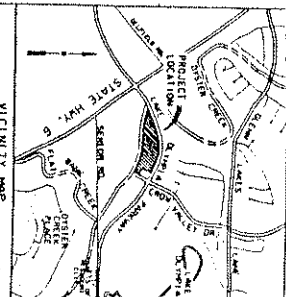
35 LOTS      4 RESERVES      4 BLOCKS

DATE: 11/11/88  
 SHEET NO. 113-0109-04

OWNER:  
 LAKE OLYMPIA DEVELOPMENT N.V.  
 DAVID TSAI, MANAGING DIRECTOR  
 AMERICA'S COAST, MANAGING DIRECTOR

DESIGNER:  
 LEONILINE/JACKSON & ASSOCIATES, INC. **LJA**

PROJECT NO. 113-0109-04



REPEAT OF  
 PALMER PLANTATION TWO  
 AT LAKE OLYMPIA SEC. ONE  
 SLICE NO. 591B F.B.C.P.R.

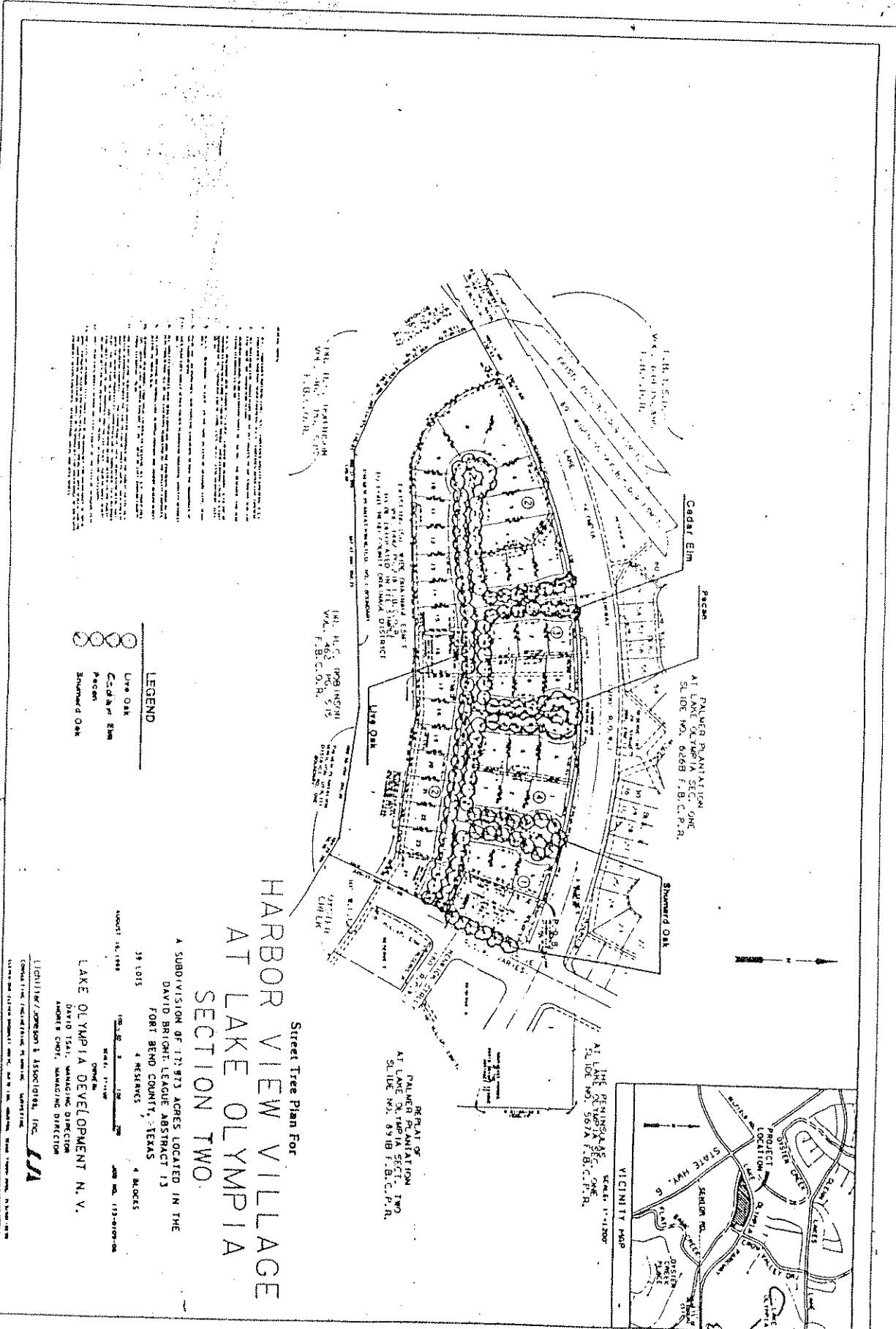
AT LAKE OLYMPIA SEC. ONE  
 SLICE NO. 591A F.B.C.P.R.

AT LAKE OLYMPIA SEC. ONE  
 SLICE NO. 591B F.B.C.P.R.

AT LAKE OLYMPIA SEC. ONE  
 SLICE NO. 591A F.B.C.P.R.

11/11/88  
 113-0109-04





1. The trees shown on this plan are to be planted in accordance with the following schedule:

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30. The trees shown on this plan are to be planted in accordance with the following schedule:

31. The trees shown on this plan are to be planted in accordance with the following schedule:

32. The trees shown on this plan are to be planted in accordance with the following schedule:

33. The trees shown on this plan are to be planted in accordance with the following schedule:

34. The trees shown on this plan are to be planted in accordance with the following schedule:

35. The trees shown on this plan are to be planted in accordance with the following schedule:

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37. The trees shown on this plan are to be planted in accordance with the following schedule:

38. The trees shown on this plan are to be planted in accordance with the following schedule:

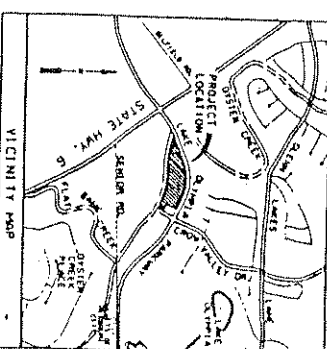
**LEGEND**

○	Live Oak
○	Cedar Elm
○	Percent
○	Showerd Oak

Street Tree Plan for  
**HARBOR VIEW VILLAGE**  
AT LAKE OLYMPIA  
SECTION TWO

A SUBDIVISION OF 171.973 ACRES LOCATED IN THE  
DAVID BRICH; LEAGUE ABSTRACT 13  
FORT BEND COUNTY, TEXAS  
38 LOTS  
4 RESERVES  
4 BLOCKS

LAKE OLYMPIA DEVELOPMENT N.V.  
DAVID TSLI, MANAGING DIRECTOR  
ANDREW CHOI, MANAGING DIRECTOR  
LEITCH/JOHNSON & ASSOCIATES, INC. **LJA**  
CONSULTING ENGINEERING ARCHITECT INTERIOR  
ARCHITECT AND INTERIOR DESIGNER 10000 W. BRIDGE STREET, SUITE 1000, HOUSTON, TEXAS 77036



AS PER ORIGINAL

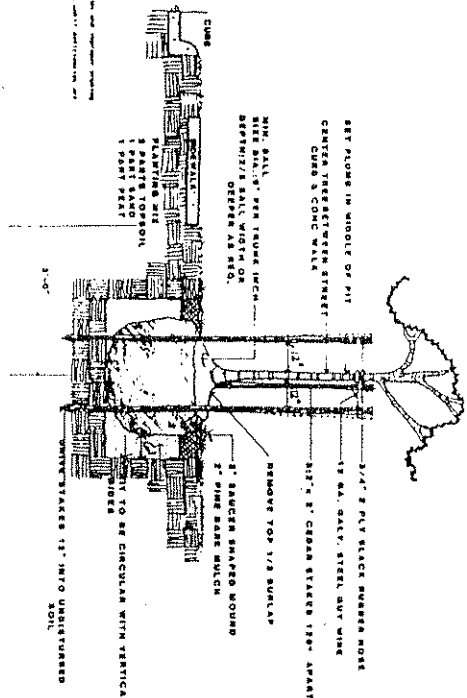
TYPICAL NO. OF TREES = 2 PER LOT WIDTH



LIMIT TREE PLANTING REQUIREMENTS

- ART 1 - GENERAL**
1. All trees shall be planted in accordance with the following requirements:
  2. All trees shall be planted in accordance with the following requirements:
  3. All trees shall be planted in accordance with the following requirements:
  4. All trees shall be planted in accordance with the following requirements:
  5. All trees shall be planted in accordance with the following requirements:
  6. All trees shall be planted in accordance with the following requirements:
  7. All trees shall be planted in accordance with the following requirements:
  8. All trees shall be planted in accordance with the following requirements:
  9. All trees shall be planted in accordance with the following requirements:
  10. All trees shall be planted in accordance with the following requirements:
- ART 2 - SPECIFICATIONS**
1. All trees shall be planted in accordance with the following specifications:
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  3. All trees shall be planted in accordance with the following specifications:
  4. All trees shall be planted in accordance with the following specifications:
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  7. All trees shall be planted in accordance with the following specifications:
  8. All trees shall be planted in accordance with the following specifications:
  9. All trees shall be planted in accordance with the following specifications:
  10. All trees shall be planted in accordance with the following specifications:
- ART 3 - INSTALLATION**
1. All trees shall be planted in accordance with the following installation requirements:
  2. All trees shall be planted in accordance with the following installation requirements:
  3. All trees shall be planted in accordance with the following installation requirements:
  4. All trees shall be planted in accordance with the following installation requirements:
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  7. All trees shall be planted in accordance with the following installation requirements:
  8. All trees shall be planted in accordance with the following installation requirements:
  9. All trees shall be planted in accordance with the following installation requirements:
  10. All trees shall be planted in accordance with the following installation requirements:

STAKING DETAIL FOR TREES LESS THAN 3" CAL.



- ART 1 - GENERAL**
1. All trees shall be planted in accordance with the following requirements:
  2. All trees shall be planted in accordance with the following requirements:
  3. All trees shall be planted in accordance with the following requirements:
  4. All trees shall be planted in accordance with the following requirements:
  5. All trees shall be planted in accordance with the following requirements:
  6. All trees shall be planted in accordance with the following requirements:
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  7. All trees shall be planted in accordance with the following installation requirements:
  8. All trees shall be planted in accordance with the following installation requirements:
  9. All trees shall be planted in accordance with the following installation requirements:
  10. All trees shall be planted in accordance with the following installation requirements:

	<b>Lichtner/Jameson &amp; Associates, Inc.</b> CONSULTING ENGINEERING PLANNING SURVEYING		<b>STREET TREE PLANTING</b>		SHEET NO. 1158 DATE: 11/15/83 DRAWN BY: JLD CHECKED BY: JLD
			EXHIBIT "F" 2-5-83		

TYPICAL NO. OF TREES = 2 PER LOT WIDTH



STREET TREE PLANTING SPECIFICATIONS

- ART 1 - GENERAL**
1. All trees shall be planted in accordance with the following specifications.
  2. All trees shall be planted in the center of the street.
  3. All trees shall be planted in the center of the street.
  4. All trees shall be planted in the center of the street.
  5. All trees shall be planted in the center of the street.
  6. All trees shall be planted in the center of the street.
  7. All trees shall be planted in the center of the street.
  8. All trees shall be planted in the center of the street.
  9. All trees shall be planted in the center of the street.
  10. All trees shall be planted in the center of the street.

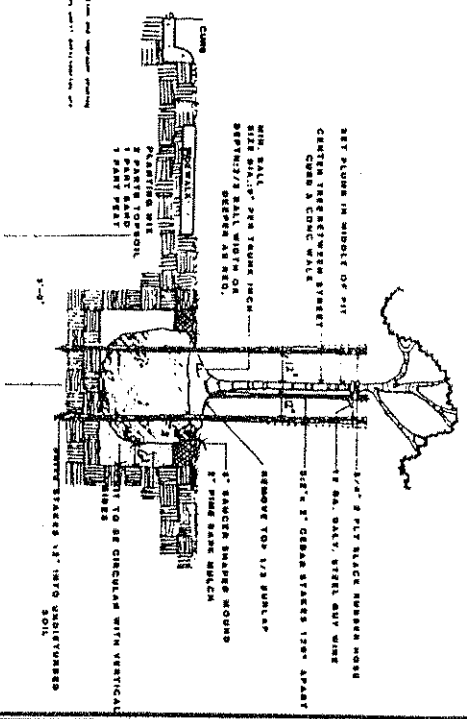
ART 2 - SPECIFICATIONS

1. All trees shall be planted in the center of the street.
2. All trees shall be planted in the center of the street.
3. All trees shall be planted in the center of the street.
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8. All trees shall be planted in the center of the street.
9. All trees shall be planted in the center of the street.
10. All trees shall be planted in the center of the street.

ART 3 - DETAILS

1. All trees shall be planted in the center of the street.
2. All trees shall be planted in the center of the street.
3. All trees shall be planted in the center of the street.
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9. All trees shall be planted in the center of the street.
10. All trees shall be planted in the center of the street.

STAKING DETAIL FOR TREES LESS THAN 3" CAL



	<b>Lichtner/Jameson &amp; Associates, Inc.</b> CONSULTING ENGINEERING PLANNING SURVEYING		<b>STREET TREE PLANTING</b>		DATE: 11/15/11 DRAWN BY: J. JAMESON CHECKED BY: J. JAMESON SCALE: AS SHOWN SHEET NO. 15 OF 17
			EXHIBIT "F" PAGE 2 OF 2		

2183 1159

FILED

'90 JAN 18 P2:06

*Dianna Wilson*  
COUNTY CLERK  
FORT BEND COUNTY, TEXAS

STATE OF TEXAS COUNTY OF FORT BEND  
I, hereby certify that this instrument was filed on the  
date and time stamped hereon by me and was duly recorded in  
the volume and page of the Official Records of Fort Bend  
County, Texas as stamped by me

JAN 22 1990



*Dianna Wilson*  
County Clerk, Fort Bend Co., Tex.