8036859

REAL PROPERTY RECORDS AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOX RUN SUBDIVISION SECTIONS ONE, TWO, THREE AND FOUR MONTGOMERY COUNTY, TEXAS

THE STATE OF TEXAS KNOW ALL MEN BY THESE PRESENTS: COUNTY OF MONTGOMERY I

THIS AMENDMENT OF DECLARATION, made on the day and year below written, by and through the signatory owners hereto:

## WITNESSETH:

WHEREAS, by document dated January 13, 1975, ontitled "Declaration of Covenants, Conditions and Restrictions, FOX RUN, Section One " (said document, together with the Declaration for FOX RUN, Sections Two and Four described hereinbelow, collectively, referred to as "Declaration"), and filed in Volume 880, Pages 757-767 of the Deed Records of Montgomery County, Texas the former owners of the following described real property in the County of Montgomery, State of Texas, imposed, subjected and burdened said property with various dovenants, conditions, and restrictions running with the land, said property being described as follows, to-wit:

FOX RUN, SECTION ONE, a subdivision within the County of Montgomery, State of Texas, according to the map or plat thereof recorded in Volume 10, Page 95 of the Map Records of Montgomery County, Texas.

WHEREAS, by document dated April 25, 1977, and entitled "Declaration of Covenants, Conditions and Restrictions, FOX RUN, Section Two and Section Four"filed in Volume 989, Pages 504-512 of the Deed Records of Montgomery County, Texas, the former owners of the following described real property in the County of Montgomery, State of Texas, imposed, subjected and burdened said property with various covenants, conditions and restrictions running with said land, said property being described as follows, to-wit:

> FOX RUN, SECTION TWO, a subdivision within the County of Montgomery, State of Toxas, containing 54.5337 acres, according to the map or plat thereof recorded in Cabinet "B", Page 30 of the Map Records of Montgomery County, Texas.

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FOX RUN, SECTION FOUR, a subdivision within the County of Montgomery, State of Texas, containing 9.3507 acres, according to the map or plat thereof recorded in Cabinet "B", Page 30 of the Map Records of Montgomery County, Texas.

WHEREAS, each of said Declarations provides for the amendment thereof by instrument signed by the Owners of not less than seventy-five (75%) per cent of the Lots in said subdivision; and,

WHEREAS, by specific reference to the Declarations governing FOX RUN, Section One, and described hereinabove, each Warranty Deed to the current owners of FOX RUN, Section Three, Montgomery County, Texas, has incorporated by reference all of the terms and conditions of said Declaration, thereby burdening and restricting all of the property described as follows, to-wit:

FOX RUN, SECTION THREE, a subdivision within the County of Montgomery, State of Texas; and,

WHEREAS, the Owners of seventy-five (75%) per cent of the Lots in FOX RUN, Sections One, Two, Three and Four, w... to amend the Declaration by adding two (2) provisions, the first of which is directed to the prohibition of the use of any type of fireworks within the property governed by the Declarations, and the second of which is directed at the restriction and confinement of dogs within said property:

NOW, THEREFORE, upon the execution, acknowledgement and recordation of this document by the Owners of seventy-five (75%) per cent of the Lots in the subject subdivision, or a total of at least 482 Lots, the Declarations shall be, ipso facto, amended by adding the following as Section 21 and Section 22 to Article VI of said Declarations, to-wit:

"Section 21. No dog or dogs shall be allowed or permitted on the Lots, Common Areas or anywhere on the Properties unless such dog or dogs shall be confined within a residence or fenced area (including yard, dog run, or pen) or unless such dog or dogs shall be controlled by leash, rope, chain, or other restraining device."

"Section 22. No fireworks of any kind shall be discharged on the Lots, Common Areas, or elsewhere on the Properties. For purposes of this section "fireworks" shall mean any flammable, explosive, or combustible device or material capable of producing a striking display of light, noise, or smoke."

## 041-01-0220

IN WITNESS WHEREOF, the undersigned, constituting the Owners			
f seventy-five (75%) per cent of the Lots, have hereunto set			
their hands this	day of	_, i980.	
Description of Lot	Signature of Owner	To Number	tal of Lots
Lot # 21 BLK # 13 Section TWO FOX RUN SUBDIVISION Montgomery County, Tx.	Earl M. gilbert (1) Hwy Shurlyn 15 Henry J. Markyn, 1	Fres.)	1
Lot # 4 thru 11, BLK # 18 Section TWO FOX RUN SUBDIVISION Montgomery County, Tr.	Earl M. Glybert (1)	Fres.)	8
Lot # 16 % 17 BLK # 18 Section TWO FOX RUN SUBSTITION Montgomery County, Tx.	Laft M. Gybort (1) Harly Marky Harly	2	2
Lot # 31 BLK # 18 Section TWO FOX RUN SUBDIVISION Montgomery County, Tx.	Heury Sheartyn Henry Martyn	45	1
Lot # 12 Thru 16, BLK # 19 Section TWO FOX RUN SUBDIVISION Montgomary County, Tx.	Henry Justyn & Henry Justyn & Henry Justyn &	द	5
Lot # 1 thru 17, BLK # 20 Section TWO FOX RUN SUBDIVISION Montgomery County, Tx.	Earl M. Gilbert (n. Hours & Martyn Henry & Martyn I.	ZG.	7.
Lot # 1 thru 36, BLK # 21 Section TWO FOX RUN SURDIVISION Montgomery County, Tx.	Heur fruntyn L	P .	5
Soction TWO FOX RUN SUBDIVISION Montgomery County, Tx.	Earl M. Gilport (Free Hung Throng J. Marvymis)	06.)	
Lot # 1 BLK # 23 Section TWO FOX RUN SURDIVISION Montgomery County, Tx.	Earl M. Gilbert (Pre Henry & Martyn J. Henry D. Marpyn, Wil	8	



## 041-01-0377

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

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appeared Sandia & South Doublet known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the day of \_, 1980.

Montgomery County, Texas.

MAZIE MARSH

THE STATE OF TEXAS

HER I TOO

COUNTY OF MONTGOMERY

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appeared ) sly of the UNDERSTGNED AUTHORITY, on this day personally appeared ) sly of the subscribed to the foregoing instrument, and acknowledged to me that (a)he executed the same for the purposes and consideration therein expressel.

STYEN UNDER MY HAND AND SEAL OF OFFICE, on this the , 1980.

> MAZIE MARSH Texas.

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THE STATE OF TEXAS

COUNTY OF MONTGOMERY

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared Ante 1 Dicta (1) Only known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the , 1980.

MEA GEFER'S MEMORANDUM ALL HIACKOUTS, ADDITIONE AND CHANGES WERE PRESENT AT THE THE THE INSTRUMENT WAS FILED AND ME-CORDED, RECORDER'S MEMORANDUM

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

appeared C. Mayne of Catalogue known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s) he executed the same for the purposes and consideration therein expressed.

IVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 30 , 1980.

> Montgomery County, Texas.

MAZIE MARSH

Montgomery County, MAZIE MARSH

Texas.

STATE OF TEXAS
COUNTY OF WONTOOMERY

In horeby portby that this instrument was the
in file Number Engarnes on the date and of the
lime stemped herein by the pad are duly RECORDED
in the artisal Fubble Reports of Red Proports of

OCT 1 6 1980

FILED FOR RECORD
1980 OCT 16 PM 3: 35

Roy Harrise

Roy Harris

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Return to: O. Brixe Larson 103 W. Phillips Corroe, Tx 77301

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