

THE STATE OF TEXAS | 1902745
COUNTY OF HARRIS |

WHEREAS, heretofore, by instrument dated January 8, 1958, recorded in Volume 3468, at Page 343 of the Deed Records of Harris County, Texas under County Clerk's File No. 1862795 and, as so recorded, specifically made a part hereof for all purposes, Four Forty Co., in such instrument identified as "Owner", did adopt certain restrictions as to lots therein described owned by it in WESTBURY, SECTION 4, a subdivision of land situated in Harris County, Texas, a plat of which said subdivision has been filed of record under County Clerk's File No. 1540475; and

WHEREAS, the undersigned, Four Forty Co., a corporation, and Smiltony Realty, Inc., a corporation, hereinafter referred to and identified as "Owners", are the present owners of various lots and parcels of land as indicated by the Records of Harris County, Texas, said lots and parcels of land, so owned by them, comprising all of the lots and parcels of land to which the restrictions aforementioned, by the terms of the instrument above described, are made applicable.

NOW, THEREFORE, we, OWNERS, being the owners of all of the lands and parcels of land affected by the restrictions aforementioned, each for our respective selves and our respective successors and assigns, do hereby ADOPT, AGREE and DECLARE that the restrictions aforementioned shall be MODIFIED and AMENDED to the extent only of eliminating, removing and excluding from the land covered by said restrictions the following property:

Lots One through Ten (1 through 10), inclusive, in Block One Hundred Seventeen (117); and
Lots One and Two (2), inclusive, in Block One Hundred Eighteen (118),
all in said WESTBURY, SECTION 4.

This instrument is intended to modify and amend the restrictions above described in the sole and only respect that the twelve lots specifically described above shall be EXCLUDED from the land, lots and tracts covered by said restrictions and said restrictions shall not cover, attach and apply to said lots so specifically described above, and by this instrument excluded from the application thereof. The restrictions, as set out in the instrument hereinabove described, recorded as above stated, insofar as they cover, attach and apply to all of the other lots and parcels of land therein described (that is, all of the lots and parcels of land therein described save and except the twelve lots excluded therefrom pursuant to the terms of this instrument) are in all things RATIFIED, CONFIRMED and APPROVED.

EXECUTED this 4th day of June, 1958.

ATTEST:
Sheraldine [Signature]
Secretary

FOUR FORTY CO.
By [Signature]
Vice-President

ATTEST:
[Signature]
Assistant Secretary

SMILTONY REALTY, INC.
By [Signature]
Vice-President

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared I. MARK WESTHEIMER, Vice-President of FOUR FORTY CO., known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged

FROM THE LAW OFFICES OF
HIRSCH AND WESTHEIMER
1002 1/2 NIELD ESPERSON BLDG.
HOUSTON 1, TEXAS



ANY PROVISIONS HEREIN WHICH RESTRICT THE SALE OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR, OR RACE, IS INVALID AND UNENFORCEABLE UNDER THE FEDERAL LAW.

A CERTIFIED COPY

ATTEST: AUG 27 1998
BEVERLY B. KAUFMAN, County Clerk
Harris County, Texas

[Signature] Deputy



to me that the same was the act of the said FOUR FORTY CO., a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 4th day of June, 1958.

Mrs. Jean L. Baldwin
Notary Public, Harris County, Texas
Mrs. Jean L. Baldwin

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared JULIAN T. KEITH, Vice-President of SMILTONY REALTY, INC., known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said SMILTONY REALTY, INC., a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 4th day of June, 1958.

Mrs. Jean L. Baldwin
Notary Public, Harris County, Texas
Mrs. Jean L. Baldwin

Filed for Record June 9 1958 at 12:30 o'clock P.M.
Recorded July 3 1958 at 11:36 o'clock A.M.
W. D. MILLER, Clark County Court Harris County, Texas
By William Miller Deputy

ANY PROVISIONS HEREIN WHICH RESTRICT THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR, OR RACE, IS INVALID AND UNENFORCEABLE UNDER THE FEDERAL LAW.

A CERTIFIED COPY
AUG 27 1998

ATTEST:
BEVERLY B. KAUFMAN, County Clerk
Harris County, Texas

William Miller Deputy