515-65-1203

S729511

MODIFICATION TO RESTRICTIVE COVENANTS
RIVERBEND ADDITION

11/13/97 100608170 S729511 $13.00

This Modification to Restrictions (the "**Modification**") shall modify and amend the Restrictions for Riverbend Addition, Harris County, Texas, as provided below:

Subdivision Affected:	Riverbend Addition, Houston, Harris County, Texas, according to the Map or Plat filed of record at Volume 43, Page 21 of the Map Records of Harris County, Texas.
Restrictions Modified:	Restrictions dated December 29, 1952, executed by Riverbend, Inc., a Texas corporation, filed of record at Volume 2542, Page 63 of the Deed Records of Harris County, Texas (the "**Restrictions**").
Procedure to Modify Restrictions:	Owners of a majority of lots in the Subdivisions may modify the Restrictions by written instrument recorded in the Official Public Records of Harris County, Texas, if the instrument is executed and filed prior to December 29, 1997, in order to be effective when the Restrictions automatically renew for the next ten (10) year term on December 29, 1997.
Purpose of Modification:	To remove racial covenants and conform the vote for modification of assessment amount to the vote for other modifications of the Restrictions.
Texas Property Code:	This Modification is made pursuant to the provisions of the Restrictions, not the provisions of the Texas Property Code.

The Restrictions are hereby RATIFIED, CONFIRMED AND READOPTED as a part of this Modification, provided that the Restrictions are modified by the additions, deletions and modifications set forth below. The owners of property in the Subdivision acknowledge Riverbend Planning Committee, a Texas nonprofit corporation, is the successor to Riverbend, Inc. declarant under the Restrictions and has all authority of Riverbend, Inc. to enforce the Restrictions. Riverbend Planning Committee is a Property Owners Association with all power granted in Texas Property Code Chapter 204. All references to section, title and restriction numbers as well as headings are to those in the Restrictions.

[THE MODIFICATIONS BEGIN ON THE FOLLOWING PAGE]

The Restrictions are modified as follows:

1. USE OF PROPERTY

The following paragraph is DELETED in its entirely from the Restrictions:

> "No lot or plot in RIVERBEND ADDITION shall be conveyed, leased, rented or given to, and no building erected thereon shall be used, owned or occupied by any person not of the white or Caucasian race. This prohibition, however, shall not inhibit any occupancy or use by persons not of the white or Caucasian race while employed as servants on the premises."

2. CONCERNING ANNUAL SUBDIVISION UP-KEEP CHARGES

The second paragraph of this section is modified by replacing the reference to

> "seventy-five (75%) percent"
>
> with
>
> "fifty (50%) percent plus one (1)".

The third paragraph of this section is modified by adding the following:

> "In addition to being personally liable for the up-keep charge and interest thereon, the owner of each plot in Riverbend Addition is personally liable for costs and attorneys fees incurred in the collection of the up-keep charge, including the creation, enforcement, foreclosure or release of any lien filed by Riverbend Planning Committee."

THIS MODIFICATION IS EXECUTED BY THE UNDERSIGNED OWNERS OF LOTS IN THE SUBDIVISION FOR THE PURPOSES OF MODIFYING THE RESTRICTIONS. BY THEIR SIGNATURE BELOW, EACH OWNER REPRESENTS THAT THEY ARE THE RECORD TITLE OWNER FOR THE PROPERTY DESIGNATED AS OF THE DATE OF THEIR SIGNATURE AND, TO THE EXTENT THEY ARE EXECUTING THIS MODIFICATION IN ANY REPRESENTATIVE CAPACITY, THAT THEY HAVE REQUISITE POWER AND AUTHORITY TO EXECUTE THIS MODIFICATION.

[END OF MODIFICATION - SIGNATURE PAGES TO FOLLOW]

515-65-1205

RIVERBEND PLANNING COMMITTEE, A PROPERTY OWNERS ASSOCIATION WITH JURISDICTION OVER RIVERBEND ADDITION, HARRIS COUNTY, TEXAS, REPRESENTS THAT THE MODIFICATION HAS BEEN APPROVED IN ACCORDANCE WITH THE RESTRICTIONS FOR THE PURPOSES OF MODIFYING THE RESTRICTIONS AND EXECUTES THIS MODIFICATION TO FACILITATE ITS RECORDING IN THE PUBLIC RECORDS OF HARRIS COUNTY, TEXAS.

Riverbend Planning Committee

By: Brady F. Carruth
Printed name: Brady F. Carruth
Title: Vice President

STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on 10/22, 1997, by BRADY F. CARRUTH, the VICE PRESIDENT of Riverbend Planning Committee, a Texas Non-Profit Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed and as the act of said Corporation

KRISTI M. BLACKARD
MY COMMISSION EXPIRES
May 21, 2000

Kristi M. Blackard
Notary Public Signature

AFTER RECORDING PLEASE RETURN TO:

Fred Gebhardt
Riverbend Planning Committee
7611 River Point Drive
Houston, TX 77063

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW
THE STATE OF TEXAS }
COUNTY OF HARRIS }
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas on

NOV 13 1997

COUNTY CLERK
HARRIS COUNTY TEXAS

FILED FOR RECORD
8:00 AM

NOV 13 1997

County Clerk, Harris County, Texas