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A REGISTERED LIMITED LIABILITY PARTNERSHIP

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REPLY TO:
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HOUSTON, TEXAS 77210-4547

MARK K. KNOP

BOARD CERTIFIED-COMMERCIAL REAL ESTATE LAW
BOARD CERTIFIED-RESIDENTIAL REAL ESTATE LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

knop@hooverslovacek.com

April 13, 2018

Ms. Gloria Lee, CMCA, AMS
Chaparral Management Company
P.O. Box 681007
Houston, Texas 77268-1007

Re: Modification and Supplement to ACC Enforcement Guidelines and Deed
Restriction Clarifications (the "Modification") – Lakes of Rosehill
Homeowners' Association, Inc.

Dear Gloria:

Enclosed is the recorded Modification. As you can see, it was recorded in the Real
Property Records of Harris County, Texas, on April 13, 2018, under Clerk's File Number RP-
2018-158733.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

HOOVER SLOVACEK LLP



Mark K. Knop

MKK:mkk

**CERTIFICATE OF CORPORATE RESOLUTION OF LAKES OF ROSEHILL
HOMEOWNERS' ASSOCIATION, INC.**

**MODIFICATION AND SUPPLEMENT TO ACC ENFORCEMENT GUIDELINES
AND DEED RESTRICTION CLARIFICATIONS REVISION 5 (JULY 20, 2009) AND TO
AMENDMENT AND RESTATEMENT OF DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR LAKES OF ROSEHILL SUBDIVISION**

WHEREAS, LAKES OF ROSEHILL HOMEOWNERS' ASSOCIATION, INC., a Texas non-profit corporation (the "Association"), has adopted ACC Enforcement Guidelines and Deed Restriction Clarifications Revision 5 (July 20, 2009) recorded as an attachment to the Second Supplemental Notice of Dedicatory Instruments for Lakes of Rosehill Homeowners' Association, Inc., recorded under Clerk's File Number 20090451782 of the Official Public Records of Harris County, Texas (as supplemented and amended from time to time, the "Guidelines"); and

WHEREAS, the Guidelines provide for certain criteria for walls, fences and hedges in the Lakes of Rosehill Subdivision (the "Subdivision"); and

WHEREAS, Article V, Section 5.7 of the Amendment and Restatement of Declaration of Covenants, Conditions and Restrictions for Lakes of Rosehill Subdivision dated September 18, 1997, and recorded under Clerk's File Number S658489 of the Official Public Records of Harris County, Texas (as supplemented and amended from time to time, the "Declaration") provides for certain criteria for walls, fences, and hedges in the Subdivision; and

WHEREAS, Article III, Section 3.6 of the Declaration provides the Architectural Control Committee of the Association (the "Committee") with the absolute right and authority to modify restrictions contained in the Declaration if, in the opinion of the Committee, such action is to the advantage or benefit to the Association; and

WHEREAS, the Board of Directors of the Association (the "Board") and the Committee desire to modify and supplement the Guidelines and the Declaration as set forth below; and

WHEREAS, Article VI, Section 6.3 of the Bylaws provides that a majority of the number of directors shall constitute a quorum for the transaction of business and that every act or decision done or made by a majority of the directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board; and

WHEREAS, the Board held a meeting on the 19 day of March, 2018 (the "Adoption Meeting"), at which a majority of the directors were present and duly adopted the resolutions described hereinbelow; and

WHEREAS, all the members of the Committee have agreed to and adopted the resolutions described herein below;

NOW, THEREFORE, the undersigned, Michael Kucharski, President of the Association, does hereby certify that at the Adoption Meeting, at least a majority of the directors of the Board were present and duly adopted the following resolutions:

RESOLVED: That Section 6.7 of the Guidelines shall be added to read as follows:

- 6.7 Notwithstanding anything contained in Section 6 hereof, all fencing in the Subdivision located along and adjacent to Cypress Rosehill must be constructed in accordance with the specification set forth on *Exhibit "A"* attached hereto, including but is not limited to the following:
- a. The wood slats must be 1" x 6" cedar as shown on *Exhibit "A" (Note 3)* and must be vertical and free of large or loose knots and splits.
 - b. Posts must be 6" x 6" pressure treated pine as shown on *Exhibit "A" (Note 5)* set two (2') feet in concrete on eight (8') foot centers.
 - c. The bottom "rot-board" must be a 2" x 12" pressure treated pine as shown on *Exhibit "A" (Note 4)*.
 - d. The top fence cap must be 2" x 6" cedar as shown on *Exhibit "A" (Note 1)*.
 - e. The top fence trim must be 2" x 4" cedar as shown on *Exhibit "A" (Note 2)*.
 - f. The horizontal brace boards must be 2" x 4" pressure treated pine as shown on *Exhibit "A" (Note 6)*.
 - g. Only the good side (no bracing boards visible, etc.) of the fence shall face Cypress Rosehill.

FURTHER RESOLVED: That Article V, Section 5.7 of the Declaration shall be amended to include the following at the end:

Notwithstanding anything contained in Section 5.7 hereof, all fencing in the Subdivision located along and adjacent to Cypress Rosehill must be constructed in accordance with the specification set forth on *Exhibit "A"* attached hereto, including but is not limited to the following:

- a. The wood slats must be 1" x 6" cedar as shown on *Exhibit "A" (Note 3)* and must be vertical and free of large or loose knots and splits.
- b. Posts must be 6" x 6" pressure treated pine as shown on *Exhibit "A" (Note 5)* set two (2') feet in concrete on eight (8') foot centers.
- c. The bottom "rot-board" must be a 2" x 12" pressure treated pine as shown on *Exhibit "A" (Note 4)*.
- d. The top fence cap must be 2" x 6" cedar as shown on *Exhibit "A" (Note 1)*.
- e. The top fence trim must be 2" x 4" cedar as shown on *Exhibit "A" (Note 2)*.

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- f. The horizontal brace boards must be 2" x 4" pressure treated pine as shown on *Exhibit "A"* (*Note 6*).
- g. Only the good side (no bracing boards visible, etc.) of the fence shall face Cypress Rosehill.

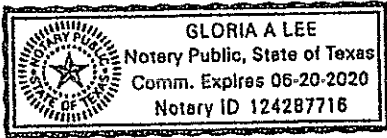
Effective as of the date of recording in the Official Public Records of Harris County, Texas.

LAKES OF ROSEHILL HOMEOWNERS' ASSOCIATION, a Texas non-profit corporation

By: *Michael J. Kucharski*
Michael Kucharski, President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on March 19, 2018, by Michael Kucharski, President of Lakes of Rosehill Homeowners' Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



Gloria A Lee
NOTARY PUBLIC, State of Texas

ARCHITECTURAL CONTROL COMMITTEE FOR LAKES OF ROSEHILL HOMEOWNERS' ASSOCIATION, a Texas non-profit corporation

Michael McBride
Michael McBride, Member

Neal Scott Brown
Neal Scott Brown, Member

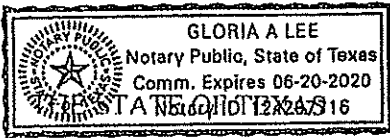
Ann Kaeserman
Ann Kaeserman, Member

Michael J. Kucharski
Michael Kucharski, Member

RP-2018-158733

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on April 9, 2018, by Michael McBride, Member of Architectural Control Committee of Lakes of Rosehill Homeowners' Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

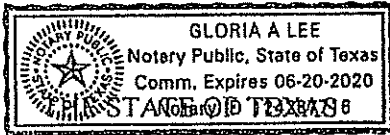


Gloria A Lee

NOTARY PUBLIC, State of Texas

COUNTY OF HARRIS §
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This instrument was acknowledged before me on April 9, 2018, by Neal Scott Brown, Member of Architectural Control Committee of Lakes of Rosehill Homeowners' Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

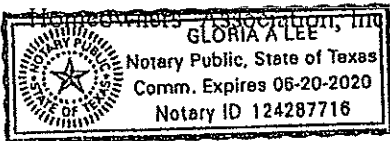


Gloria A Lee

NOTARY PUBLIC, State of Texas

COUNTY OF HARRIS §
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This instrument was acknowledged before me on April 9, 2018, by Ann Kaeserman, Member of Architectural Control Committee of Lakes of Rosehill Homeowners' Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



Gloria A Lee

NOTARY PUBLIC, State of Texas

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

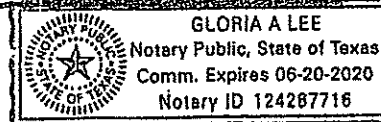
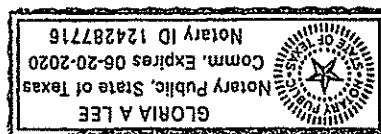
This instrument was acknowledged before me on March 19, 2018, by Michael Kucharski, Member of Architectural Control Committee of Lakes of Rosehill Homeowners' Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Gloria A Lee

NOTARY PUBLIC, State of Texas

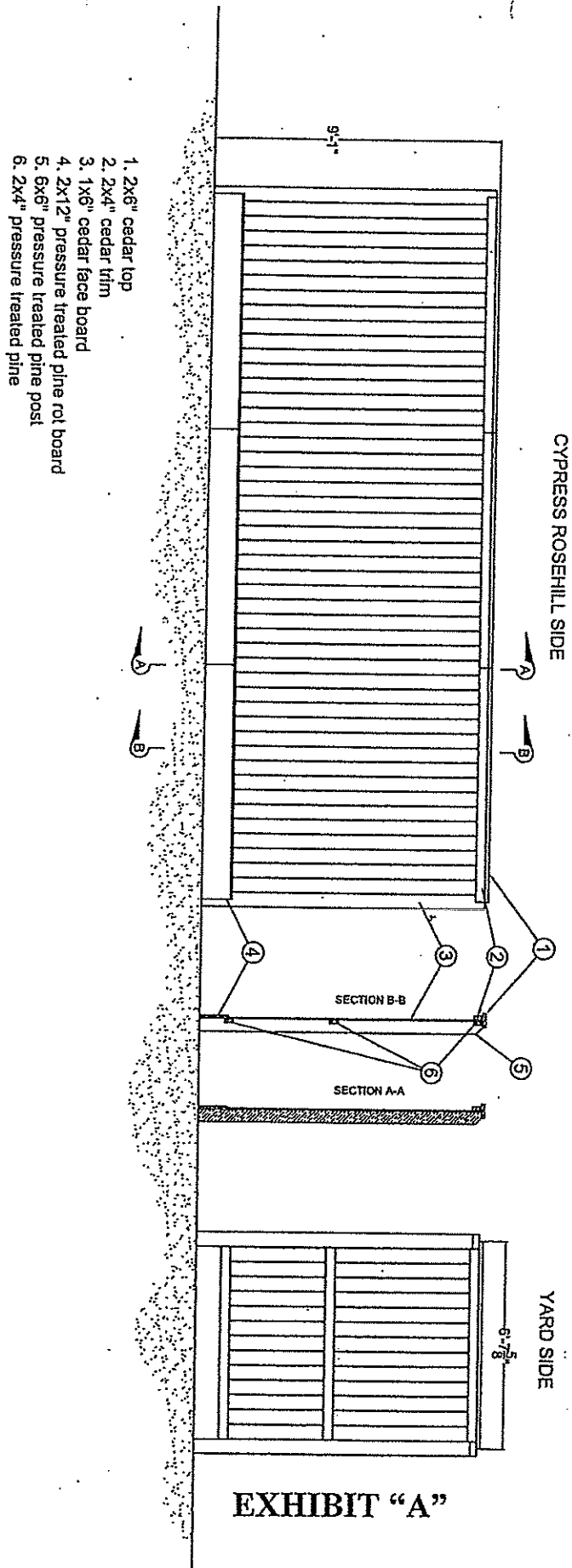
WHEN RECORDED, RETURN TO:

Mark K. Knop
Hoover Slovacek LLP
5051 Westheimer, Suite 1200
Houston, Texas 77056



LAKES OF ROSE HILL FENCE REPLACEMENT
APPROX 1250' OF PERIMETER FENCE ON CYPRESS ROSEHILL NORTH OF HUFFMEISTER
REV 3 02/20/2018

6X6 POST 9' TALL OPTION



LIBRARY/INSTRUCTION Drawing 2/20/2018 REVISION A.M. ADAMS PDF

RP-2018-158733

EXHIBIT "A"

RP-2018-158733

RP-2018-158733
Pages 6
04/13/2018 02:59 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$32.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS