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341-01-0899

REAL PROPERTY RECORDS

AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, ASSESSMENTS, CHARGES, SERVITUDES,
LIENS, RESERVATIONS AND EASEMENTS

This Amendment ("Amendment") to the Declaration of Covenants, Conditions, Assessments, Charges, Servitudes, Liens, Reservations and Easements described below (the "Declaration") has been duly adopted by the affirmative vote (by written consent attached hereto) of the Voting Owners (as defined in the Declaration) as of the 11th day of April, 1985, has been approved in writing by the Board of Directors of Del Lago Owners Association, which is the "Board" of the "Association" described in the Declaration, and is hereby ratified and confirmed by Lake Conroe Interests, Inc., a Texas corporation (the "Declarant").

W I T N E S S E T H:

WHEREAS, on August 17, 1981, Declarant did file the Declaration in the Official Real Property Records of Montgomery County, Texas, under Clerk's File No. 8130826 and thereby subjected the real property described therein to said Declaration, said real property being approximately 247 acres in Montgomery County, Texas, a legal description of which is attached hereto and made a part hereof as Exhibit "A" ("Property"); and

WHEREAS, also on August 17, 1981, Declarant did file that one certain Reservation of Architectural Control ("Reservation") in the Official Real Property Records of Montgomery County, Texas, under Clerk's File No. 8130825 which Reservation covered the Property; and

WHEREAS, Lake Conroe Interests, Inc. was also named as the Declarant in the Reservation; and

WHEREAS, both the Declaration and the Reservation reserve unto Declarant the right of architectural control over the Property; and

WHEREAS, Declarant and the Voting Owners who have signed the Written Consent attached hereto and the Board wish to amend the Declaration to provide that the Declaration and Reservation only make one reservation of the right to exercise architectural control over the Property, and to otherwise amend the Declaration as hereinbelow set forth.

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NOW THEREFORE, as set forth in Section 13.02 of the Declaration, the affirmative vote of at least fifty-one percent (51%) of the votes of the Voting Owners authorized to be cast under the Declaration having been obtained and evidenced by the written consent attached hereto, and the written approval of Del Lago Owner's Association having been obtained, the Declaration is hereby amended as follows:

(1) Article Ten of the Declaration is deleted in its entirety; the intent of this deletion being to designate the reservation of architectural control in the Reservation as the exclusive reservation of such control such that the Declarant under the Reservation, or its assignee, is the exclusive entity with the power to exercise such architectural control.

(2) For so long as any portion of the indebtedness owed by Declarant to Arlington Heights Federal Savings & Loan Association, Trustee ("Lender") for the construction of the conference center and north residential tower on a portion of the Property, all as more particularly described in those certain Deeds of Trust from Declarant to Randall K. Howard, Trustee, recorded in the Official Real Property Records of Montgomery County, Texas under Clerk's File Nos. 85-20964 and 85-20965, remains unpaid and outstanding, Declarant will not, without the prior written consent of Lender, do any of the following:

(a) delegate or assign its powers of architectural control under the Reservation to any third party or any committee; which consent to so delegate or assign may be withheld by Lender in its sole discretion;

(b) approve any plans or specifications for that certain 9.6 acre tract, a legal description of which is attached hereto and made a part hereof as Exhibit "B", (which is a part of the Property) which consent shall not be unreasonably withheld by Lender.

3. For so long as any portion of the aforesaid indebtedness owed by Declarant to Lender remains unpaid and outstanding, this Declaration may not be modified, amended or terminated without the prior

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written consent of the Lender, which consent the Lender may withhold in its sole discretion. Any purported or attempted modification, amendment or termination without the Lender's prior written consent shall be void.

4. All requests for approval of plans and specifications for improvements to be constructed on any portion of the Property shall be submitted in writing to Declarant at 15001 Walden Road, Montgomery, Texas 77356, along with all of the other requirements as set forth in the Declaration and/or Reservation. A copy of all requests for approval of plans and specifications for improvements to be constructed on the said 9.6 acre tract shall be sent to Arlington Heights Federal Savings and Loan Association, Attn: Paul Wood, 25 Campbell Street, Arlington Heights, Illinois 60005.

5. The Declaration, except as expressly modified herein, is still in full force and effect.

In Witness Whereof, Lake Conroe Interests, Inc., as Declarant, and the Board of Directors of Del Lago Owners Association have caused their names to be signed by the signature of their duly authorized officials as of the day and year first above written.

LAKE CONROE INTERESTS, INC.

By: W. J. Kassuba
W. J. Kassuba
President

DEL LAGO OWNERS ASSOCIATION
by its BOARD OF DIRECTORS

By: J. T. Kassuba pres
J. T. Kassuba
President

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THE STATE OF TEXAS

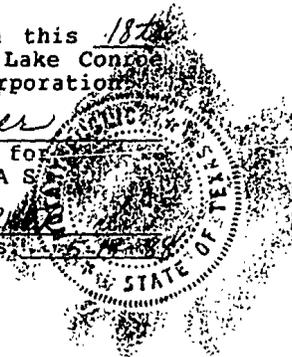
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COUNTY OF HARRIS

This instrument was acknowledged before me on this 18th day of April, 1985 by W. J. Kassuba, President of Lake Control Interests, Inc., a corporation, on behalf of said corporation.

Vicki C. Parker
Notary Public in and for
The State of T E X A S

Name: VICKI C. PARKER
My Commission Expires: 3/19/88



THE STATE OF TEXAS

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§

COUNTY OF HARRIS

This instrument was acknowledged before me on this 15th day of April, 1985 by J. T. Kassuba, President of the Board of Directors of Del Lago Owners Association, a corporation, on behalf of said corporation.

Jennifer Gilliam
Notary Public in and for
The State of T E X A S

Name: Jennifer Gilliam
My Commission Expires: 3/19/88



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AFFIDAVIT

STATE OF TEXAS

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COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority, on this day personally appeared, J. T. Kassuba, President of the Board of Directors of the Del Lago Owners Association, who, after being duly sworn, upon oath deposes and says:

My name is J. T. Kassuba and I am the duly elected and acting President of the Board of Directors of Del Lago Owners Association, I am over the age of eighteen years and am competent to make the following statement:

The affirmative votes of more than fifty-one percent (51%) of the votes authorized to be cast pursuant to the terms of the Declaration of Covenants, Conditions, Assessments, Charges, Servitudes, Liens, Reservations and Easements of record in the Official Records of Real Property of Montgomery County, Texas under Clerk's File No. 8130826 (the "Declaration") were obtained by a written consent dated April 11, 1985, which is attached hereto, in favor of adopting the foregoing Amendment to such Declaration in compliance with Section 13.03 of the Declaration and such Amendment was thereby duly adopted and is effective on the date hereof, and has not been rescinded or modified in any way.

EXECUTED this 15th day of April, 1985.

BOARD OF DIRECTORS OF
DEL LAGO OWNERS ASSOCIATION

By:

JT Kassuba Pres
J. T. Kassuba, President

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SWORN and SUBSCRIBED to this 15th day of April, 1985 by J. T. Kassuba.

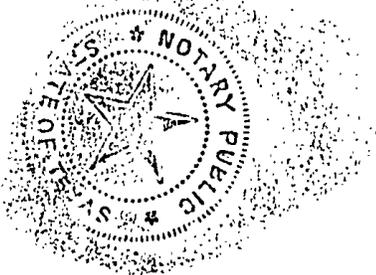
Jennifer Gilliam
Notary Public in and for
The State of T E X A S

Name: Jennifer Gilliam
My Commission Expires: 3/19/88

THE STATE OF TEXAS
COUNTY OF HARRIS

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This instrument was acknowledged before me on this 15th day of April, 1985 by J. T. Kassuba, President of the Board of Directors of Del Lago Owners Association, a Texas corporation, on behalf of said corporation.



Jennifer Gilliam
Notary Public in and for
The State of T E X A S

Name: Jennifer Gilliam
My Commission Expires: 3/19/88

341-01-0905

WRITTEN CONSENT TO AMENDMENTS

We, the undersigned owners of the lots identified below located within the "Property" identified in the Declaration of Covenants, Conditions, Assessments, Charges, Servitudes, Liens, Reservations and Easements of record in the Official Real Property Records of Montgomery County, Texas, under Clerk's File No. 8130826, do hereby consent to the adoption of that certain Amendment to Declaration of Covenants, Conditions, Assessments, Charges, Servitudes, Liens, Reservations and Easements, dated as of April 11, 1985, to which this Written Consent is attached, to become effective as of April 11, 1985.

<u>NAME</u>	<u>"LOTS"</u>
Delcom Properties, Inc.	Section 2 - Cottages Unit Nos. 1, 2, 3, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 30, 31, 32, 33, 36, 37, 42, 43, 44, 45, 50, 53, 54, 55, 56, 57, and 58
Delcom Properties, Inc.	Section 2 - Del Lago Plaza (Office Building) Unit Nos. 101, 102, 103, 104, 105, 201, 202, 203, 204, 126, 127, 128, 129, 130, 131, 132, 133, 226, 227, 229, 230, 231, 232, and 233.
Delcom Properties, Inc.	Del Lago Estates Lot Nos. 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28, 29, 31, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 62, 63, 64, 65, 66, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, and 90.

341-01-0906

(The above units represent Del Lago Estates, a subdivision of 68.708 acres of land out of the John Corner Survey, A-8, Montgomery County, Texas).

Delcom Properties
Inc.

Del Lago - Section 1
Block 5 - Lot Nos. 15 and 16

By: W. J. Kassuba
W. J. Kassuba

* * * * *

<u>NAME</u>	<u>"LOTS"</u>
Lake Conroe Interests, Inc.	Villa - Section 2 Unit Nos. 1, 2, 3, 4, 5, 6, 8, 9, 12, 15, 16, and 17
Lake Conroe Interests, Inc.	Villa - Section 2 Lot Nos. 19 through 30
Lake Conroe Interests, Inc.	2.0127 acres in Del Lago Section 11 known as Unre- stricted Reserve "A"
Lake Conroe Interests, Inc.	1.0857 acres in Del Lago Section 2 known as Unre- stricted Reserve "C"
Lake Conroe Interests, Inc.	0.4703 acres in Del Lago Section 2 known as Unrestricted Reserve "A"
Lake Conroe Interests, Inc.	9.9 acres in Del Lago Section 2 - known as Unre- stricted Reserve "B"

341-01-0907

Lake Conroe Interests,
Inc.

Del Lago - Section 1

Block 5 - Lot Nos. 46, 47, 59,
60, and 61

Lake Conroe Interests,
Inc.

Del Lago - Section 2

Block 1 - Lot Nos. 6, 7, 8,
10, and 11

Lake Conroe Interests,
Inc.

Del Lago - Section 1

Block 4 - Lot Nos. 1, 2, 3,
19, 46, 47, 54, and 55

Lake Conroe Interests,
Inc.

Del Lago - Section 1

Block 3 - Lot Nos. 5, 6, 16,
27, 28, 29, 30, 31, and 40

Lake Conroe Interests,
Inc.

Del Lago - Section 1

Block 5 - Lot Nos. 3, 41, and
49

Lake Conroe Interests,
Inc.

Del Lago - Section 1

Block 3 - Lot Nos. 12, 13, and
17

Lake Conroe Interests,
Inc.

Del Lago - Section 1

Block 4 - Lot Nos. 9, 16, 20,
39, and 58

Lake Conroe Interests,
Inc.

Del Lago - Section 2

Block 1 - Lot No. 27

Lake Conroe Interests,
Inc.

Del Lago - Section 2

Block 2 - Lot Nos. 20, 21, 23,
24, and 25

341-01-0908

Lake Conroe Interests,
Inc.

Del Lago - Section 1

Block 3 - Lot Nos. 1, 2, 3, 4,
7, 8, 21 through 26, 32
through 39, 41, and 42

Lake Conroe Interests,
Inc.

Del Lago - Section 1

Block 4 - Lot Nos. 25 through
37, 40 through 45, 56, and 57

Lake Conroe Interests,
Inc.

Del Lago - Section 1

Block 5 - Lot Nos. 1, 2, 58,
63, and 64

Lake Conroe Interests,
Inc.

Del Lago - Section 2

Block 1 - Lot Nos. 1 through
5, 9, 13 through 15, and 17
through 23

Lake Conroe Interests,
Inc.

Del Lago - Section 2

Block 2 - Lot Nos. 7 through
11, and 26 through 29

Lake Conroe Interests,
Inc.

Del Lago - Section 2

Block 1 - Lot No. 12

Lake Conroe Interests,
Inc.

Del Lago - Section 2

Block 2 - Lot Nos. 1 through
6

By:


W. J. Kassuba

fc/Kassuba

341-01-0909

DESCRIPTION OF PARCELS

Attached hereto are descriptions of Parcels Nos. 1, 2, 3, and 4, which have been conveyed by Renewed and Restated Deed of Trust and Security Agreement, dated as of April 11, 1985, from Lake Conroe Interests, Inc. for the benefit of Arlington Heights Federal Savings & Loan Association, Trustee, with said Parcels being described as follows:

1. Parcel No. 1 - 15.0358 Acres and Golf Course Reserve
2. Parcel No. 2 - 1.4198 Acre Sewer Plant Reserve
3. Parcel No. 3 - 0.4 Acre Water Plant Reserve
4. Parcel No. 4 - 0.164 Acre Water Plant Reserve

EXHIBIT A
PAGE 1 OF 21

341-01-0910

PARCEL NO. 1

15.0358 acres and Golf Course Reserves

All of the restricted Golf Course Reserves in Section Two, Del Lago, as shown on Plat of Del Lago, Section Two, being a subdivision of 152.5071 acres in the John Corner Survey, A-8 Montgomery County, Texas, as shown on Plat recorded in Cabinet D, Sheet 32-B, Map Records and All of the restricted Golf Course Reserves in Section One, Del Lago, as shown on Plat of Del Lago, Section One, a subdivision of 94.3324 acres, in the John Corner Survey, A-8, Montgomery County, Texas, as shown on Plat recorded in Cabinet C, Sheet 166-B, Map Records, Montgomery County, Texas.

Being 15.0358 acres of land in the John Corner Survey, A-8, Montgomery County, Texas, and being out of a 17.9584 acre tract described as Unrestricted Reserve "A" as shown on plat of Del Lago, Section Two, recorded in Cabinet D, Sheet 32-B of the Map Records of Montgomery County, Texas, and said 15.0358 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the easterly right-of-way line of Del Lago Boulevard (80 feet wide) for the southeast corner of Del Lago, Section One as shown on plat recorded in Cabinet C, Sheet 166B of the Map Records of Montgomery County, Texas;

THENCE easterly along the southerly right-of-way line of LaCosta Drive (50 feet wide) with the following three (3) curves:

- 1) with a curve to the right having a radius of 1075.40 feet and a central angle of 10° 22' 37", a distance of 194.77 feet,
- 2) with a curve to the left having a radius of 689.80 feet and a central angle of 25° 22' 17", a distance of 305.45 feet,
- 3) with a curve to the right having a radius of 872.80 feet and a central angle of 14° 33' 04", a distance of 221.64 feet to an intersection point with the easterly right-of-way line of Balboa Circle (50 feet wide);

THENCE easterly with a curve to the right having a radius of 872.80 feet and a central angle of 03° 16' 52", a distance of 50.00 feet to a point for a corner;

THENCE S 21° 56' 10" W, a distance of 286.05 feet to a point in the 201 foot contour line of Lake Conroe for a corner;

EXHIBIT "A"
Page 2 of 21

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All book-end additions and changes were present at the time the instrument was filed and recorded.

341-01-0911

THENCE southwesterly, southeasterly, and northwesterly along said 201 foot contour line with the following ten (10) courses and distances:

- 1) S 32° 51' 05" W, 84.39 feet,
- 2) S 19° 42' 39" W, 79.88 feet,
- 3) S 03° 19' 44" W, 62.15 feet,
- 4) S 07° 53' 48" E, 113.99 feet,
- 5) S 57° 49' 57" E, 66.33 feet,
- 6) S 37° 36' 30" E, 93.53 feet,
- 7) S 22° 24' 40" E, 233.33 feet,
- 8) S 50° 47' 41" W, 134.44 feet,
- 9) N 75° 42' 21" W, 120.35 feet,
- 10) S 33° 04' 09" W, 25.00 feet,

THENCE N 84° 47' 32" W, 162.61 feet to a point for a corner;

THENCE N 00° 00' 00" E, 230.00 feet to a point for a corner;

THENCE N 90° 00' 00" W, 130.00 feet to a point for a corner;

THENCE N 83° 43' 16" W, 164.79 feet to a point for a corner;

THENCE N 90° 00' 00" W, 150.00 feet to a point for a corner;

THENCE S 00° 00' 00" W, 20.00 feet to a point in the northerly right-of-way line of a private drive (28 feet wide);

THENCE northwesterly and northeasterly along said private drive with the following five (5) courses and distances:

- 1) N 85° 47' 41" W, 150.00 feet,
- 2) with a curve to the right having a radius of 67.47 feet and a central angle of 99° 50' 01", a distance of 152.41 feet,
- 3) N 14° 02' 11" E, 185.00 feet,
- 4) with a curve to the right having a radius of 55.28 feet and a central angle of 58° 30' 30", a distance of 56.45 feet,
- 5) N 72° 32' 38" E, a distance of 48.58 feet to an intersection point of the private drive and the westerly right-of-way line of Del Lago Boulevard;

THENCE southwesterly, northwesterly, and northeasterly along the right-of-way line of Del Lago Boulevard with the following seven (7) courses and distances:

- 1) with a curve to the left having a radius of 190.00 feet and a central angle of 56° 34' 09", a distance of 187.59 feet,

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341-01-0912

- 2) S 82° 29' 57" E, 320.00 feet,
- 3) N 07° 30' 03" E, 80.00 feet,
- 4) N 82° 29' 57" W, 320.00 feet,
- 5) with a curve to the right having a radius of 110.00 feet and a central angle of 107° 07' 35", a distance of 205.67 feet to a point of reverse curvature,
- 6) with a curve to the left having a radius of 690.00 feet and a central angle of 18° 33' 43", a distance of 223.54 feet,
- 7) N 06° 03' 55" E, 120.00 feet to the POINT OF BEGINNING and containing 15.0258 acres of land.

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PARCEL NO. 2

1.4198 acre sewer plant reserve

Sewer Plant Reserve, Del Lago, SECTION ONE (1), a subdivision of 94.3324 acres of land out of the John Corner Survey, A-8, Montgomery County, Texas, according to the map or plat thereof recorded in Cabinet C, Sheet 168B Map Records of Montgomery County, Texas.

EXHIBIT "A"
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341-01-0914

PARCEL NO. 3

0.4 acre water plant reserve

Being 0.4 acre Water Plant, Del Lago, SECTION ONE (1), a Subdivision of 94.3324 acres of land out of the John Corner Survey, A-8, Montgomery County, Texas, according to the map or plat thereof recorded in Cabinet C, Sheet 168B Map Records of Montgomery County, Texas.

EXHIBIT "A"
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341-01-0915

PARCEL NO. 4

0.164 Acre Water Plant Reserve

Water Plant Reserve out of Del Lago, Section Two (2), a subdivision of 152.5071 acres of land out of the John Corner Survey, A-8, William Atkins Survey, A-3, and the Thomas Corner Survey, A-10, Montgomery County, Texas, according to the map or plat thereof recorded in Cabinet D, Sheet 32B Map Records of Montgomery County, Texas.

EXHIBIT "A"
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341-01-0916

PARCEL NO. 5

0.4703 Acre Parcel

BEING 0.4703 acres of land in the JOHN CORNER SURVEY, Abstract Number 8, in Montgomery County, Texas and being out of and a part of Unrestricted Reserve A, DEL LAGO SECTION TWO, as recorded in Cabinet D, Sheet 32B of the Map Records of Montgomery County, Texas; said 0.4703 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a point for the Southwesterly intersection point of La Costa Drive (based on a width of 50 feet) and Del Lago Boulevard (based on a width of 80 feet) and being the common corner of DEL LAGO SECTION ONE, the map or plat thereof recorded in Cabinet C, Sheet 169A of the Map Records of Montgomery County, and the Northwesterly corner of said Unrestricted Reserve A, DEL LAGO SECTION TWO;

THENCE S 18° 12' 48" E, 1394.37 feet to a 5/8 inch iron rod, set in the boundary of DEL LAGO SECTION TWO at the 201 foot contour at Lake Conroe;

THENCE S 77° 18' 40" E, 56.91 feet to the POINT OF BEGINNING and being the Southwest corner of the herein described tract;

THENCE North, 241.00 feet to a 5/8 inch iron rod, set for the Northwest corner;

THENCE East, 85.00 feet to a 5/8 inch iron rod, set for the Northeast corner;

THENCE South, 241.00 feet to a 5/8 inch iron rod, set for the Southeast corner;

THENCE West, 85.00 feet to the POINT OF BEGINNING and being 0.4703 acre of land.

EXHIBIT "A"
Page 8 of 21

DESCRIPTION OF PARCELS

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Attached hereto are descriptions of parcels Nos. 6, 7, 8 and the Permanent Easement, which have been conveyed by Deed of Trust and Security Agreement, dated as of April 11, 1985, from Lake Conroe Interests, Inc. for the benefit of Arlington Heights Federal Savings & Loan Association, with said parcels being described as follows:

1. Parcel No. 6 - 2.0127 Acre Parcel
2. Parcel No. 7 - Marina Parcel
3. Parcel No. 8 - 16 Lots
4. Permanent Easement - 1.3 Acre Easement

EXHIBIT "A"

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PARCEL NO. 6

2.0127 Acre Parcel

BEING 2.0127 acres of land in the JOHN CORNER SURVEY, Abstract Number 8, in Montgomery County, Texas and being out of and a part of Unrestricted Reserve A, del LAGO SECTION TWO, as recorded in Cabinet D, Sheet 32B of the map records of Montgomery County, Texas; said 2.0127 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a point for the Southwesterly intersection point of La Costa Drive (based on a width of 50 feet) and del Lago Boulevard (based on a width of 80 feet) and being the common corner of del LAGO SECTION ONE, the map or plat thereof recorded in Cabinet C, Sheet 169A of the Map Records of Montgomery County, and the Northwesterly corner of said Unrestricted Reserve A, del LAGO SECTION TWO;

THENCE S 02° 34' 20" E, 824.40 feet to a point in the Northeasterly line of a 28 foot wide Private Drive and being the POINT OF BEGINNING of the herein described tract of land;

THENCE North 20.00 feet to a point for corner;

THENCE East, 150.00 feet to a point for angle;

THENCE S 83° 43' 16" E, 164.79 feet to a point for angle;

THENCE East, 130.00 feet to a point for corner;

THENCE South, 230.00 feet to a point for angle being located N 84° 35' 06" E 162.74 feet and S 33° 04' 09" W, 25.00 feet from an iron rod being in the boundary of Del Lago, Section 2;

THENCE S 13° 20' 39" W, 153.19 feet to a point in the aforesaid 28 Foot Private Drive, same being the most Easterly Northeast corner of said 28 Foot Private Drive;

THENCE S 86° 26' 30" W, 25.00 feet along the Northeasterly line of the 28 Foot Private Drive to a point for a curve to the right;

THENCE with said curve having as its elements: a radius of 25.00 feet and an arc length of 26.18 feet to a point for tangency;

THENCE N 33° 33' 32" W, 105.00 feet along the Private Drive to a point for a curve to the left;

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THENCE with said curve to the left having as its elements: a radius of 310.00 feet and an arc length of 50.14 feet to a point for tangent;

THENCE N 42° 49' 31" W, 270.00 feet to a point for a curve to the left;

THENCE with said curve having as its elements: a radius of 134.16 feet and an arc length of 100.62 feet back to the POINT OF BEGINNING and containing 2.0127 acres of land.

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EXHIBIT "A"

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341-01-0920

PARCEL NO. 7

Marina Parcel

Being a 1.9387 acre (84,450 square feet) tract of land located south of Unrestricted Reserve "B", and east of Unrestricted Reserve "A", both reserves being out of Del Lago Section Two, a subdivision recorded in Cabinet D, Sheet 32-B of the Map Records of Montgomery County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a point in the north line of Unrestricted Reserve "A", Del Lago Section Two, and the east right of way line of La Costa Drive (50 foot right-of-way);

THENCE in an easterly direction around a curve to the right whose radius is 872.80, subtending a central angle of $03^{\circ}16'52''$, an arc distance of 50.00 feet to a point being the northeast corner of said Unrestricted Reserve "A";

THENCE $S 21^{\circ}56'10''W$, along the east line of Unrestricted Reserve "A" a distance of 286.05 feet to a point for corner, said point also being the southwest corner of Unrestricted Reserve "B", Del Lago Section Two;

THENCE $S 32^{\circ}51'08'' W$, a distance of 43.00 feet to a point for corner;

THENCE $S 45^{\circ}54'48'' E$, a distance of 65.00 feet to the POINT OF BEGINNING of the tract hereinafter described;

THENCE around the said 1.9387 acre tract the following courses to points for corner:

N $44^{\circ}05'12'' E$, a distance of 5.00 feet;
S $45^{\circ}54'48'' E$, a distance of 124.00 feet;
N $44^{\circ}05'12'' E$, a distance of 85.50 feet;
S $45^{\circ}54'48'' E$, a distance of 56.00 feet;
S $44^{\circ}05'12'' W$, a distance of 84.00 feet;
S $45^{\circ}54'48'' E$, a distance of 44.00 feet;
N $44^{\circ}05'12'' E$, a distance of 120.00 feet;
S $45^{\circ}54'48'' E$, a distance of 44.00 feet;
S $44^{\circ}05'12'' W$, a distance of 120.00 feet;
S $45^{\circ}54'48'' E$, a distance of 44.00 feet;
N $44^{\circ}05'12'' E$, a distance of 181.00 feet;
S $45^{\circ}54'48'' E$, a distance of 44.00 feet;
S $44^{\circ}05'12'' E$, a distance of 181.00 feet;
S $45^{\circ}54'48'' E$, a distance of 140.00 feet;
N $44^{\circ}05'12'' E$, a distance of 244.00 feet;

EXHIBIT "A"

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S 45°54'48" E, a distance of 52.00 feet;
 S 44°05'12" W, a distance of 244.00 feet;
 S 45°54'48" E, a distance of 166.00 feet;
 N 44°05'12" E, a distance of 32.00 feet;
 S 45°54'48" E, a distance of 24.00 feet;
 N 44°05'12" E, a distance of 20.00 feet;
 N 45°54'48" W, a distance of 24.00 feet;
 N 44°05'12" E, a distance of 66.00 feet;
 S 45°54'48" E, a distance of 56.00 feet;
 S 44°05'12" W, a distance of 66.00 feet;
 N 45°54'48" W, a distance of 24.00 feet;
 S 44°05'12" W, a distance of 20.00 feet;
 S 45°54'48" E, a distance of 24.00 feet;
 S 44°05'12" W, a distance of 86.00 feet;
 S 45°54'48" E, a distance of 10.00 feet;
 S 44°05'12" W, a distance of 131.00 feet;
 W 45°54'48" W, a distance of 76.00 feet;
 N 44°05'12" E, a distance of 131.00 feet;
 S 45°54'48" E, a distance of 10.00 feet;
 N 44°05'12" E, a distance of 46.00 feet;
 N 54°54'48" W, a distance of 166.00 feet;
 S 44°05'12" W, a distance of 208.00 feet;
 N 45°54'48" W, a distance of 52.00 feet;
 N 44°05'12" E, a distance of 208.00 feet;
 N 45°54'48" W, a distance of 140.00 feet;
 S 44°05'12" W, a distance of 157.00 feet;
 N 45°54'48" W, a distance of 44.00 feet;
 N 44°05'12" E, a distance of 157.00 feet;
 N 45°54'48" W, a distance of 44.00 feet;
 S 44°05'12" W, a distance of 133.00 feet;
 N 45°54'48" W, a distance of 44.00 feet;
 N 44°05'12" E, a distance of 133.00 feet;
 N 45°54'48" W, a distance of 44.00 feet;
 S 44°05'12" W, a distance of 112.00 feet;
 N 45°54'48" W, a distance of 56.00 feet;
 N 44°05'12" E, a distance of 113.50 feet;
 N 45°54'48" W, a distance of 124.00 feet to the POINT OF
 BEGINNING and containing 1.9387 acres (84,450 square feet) of
 land.

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EXHIBIT "A"
 Page 13 of 21

01840

341-01-0922

PARCEL NO. 8

16 Lots

Lots 12, 13, 16, 17, Block 3, Lots 9, 16, 19, 20, 39, and 58, Block 4, DEL LAGO, Section One (1), Montgomery County, Texas, a map or plat thereof recorded in Cabinet C, Sheet 169A, of the Map Records of Montgomery County, Texas.

Lots 20, 21, 23, 24, 25, Block 2, and Lot 27, Block 1, DEL LAGO, Section Two (2), Montgomery County, Texas, a map or plat thereof recorded in Cabinet D, Sheet 32B of the Map Records of Montgomery County, Texas.

EXHIBIT "A"

Page 14 of 21

341-01-0923

PERMANENT EASEMENT

1.3 Acre Easement

BEING 1.3 acres of land in the John Corner Survey, A-8, Montgomery County, Texas, being inside the boundary of Lake Conroe and below the 201 feet contour line of Lake Conroe as defined by the San Jacinto River Authority (S.J.R.A.), and said 1.3 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod located is said 201 feet contour line for the common south corner of Reserves "A" and "B", Del Lago Section Two as shown on map recorded in Cabinet D, Sheet 32B of the Map Records of Montgomery County, Texas;

THENCE with the meanders of said 201 feet contour line the following bearings and distances:

1. S 32°51'08"W., 84.39 feet,
2. S 19°42'39"W., 79.88 feet,
3. S 03°19'44"W., 62.15 feet,
4. S 07°53'48"E., 113.99 feet,
5. S 57°49'57"E., 66.33 feet,
6. S 37°36'30"E., 93.53 feet,
7. S 22°24'40"E., 233.33 feet to a point for a corner;

THENCE N 67°30'E., 92.50 feet to a point for a corner in a wooden bulkhead;

THENCE along said bulkhead the following bearings and distances:

1. N 17°30'W., 340.29 feet,
2. N 05°20'E., 119.82 feet,
3. N 11°45'E., 59.89 feet,
4. N 03°45'E., 45.50 feet,
5. N 71°30'E., 151.32 feet,
6. S 79°45'E., 239.90 feet,
7. S 72°30'E., 179.78 feet,
8. S 50°45'E., 163.85 feet,
9. S 61°44'E., 187.76 feet to a point in said wooden bulkhead for a corner;

THENCE N 30°30'E., 42.0 feet to a point in said 201 feet contour line for a corner;

THENCE with the meanders of said 201 feet contour line the following bearings and distances:

1. N 61°44'15"W., 187.43 feet,
2. N 50°36'34"W., 166.36 feet,
3. N 67°22'13"W., 182.99 feet,
4. N 77°08'32"W., 390.84 feet to the POINT OF BEGINNING and containing 1.3 acres of land.

EXTENSION "A"

Page 15 of 21

02061

DESCRIPTION OF PARCELS

341-01-0924

Attached hereto are descriptions of parcels Nos. 9, 10 and 11, which have been conveyed by Deed of Trust and Security Agreement, dated as of April 11, 1985, from Lake Conroe Interests, Inc. for the benefit of Arlington Heights Federal Savings & Loan Association, with said parcels being described as follows:

1. Parcel No. 9 - Reserve "A" Remainder Tract
2. Parcel No. 10 - Block 7 - Remainder Tract
3. Parcel No. 11 - 4.50 Acre Drill Site

EXHIBIT "A"
p. 16 of 21

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341-01-0925

PARCEL NO. 9

Reserve "A" Remainder Tract

Being 1.0112 gross acres of land in the JOHN CORNER SURVEY, Abstract No. 8, in Montgomery County, Texas and being out of and a part of Unrestricted Reserve A, DEL LAGO SECTION TWO, as recorded in Cabinet D, Sheet 32B of the map records of Montgomery County, Texas; said 1.0112 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a point for the Southwesterly intersection point of La Costa Drive (based on a width of 50 feet) and Del Lago Boulevard (based on a width of 80 feet) and being the common corner of DEL LAGO SECTION ONE, the map or plat thereof recorded in Cabinet C, Sheet 169A of the Map Records of Montgomery County, and the Northwesterly corner of said Unrestricted Reserve A, DEL LAGO SECTION TWO;

THENCE S18°12'48"E, 1394.37 feet to a 5/8 inch iron rod, set in the boundary of DEL LAGO SECTION TWO at the 201 feet contour at Lake Conroe; being the POINT OF BEGINNING and the southwest corner of the herein described tract;

THENCE N06°45'25"E, 96.59 feet to a point on the south right-of-way line of a 28 feet private road;

THENCE N03°33'30"W, 28.00 feet to a point on the north right-of-way line of said 28 feet private road;

THENCE N13°20'39"W, 153.19 feet to a point for the Northwest corner of the herein described tract;

THENCE S84°47'32"E, 162.81 feet to a point for the Northeast corner of the herein described tract, said point being on the 201' contour, and the Southeasterly boundary line of said DEL LAGO SECTION TWO;

THENCE with the following courses and distances along the said 201' contour:

S33°04'09"W, 111.44 feet;
S12°07'52"E, 176.78 feet;
S72°05'18"W, 88.17 feet;
N70°12'34"W, 105.88 feet

to THE POINT OF BEGINNING and containing 1.0112 acres of land, SAVE AND EXCEPT the following 0.4703 acre tract being more particularly described by metes and bounds as follows:

EXHIBIT "A"
Page 11 of 21

01800

341-01-0926

BEING 0.4703 acres of land in the JOHN CORNER SURVEY, Abstract Number 8, in Montgomery County, Texas and being out of and a part of Unrestricted Reserve A, DEL LAGO SECTION TWO, as recorded in Cabinet D, Sheet 32B of the map records of Montgomery County, Texas; said 0.4703 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a point for the Southwesterly intersection point of La Costa Drive (based on a width of 50 feet) and Del Lago Boulevard (based on a width of 80 feet) and being the common corner of DEL LAGO SECTION ONE, the map or plat thereof recorded in Cabinet C, Sheet 169A of the Map Records of Montgomery County, and the Northwesterly corner of said Unrestricted Reserve A, DEL LAGO SECTION TWO;

THENCE S 18° 12' 48" E, 1394.37 feet to a 5/8 inch iron rod, set in the boundary of DEL LAGO SECTION TWO at the 201 feet contour at Lake Conroe;

THENCE S 77° 18' 40" E, 56.91 feet to the POINT OF BEGINNING and being the Southwest corner of the herein described tract;

THENCE North, 241.00 feet to a 5/8 inch iron rod, set for the Northwest corner;

THENCE East, 85.00 feet to a 5/8 inch iron rod, set for the Northeast corner;

THENCE South, 241.00 feet to a 5/8 inch iron rod, set for the Southeast corner;

THENCE West, 85.00 feet to the POINT OF BEGINNING and being 0.4703 acre of land.

-2- EXHIBIT "A"
Page 18 of 21

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0223k

341-01-0927

PARCEL NO. 10

Block 7 - Remainder Tract

Block Seven (7), SAVE and EXCEPT Lots 1 thru 18, Del Lago, Section Two (2), a subdivision of 152.5071 acres of land out of the John Corner Survey, A-8, William Atkins Survey, A-3, and the Thomas Corner Survey, A-10, Montgomery County, Texas, according to the map or plat thereof recorded in Cabinet D, Sheet 32B Map Records of Montgomery County, Texas.

EXHIBIT "A"
Page 19 of 21

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01810

341-01-0928

PARCEL NO. 11

4.50 acre drill site

BEING 4.50 acres of land out of a previously described 246.8395 acre tract in the John Corner Survey, A-8, Montgomery County, Texas, said 246.8395 acres being out of the J. V. Blacklock et al property described in deed recorded in Vol. 636, Page 1 of Montgomery County Deed Records, said 4.50 acres being more particularly described as follows:

BEGINNING at the northwest corner of above mentioned 246.8395 acre tract and the northeast corner of a 62.7606 acre tract described in deed to Odell Hudson, Trustee and recorded in film code #55-01-1839 of the Real Property Records of Montgomery County in the south line of Walden Road (100 foot right-of-way) for the northwest corner of herein described tract;

THENCE N.88°42'03"E., along the north line of said 246.8395 acre tract and the south line of said Walden Road for a distance of 320.0 feet to the northeast corner of herein described tract;

THENCE S.01°17'57"E., for a distance of 378.33 feet to the southeast corner of herein described tract;

THENCE S.88°42'03"W., for a distance of 716.24 feet to the southwest corner of herein described tract in the west line of said 246.8395 acre tract and the east line of said 62.7606 acre tract;

THENCE N.45°01'32"E., along the east line of said 62.7606 acre tract and the west line of said 246.8395 acre tract for a distance of 547.85 feet to the point of beginning and containing 4.50 acres of land.

EXHIBIT "A"
Page 2 of 2

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0219k

341-01-0929

PARCEL NO. 12

1.00 acre drill site

Being 1.0 acre, Mineral Reserve, Del Lago, Section Three (3), a Subdivision of 26.1924 Acres of land in the John Corner Survey, A-8, Montgomery County, Texas, according to the map or plat thereof recorded in Cabinet D, Sheet 85B Map Records of Montgomery County, Texas.

EXHIBIT " 9 "

Rec'd 2/10/21

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01770

9.6135 Acre Parcel

341-01-0930

Being 9.6135 acres of land in the John Corner Survey, A-8 and the William Atkins Survey, A-3, Montgomery County, Texas, and being out of a 246.8395 acre tract, being a portion of the J. V. Blacklock et al property as described in deed recorded in Vol. 636, page 1 of the Montgomery County Deed Records, said 9.6135 acres being more particularly described by metes and bounds as follows:

COMMENCING at an angle point in the southeast line of said 246.8395 acre tract and an angle point in the west line of Walden on Lake Conroe, Section 10, map of which is recorded in Cabinet 13, Sheet 9 of the Montgomery County Map Records, also being the northwest corner of Lot 199, Section 10 of Walden on Lake Conroe;

THENCE S 44° 56' 14" W, along the southeast line of said 246.8395 acre tract and the west line of Walden on Lake Conroe, Section 10 for a distance of 891.06 feet to a 1/2-inch iron rod set for the POINT OF BEGINNING;

THENCE S 44° 56' 14" W, continuing along the southeast line of said 246.8395 acre tract and the west line of Walden on Lake Conroe, Section 10 for a distance of 100.00 feet to an iron rod for a corner;

THENCE S 00° 40' 09" W, continuing along the southeast line of said 246.8395 acre tract and the west line of Walden on Lake Conroe, Section 10 for a distance of 166.86 feet to an iron rod set for corner at the intersection of the 201 contour line of Lake Conroe as established by the San Jacinto River Authority;

THENCE northwesterly along the southerly line of said 246.8395 acre tract and the 201 contour line of Lake Conroe the following eight (8) courses and distances:

- 1) N 67° 48' 03" W, 114.39 feet,
- 2) N 60° 29' 12" W, 178.49 feet,
- 3) N 64° 25' 09" W, 141.84 feet,
- 4) N 71° 23' 59" W, 101.45 feet,
- 5) N 62° 44' 15" W, 187.43 feet,
- 6) N 50° 36' 34" W, 166.36 feet,
- 7) N 67° 22' 13" W, 182.99 feet,
- 8) N 77° 08' 32" W, 325.82 feet, to a 1/2-inch iron rod set for a corner;

THENCE N 05° 08' 13" E, for a distance of 285.60 feet to a 1/2-inch iron rod set for a corner;

EXHIBIT "B"

see Lot 2

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01770

341-01-0931

THENCE N 84° 51' 47" W, for a distance of 35.00 feet to a 1/2-inch iron rod set for a corner;

THENCE N 05° 08' 13" E, for a distance of 50.00 feet to a 1/2-inch iron rod set for a corner;

THENCE S 84° 51' 47" E, for a distance of 35.00 feet to a 1/2-inch iron rod set for the beginning of a curve to the right;

THENCE along said curve to the right having a radius of 776.82 feet and a central angle of 45° 02' 11", for a distance of 610.61 feet to a 1/2-inch iron rod set for corner;

THENCE N 50° 10' 24" E, for a distance of 120.00 feet to a 1/2-inch iron rod set for a corner;

THENCE S 44° 05' 26" E, for a distance of 201.27 feet to a 1/2-inch iron rod set for a corner;

THENCE S 65° 09' 05" E, for a distance of 480.00 feet to a 1/2-inch iron rod set for a corner;

THENCE S 45° 03' 46" E, for a distance of 160.00 feet to the POINT OF BEGINNING and containing 9.6135 acres of land.

TOGETHER WITH all rights, easements and benefits created by virtue of that certain Easement dated August 17, 1981, executed by Lake Conroe Interests, Inc. and recorded in the Real Property Records of Montgomery County, Texas, under County Clerk's File No. 8131064.

FILED FOR RECORD
1985 MAY 20 AM 8:49

Roy Harris
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY
I hereby certify that this instrument was filed in File Number Sequence on the date and at the time stamped herein by me, and was duly RECORDED in the official Public Records of Real Property of Montgomery County, Texas.

MAY 20 1985



Roy Harris
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

Return to:
HERITAGE TITLE COMPANY
1800 BERING, SUITE 900
HOUSTON, TEXAS 77057
K. Schipper

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EXHIBIT "B"
Page 2 of 2

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