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Amend
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NOTICE: THIS INSTRUMENT REPLACES AND SUPERSEDES THAT CERTAIN INSTRUMENT ENTITLED "AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR NOTTINGHAM, SECTIONS ONE (1), TWO (2), AND THREE (3), RECORDED IN THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS ON MAY 23, 2012 UNDER CLERK'S FILE NO. 20120227308, WHICH INSTRUMENT IS HEREBY RESCINDED AND DECLARED TO BE VOID.

FIRST AMENDMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR NOTTINGHAM, SECTION ONE (1),
THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR NOTTINGHAM, SECTION TWO (2),
AND THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR NOTTINGHAM, SECTION THREE (3)

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Nottingham, Section One (1) (the "Nottingham Section One Declaration") was recorded in the Official Public Records of Real Property of Harris County, Texas on January 29, 1988 under Clerk's File No. L523211, which instrument imposes various covenants, conditions and restrictions upon the following real property:

Nottingham, Section One (1), a subdivision in Harris County, Texas according to the map or plat thereof recorded in Volume 89, Page 5, of the Map Records of Harris County, Texas

lee

and,

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Nottingham, Section Two (2) (the "Nottingham Section Two Declaration") was recorded in the Official Public Records of Real Property of Harris County, Texas on January 29, 1988 under Clerk's File No. L523212, which instrument imposes various covenants, conditions and restrictions upon the following real property;

Nottingham, Section Two (2), a subdivision in Harris County, Texas according to the map or plat thereof recorded in Volume 98, Page 61, of the Map Records of Harris County, Texas

and,

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Nottingham, Section Three (3) (the "Nottingham Section Three Declaration") was recorded in the Official Public Records of Real Property of Harris County, Texas on January 29, 1988 under Clerk's File

20120375125

No. L523213, which instrument imposes various covenants, conditions and restrictions upon the following real property:

Nottingham, Section Three (3), a subdivision in Harris County, Texas according to the map or plat thereof recorded under File No. 737534-B of the Map Records of Harris County, Texas

and,

WHEREAS, the Nottingham Section One Declaration, the Nottingham Section Two Declaration, and the Nottingham Section Three Declaration each include an identical provision relating to amendment which provides for amendment of each respective Declaration by an instrument signed by the then Owners of a majority of the Lots in the section of Nottingham to which that Declaration is applicable; and

WHEREAS, the Nottingham Section One Declaration, the Nottingham Section Two Declaration, and the Nottingham Section Three Declaration also each include an identical provision relating to annual assessments, the provision being Article V, Section 4, in each of the declarations; and

WHEREAS, Owners of not less than a majority of the Lots in Nottingham, Section One (1), agreed in writing to amend Article V, Section 4, in the Nottingham Section One Declaration in the manner set forth below; and

WHEREAS, Owners of not less than a majority of the Lots in Nottingham, Section Two (2), agreed in writing to amend Article V, Section 4, in the Nottingham Section Two Declaration in the manner set forth below; and

WHEREAS, Owners of not less than a majority of the Lots in Nottingham, Section Three (3), agreed in writing to amend Article V, Section 4, in the Nottingham Section Three Declaration in the manner set forth below; and

NOW, THEREFORE, the Nottingham Section One Declaration, the Nottingham Section Two Declaration, and the Nottingham Section Three Declaration are each amended as follows:

Article V, Section 4, in the Nottingham Section One Declaration, the Nottingham Section Two Declaration, and the Nottingham Section Three Declaration are each amended to read as follows:

Section 4. Maximum Annual Assessment.

A. The maximum annual assessment for each Lot shall be \$1,000.00 and may not be increased except upon the vote of two-thirds (2/3) of the Lot Owners present in person or by proxy at a meeting duly called for this purpose OR as outlined in paragraph B below. For purposes of this section, the presence in person or by proxy of one-third (1/3) of the Lot Owners shall constitute a quorum. Written notice of the annual assessment shall be mailed or delivered to each Lot Owner at least thirty (30) days in advance of the annual assessment which shall begin on the first day of January of each year.

B. Notwithstanding the requirements of paragraph A above, each year the Board of Directors may increase the maximum annual assessment by no more than 3% of the total annual assessment from the previous year, if and only if such increase is also approved by two-thirds (2/3) of the Lot Owners present or by proxy at the annual meeting held in February of each year. For purposes of this paragraph only, there is no quorum requirement for the vote held at the annual meeting.

C. The maximum annual assessment for all Lot Owners who are age 65 or older as of January 1, 2012 - December 31, 2012 is \$1,000.00 and cannot be increased beyond \$1,000.00 under paragraph B above. The maximum annual assessment for all Lot Owners who turn age 65 or older after December 31, 2012 shall be capped at the maximum annual assessment applicable during the year in which the Lot Owner turns 65 and cannot be increased after that year under paragraph B above.

Except as amended herein, the Nottingham Section One Declaration, the Nottingham Section Two Declaration, and the Nottingham Section Three Declaration remain in full force and effect.

As applicable to a particular declaration, capitalized terms used herein have the same meanings as that ascribed to them in that declaration.

I, Murphy Klasing, Secretary of Nottingham Maintenance Fund, Inc. (the "Association") certify that the attached consent forms represent the written agreement of Owners of a majority of the Lots in each of the three (3) sections of Nottingham to amend the Declaration of Covenants, Conditions and Restrictions applicable to each of the three (3) sections of Nottingham as of October 2, 2011. This certification is based upon the ownership records of the Association.

NOTTINGHAM MAINTENANCE FUND, INC.

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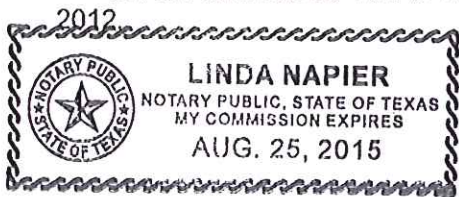
By: 
Murphy Klasing, Secretary

FILED
2012 AUG 17 AM 10:01
Stan Stewart
COUNTY CLERK
HARRIS COUNTY TEXAS

THE STATE OF TEXAS §
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COUNTY OF HARRIS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Murphy Klasing, Secretary of Nottingham Maintenance Fund, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacities stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 17th day of August.



Linda Napier

Notary Public in and for the State of Texas

Return to:
~~Rick S. Butler~~
~~Butler | Hailey~~
8901 Gaylord, Suite 100
Houston, Texas 77024

219184

Murphy Klasing
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