

present in person or by proxy at the first meeting called for this purpose, as an alternative to calling another meeting, members not present may give their written assent to the action taken thereat.

(b) Notwithstanding anything contained in Subparagraph (a) above, or any other provision herein, Declarant shall have the right, without the consent of any other Owners or any First Mortgagee, to bring within the scheme of the Declaration, in one (1) or more future stages, sections or additions, additional adjacent lands or portions thereof within ten (10) years of the date of recording of this instrument. Nothing in this Declaration shall be construed to represent that Declarant, or its successor or assigns, are under any obligation to add or annex additional lands to those subject to this Declaration.

NOW THEREFORE, ARTICLE V, SECTION 5.4 is restated and amended as follows:

SECTION 5.4 RIGHT OF USE OF BOAT SLIPS - It is the intent of the Declarant to construct boat slips for the use of the Owners of the Townhomes. The boat slips will be constructed on underwater lands leased from the state and/or on the Common Area. The deed to each Lot will assign a numbered boat slip to that Lot. See site plan attached hereto as Exhibit 1 for boat slip locations. The site plan attached to this amendment as Exhibit 1 replaces and supersedes the site plan attached as Exhibit B to the original Declaration of Covenants, Conditions and Restrictions for West Palm Villas on Walden Road. The Owner's right of use of the boat slips is subject to the lease from the state. The Declarant and the Association do not and cannot guaranty the continuation or the terms of the lease. The Owner must maintain and repair the boat slip assigned to his Lot, including, but not limited to, the slip, piers, and lifts.

The above amendments shall run with the land and shall be binding upon all parties having or acquiring any right, title, or interest therein, or any part thereof, and shall inure to the benefit of each owner thereof.

Nothing herein is intended to alter, modify or amend the Restrictions, Covenants and Conditions for West Palm Villas on Walden Road except as specifically provided hereinabove.

IN WITNESS WHEREOF, the undersigned, Declarant has set his executed this amendment on this 6 day of SEPTEMBER, 2000.

DECLARANT:

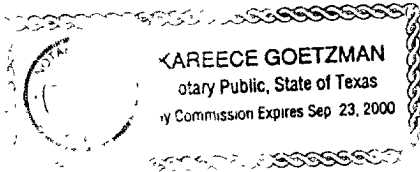
I.C. ENTERPRISES, INC.

By: 

JAMES R. WINKLER, PRESIDENT

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me, on the 6 day of September, 2000, by **JAMES R. WINKLER**, President of I.C. Enterprises, Inc.



Kareece Goetzman
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

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 black-outs, additions and changes were present at the time the instrument was filed and recorded

JOHN CORNER SURVEY, A-8

WEST PALM VILLAS
ON WALDEN ROAD
SECTION TWO

WALDEN ROAD (100' R.O.W.)

UNRESTRICTED RESERVE "B"

GREEN BELT
AREA
18' U.E.
18' U.E.
PAVED PRIVATE ACCESS DRIVE

PAVED PRIVATE QUARTYARD
RESTRICTED RESERVE "A"
RESTRICTED TO COMMON OPEN SPACE

RESTRICTED RESERVE "A"
RESTRICTED TO COMMON OPEN SPACE

UNRESTRICTED RESERVE "D"
ACREAGE

VERDE LANE (50' R.O.W.)

770-00-1857
CONROE

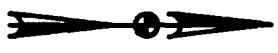


EXHIBIT 1

TYPICAL BOAT SLIP AND PIER
RIGHT TO USE FOR OPTIONAL
BOAT DOCK.

EXIST. WOOD
BULKHEAD

EXIST. WOOD
BULKHEAD



WEST PALM VILLAS
ON WALDEN ROAD
SECTION ONE

PAVED PRIVATE ACCESS DRIVE

PAVED PRIVATE ACCESS DRIVE

RESTRICTED RESERVE "A"
RESTRICTED TO COMMON OPEN SPACE

DEL LAGO SECTION THREE
CAB. D. SHT. 85-B & 86-A
M.C.M.R.

WEST PALM VILLAS
ON WALDEN ROAD

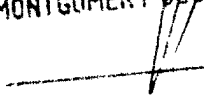
LAKE CONROE

770-00-1858

FILED FOR RECORD

00 SEP -7 PM 1:19

MARK TURNBULL, CO. CLERK
MONTGOMERY COUNTY, TEXAS

 DEPUTY

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

SEP 7 2000



Mark Turnbull
COUNTY CLERK
MONTGOMERY COUNTY TEXAS