

16

**AMENDED AND RESTATED BYLAWS OF
POINT AQUARIUS PROPERTY OWNERS ASSOCIATION**

ARTICLE I.....Name And Location

ARTICLE II.....Definitions

ARTICLE III....Meetings Of Members

ARTICLE IV...Board Of Directors: Selection And Term Of Office

ARTICLE V.....Nomination And Election Of Directors

ARTICLE VI.....Meetings Of Directors

ARTICLE VII...Powers And Duties Of The Board Of Directors

ARTICLE VIII...Officers And Their Duties

ARTICLE IX.....Committees

ARTICLE X.....Assessments

ARTICLE XI.....Corporate Seal

ARTICLE XII.... Amendments To By-Laws

ARTICLE XIII....Inspection Of Books And Records

ARTICLE XIV....Fiscal Year

ARTICLE XV.....Acceptance Of Additional Property

ARTICLE XVI....Indemnification Of Directors And Officers

ARTICLE XVII....Miscellaneous

AMENDED AND RESTATED BY-LAWS OF
POINT AQUARIUS PROPERTY OWNERS ASSOCIATION

These Amended and Restated By-Laws of Point Aquarius Property Owners Association are effective on the date same are recorded in the Real Property Records of Montgomery County, Texas.

WHEREAS, on August 11, 1992, the Board of Directors of the Association (as defined below) duly adopted By-Laws of the Association (hereinafter the "Original Bylaws"), which Original By-Laws have been partially amended from time to time since their adoption; and

WHEREAS, pursuant to Article XII of the Original Bylaws, the Original Bylaws may be amended by a majority vote of the Board of Directors.

NOW THEREFORE, the Original Bylaws, as same may have been amended from time to time, are hereby replaced in their entirety by these Amended and Restated Bylaws of Point Aquarius Property Owners Association, which Amended and Restated By-Laws were duly adopted and approved by a majority vote of the Board of Directors.

ARTICLE I.

NAME AND LOCATION

The name of the Corporation is POINT AQUARIUS PROPERTY OWNERS ASSOCIATION, hereinafter referred to as the "Association". The principal office of the corporation shall be located at 13189 Point Aquarius Blvd., Point Aquarius, Willis, Texas 77318, but meetings of members and directors may be held at such places within the State of Texas, County of Montgomery, as may be designated in a notice of such meetings.

ARTICLE II.

DEFINITIONS

Section 1. "Association" shall mean and refer to POINT AQUARIUS PROPERTY OWNERS ASSOCIATION, its successors and assigns.

Section 2. "Property" shall mean and refer to that certain real property described in the following documents filed in the office of the Clerk of Montgomery County, Texas:

Point Aquarius Subdivision	Volume	Page
Section One	744	74

Section One (Replat)	7311	750
Section Two	744	92
Section Three	753	630
Section Five (Replat)	750	1279
Section Six	777	917
Section Seven	627	1770
Section Eight	653	1860
Section Nine	658	1132
Section Ten	736	1563

together with any additions thereto as may hereafter be brought within the jurisdiction of the Association.

Section 3. "Lot" shall mean and refer to each of the individual tracts of land into which the Property has been divided for the construction of houses thereon for individual use and ownership. For all purposes, the Property is divided in lots or building sites as described on the plats thereof filed in the office of the County Clerk of Montgomery County, Texas, as follows:

<u>Point Aquarius Subdivision</u>	<u>Cabinet</u>	<u>(Volume)</u>	<u>Sheet</u>	<u>(Page)</u>
Section One	A	(9)	34	(66)
Section One (Replat)	F	.	189	A & B
Section Two	A	(9)	35	(69)
Section Three	A	(9)	40	(79)
Section Five (Replat)	G	.	12	A & B
Section Six	A	(10)	72	(39)
Section Seven	F		75	B
Section Eight	F		130	A
Section Nine	F		131	A

together with any additional real property as may hereafter be brought within the jurisdiction of the Association.

Section 4. "Common Areas" shall mean and refer to any and all of the Property except the individual Lots into which the Property has been divided for the construction of houses thereon for individual use and ownership.

Section 5. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Property, including contract sellers, but excluding those having an interest merely as security for the performance of an obligation.

Section 6. "Restrictions" shall mean and refer to the restrictions (commonly referred to as "Deed Restrictions") applicable to the Property recorded in the Office of the County Clerk of Montgomery County, Texas, as set forth in this Article II, Section 3, including amendments thereto.

Section 7. "Member" shall mean and refer to every person or entity who is a record owner of any Lot which is subject to the maintenance charge as set out in the Restrictions, including contract sellers, but excluding those having an interest merely as security for the performance of an obligation.

Section 8. "Member in Good Standing" shall mean and refer to those Members who are property owners in good standing as provided in the Restrictions, Articles of Incorporation, these By-Laws, and any Rules and Regulations adopted from time to time, and whose dues and assessments are paid through the end of the period for which they are currently due, and whose Lot is not in violation of any restrictive covenant and/or Rule and Regulation promulgated by the Board.

Section 9. "Meeting" shall mean any meeting of Members or Directors where a quorum is present and voting.

Section 10. "Quorum" of Members shall mean the presence of Members in good standing representing at least seventy-five (75) eligible votes. A quorum of Directors shall mean fifty-one percent (51%) of the Directors then in office and entitled to vote.

Section 11. "Eligible Vote" shall mean one vote per property owned (legal description), regardless of multiple or joint ownership of said property. A property owner(s) paying multiple assessments is entitled to one vote per assessment paid, regardless of multiple or joint ownership of said property.

Section 12. "Majority" of Members or Directors shall mean fifty-one percent (51%) of a Quorum.

Section 13. "Shall" shall mean an action that must be taken by the Point Aquarius Board of Directors.

Section 14. "May" shall mean an action that is discretionary and does not require action by the Point Aquarius Board of Directors.

Section 15. "Executive Session" shall mean a meeting of the Board of Directors for discussion purposes only in which the Members may not be present. No votes may be cast in an executive session.

Section 16. "Independent" shall mean person or persons who are neither a member of the Association nor an immediate relative of a member of the Association.

ARTICLE III.

MEETINGS OF MEMBERS

Section 1. Annual Meetings. The Annual Meeting of Members shall be held on the last Saturday of April of each year at a time and place as may be designated in the Notice of Meeting.

Section 2. Special Meetings. Special Meetings of Members may be called at any time by the President, a Majority of the Board of Directors, or upon written request of Members in good standing representing at least ten percent (10%) of the eligible votes of all Members in good standing.

Section 3. Notice of Meetings. Written notice of each Meeting of Members shall be given by, or at the direction of, the Secretary or by any other person authorized to call the Meeting. The Notice will be mailed not less than ten (10) nor more than fifty (50) days before the Meeting to each Member entitled to vote. The Notice will specify the place, day, and hour of the Meeting and, in the case of a Special Meeting, the purpose of the Meeting. Waiver of notice of a Meeting in writing signed by a Member, whether before or after the time stated therein, shall be equivalent to the giving of such notice. Attendance by a Member in person at a Meeting shall constitute a waiver of notice of such Meeting, except where a Member attends a Meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.

Section 4. Adjournment. At any Meeting where a Quorum is not present, the Members entitled to vote can adjourn the Meeting.

Section 5. Certification by Secretary. At each Meeting the Secretary will certify whether a quorum is present and, if so, the number of votes legally cast. The certification will be non-contestable unless it can be shown that there is an error of ten percent (10%) or more.

Section 6. Voting and Participation. Each member in good standing may cast one vote in person or by absentee ballot for each assessed lot (per legal description), regardless of multiple or joint

ownership of said property. A property owner(s) paying multiple assessments is entitled to one vote per assessment paid, regardless of multiple or joint ownership of said property.

Absentee ballots must be executed, in writing by the Member in good standing or by the Members' in good standing duly authorized attorney in fact. Absentee ballots must be received by the Secretary of Point Aquarius Property Owners Association at least three days prior to any Meeting for verification purposes.

Section 7. Members' in Good Standing Action by Written Consent. Any action required to be, or which may be, taken at a Meeting of the Members in good standing may be taken without a Meeting by a consent in writing per the process defined in each Section's Deed Restrictions and Covenants, setting forth the action so taken. Such consent in writing shall have the same force and effect as a vote of the Members held at a duly convened Meeting and shall be filed with the minutes of Meetings.

ARTICLE IV.

BOARD OF DIRECTORS: SELECTION AND TERM OF OFFICE

Section 1. Number. The affairs of this Association shall be managed by a Board of nine (9) Directors, who must be Members in good standing of the Association. One Director will be elected from the following Sections:

<u>Number of Directors</u>	<u>Section Number(s)</u>
1	Section 1 and Section 1 Replat
1	Section 2
1	Section 3
1	Section 5 (Replat)
1	Section 6
1	Section 7
1	Section 8
1	Section 9
1	Section 10

Section 2. Term of Office. At each Annual Meeting, Members in good standing will elect three (3) Directors for a term of three (3) years each.

Section 3. Resignation and Removal. Any Director may be removed from the Board, with cause, by a vote of at least seven (7) Directors at a properly noticed meeting of the Board of Directors. In the event of death, resignation, or removal of a Director, his/her successor shall be selected by a Majority vote of the remaining members of the Board and shall serve until the next annual meeting, at which time, he/she may be reelected to fill the entire unexpired term of his/her predecessor.

If a director does not attend three consecutive monthly Board Meetings or Special Meetings called in accordance with these By-Laws, the Directors may, by Majority vote, declare his/her position vacant and select another person to serve this vacated position until the next annual meeting.

Section 4. Compensation. No Director shall receive compensation for any service he/she may render to the Association; however, any Director may be reimbursed for actual expenses incurred in the performance of their duties if such expenses are approved by the President or a Majority of the Directors.

Section 5. Term Limits. No Director shall serve more than two consecutive terms.

ARTICLE V.

NOMINATION AND ELECTION OF DIRECTORS

Section 1. Nomination. Nominations for election to the Board of Directors shall be made by a Nominating Committee appointed by the Board or from the floor at the Annual Meeting of Members. The Nominating Committee will consist of a Chairman, who must be a member of the Board of Directors, and two or more Members of the Association. The Nominating Committee can make as many nominations for election to the Board of Directors as it shall, in its discretion determine, but not less than one for each vacancy to be filled. All nominees shall be Members in good standing of the Association as defined in Article II, Section 8 of these Bylaws.

Section 2. Election of Directors. Election to the Board of Directors will take place at the Annual Meeting of Members or at any Special Meeting called for that purpose. In the case of candidates for a specific Section as set out in Article IV, Section 1, the candidate receiving a plurality (the greatest number) of votes for his/her position will be elected.

ARTICLE VI.

MEETINGS OF DIRECTORS

Section 1. Organizational Meeting. The first Meeting of the newly elected Board will be an Organizational Meeting. The first order of business at that Meeting will be election of the officers of the Association. These officers will serve for a term of one year unless he/she resigns, is removed, or otherwise becomes disqualified to serve.

Section 2. Regular Meetings. Regular Meetings of the Board of Directors will be held monthly at such place, within the State of Texas, and hour, as may be fixed, from time to time, by the Board. Should a regular Meeting fall upon a legal holiday, the Meeting will be held at the same time on another day which is not a legal holiday. An agenda for each regular Meeting will be maintained at the offices of the Association and such agenda will be open to inspection by any Member of the Association during normal business hours.

Section 3. Special Meetings. Special Meetings of the Board of Directors can be held when called by the President of the Association, or by any two Directors, after not less than three (3) days notice to each Director.

Section 4. Attendance by Members at Board of Directors' Meeting. Any Member may attend any Meeting of the Board of Directors except executive sessions of the Board. To be heard or otherwise participate in a Meeting, a Member must be in good standing and must request and receive recognition. Members recognized will be heard.

Section 5. Voting and Participation. A Director may participate in any Board Meeting in person or by telephone. Participation includes, but is not limited to, introducing motions, discussing the agenda, and voting. A Director may also vote on any or all resolutions or other matters by written proxy. The President may vote on any motion he/she wishes.

Section 6. Waiver of Notice of Meeting. Waiver by a Director of notice in writing of a Directors' Meeting, signed by him/her, whether before or after the time stated therein, will be equivalent to the giving of such notice. Attendance by a Director at a Directors' Meeting will constitute a waiver of notice of such Meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.

Section 7. Action Taken Without a Meeting. The Directors have the right to take any action in the absence of a Meeting which they could take at a Meeting by obtaining the written or telephone approval of a Majority of the Directors. Any action so approved will have the same effect as though taken at a Meeting of the Directors, and any action so taken will be reduced to writing, signed by all Directors and filed with the minutes of the Directors' Meetings.

ARTICLE VII.

POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 1. Powers. The Board of Directors have the following powers, in addition to those set forth in the Articles of Incorporation, Restrictions, and laws of the State of Texas:

- (a) Adopt and publish rules and regulations governing the use of the Property, the Common Areas, all facilities and the personal conduct of the persons thereon, and to establish rules for the infraction thereof.

(b) After notice and an opportunity to be heard pursuant to Texas Property Code §209, as same may be amended, suspend the voting rights and right to use of the recreational facilities of any Member during any period in which the Member is in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed 60 days for infraction of published rules and regulations.

(c) Exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these Bylaws, the Articles of Incorporation, or the Restrictions.

(d) Employ a manager, an independent contractor, or such other employees as they deem necessary and to prescribe their duties.

(e) Enforce the Restrictions

Section 2. Duties. It shall be the duty of the Board of Directors to:

(a) Cause to be kept a complete record of all its acts and corporate affairs and to have such records available for inspection by Members when such inspection is for a proper purpose and is requested in writing by a Member.

(b) Supervise all officers, agents and employees of the Association, and to see that their duties are properly performed.

(c) As more fully provided in the Restrictions, to:

(1) Fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period, after considering and approving a budget for the next fiscal year.

(2) Send written notice of each assessment to every property owner subject thereto at least thirty (30) days in advance of each annual assessment period.

(3) Take appropriate action against any property owner for which assessments are not paid including the foreclosure of the lien against the property or bringing an action at law against the owner.

(d) Deliver, or cause to be delivered, upon written request from an Owner, subdivision information pursuant to Texas Property Code §207.003 as same may be amended. A reasonable charge for the assembling, copying and delivery of the information requested may be charged by the Board.

- (e) Procure and maintain adequate liability and hazard insurance on the property owned by the Association.
- (f) Cause all officers or employees having fiscal responsibility to be bonded.
- a. Provide for the operation, care, upkeep and maintenance of all Common Areas, including entering into contracts to provide for such operation, care, upkeep, and maintenance.
- b. Make or contract for the operation of the Association and the maintenance, operation, repair, and replacement of its Property and the Common Areas where appropriate.
- c. Enforce Deed Restrictions.

Section 3. Legal Counsel. The Board of Directors may retain an Attorney-at-Law to whom the Officers and Directors may refer for legal advice and opinion regarding the affairs of the Association, as the Board may deem appropriate.

Section 4. Audit of Financial Records. The Board of Directors shall cause to be performed and completed not later than ninety (90) days following the end of each fiscal year an independent audit of the financial records of the Association to be performed by a Certified Public Accountant. The Board will determine the extent and scope of the audit. The audit report will be available for inspection upon written request by any Member during normal business hours.

ARTICLE VIII.

OFFICERS AND THEIR DUTIES

Section 1. Enumeration of Officers. The officers of the Association will be a President, a Vice President, a Secretary, a Treasurer, and such other officers as the Board of Directors may, from time to time, create. The President, Vice President, Secretary, and Treasurer must be members in good standing of the Association and of the Board of Directors.

Section 2. Election of Officers. The election of officers will take place at the first Meeting of the Board of Directors following each Annual Meeting of Members.

Section 3. Term. Each officer will hold office for one (1) year unless he/she resigns, is removed, or otherwise becomes disqualified to serve.

Section 4. Special Appointments. The Board of Directors may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.

Section 5. Resignation and Removal. Any officer may be removed from office with cause, by a two-thirds vote of the Board. Any officer may resign at any time by giving written notice to the Board, the President or the Secretary. Resignations will take effect on the date of receipt of the

notice or at the time specified therein, and unless otherwise specified the acceptance of the resignation will not be necessary to make it effective.

Section 6. Vacancies. A vacancy in any office shall be filled by election by a majority vote of the remaining Board Members. Any officer or board member elected to a vacancy will serve for the remainder of that term, or until the next annual election, whichever is shorter.

Section 7. Multiple Offices. The offices of Secretary and Treasurer may be held by the same person. No person can simultaneously hold more than one of any of the other offices, except in the case of special offices created pursuant to Section 4 of this Article.

Section 8. Duties. The duties of the officers shall be established by the Board, but shall include the following:

President

The President will preside at all Meetings of the Board of Directors and see that the orders and resolutions of the Board are carried out.

Vice President

The Vice President will act in the place and stead of the President in the event of his/her absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of him/her by the Board.

Secretary

The Secretary, or an appointee working under the Secretary's direction, will keep the minutes of all Meetings and proceedings of the Board and of the Members; establish procedures for the counting of votes cast, conduct of elections, tabulating and reporting election results, and determining if a quorum is present at any Meeting of Members; serve notice of Meetings of the Board and of the Members; keep appropriate current records showing the Members of the Association, together with their addresses; and shall perform such other duties as required by the Board.

Treasurer

The Treasurer, or an appointee working under the Treasurer's direction, is responsible for the receipt and deposit of all monies received by the Association and shall disburse such funds as directed by the Board of Directors; prepare and sign checks and promissory notes of the Association; keep proper books of account and manage the day-to-day financial activities of the Association. In addition, the Treasurer will prepare an annual budget and report on the financial status of the Association, cash and investment balances and, present a

comparison of budget to actual expenses as may, from time to time, be directed by the Board of Directors. The annual budget and financial statements will be made available to the Members.

ARTICLE IX.

COMMITTEES

The Board of Directors will appoint a Nominating Committee as provided in these Bylaws. The Architectural Control Committee positions will be elected by a majority vote of the members in good standing. The President can, with Board approval, establish other committees as appropriate. The duties of other committees will be set forth in a resolution adopted at the time of such appointment and chaired by a Member of the Board.

ARTICLE X.

ASSESSMENTS

As more fully provided in the Restrictions, each Member is obligated to pay to the Association annual and special assessments which are secured by a continuing lien upon the property against which the assessments are made. Assessments that are not paid when due are considered delinquent. If the assessment is not paid within thirty (30) days after the due date, the Member will be assessed interest as provided in the appropriate section's deed restrictions, after notice and an opportunity to be heard pursuant to Texas Property Code §209 as same may be amended. In addition, the Association may bring legal action against the Property Owner personally obligated to pay the assessment and can foreclose the lien against the Property. Late fees, legal costs and attorney's fees of any such action will be added to the amount of the assessment, after notice and an opportunity to be heard pursuant to Texas Property Code §209 as same may be amended. No Owner may waive or otherwise escape liability for the amount of the assessment for any reason including, but not limited to, non-use of the Common Areas or abandonment of his/her Property.

ARTICLE XI.

CORPORATE SEAL

The Association may have a seal in such form as the Board of Directors may adopt.

ARTICLE XII.

AMENDMENTS TO BY-LAWS

Section 1. These By-Laws may be altered, amended, or repealed by a Majority vote of the Board of Directors; however, the By-Laws so adopted or amended by the Directors may be altered or repealed by a Super Majority vote of the Members at any Annual Meeting, any

Special Meeting, or any other Meeting as duly authorized by these By-Laws.

In the event the Board of Directors amends the By-Laws, they will advise the Members immediately by posting notice at a public place on the Property for a thirty (30) day period; and any Member will have the right to inspect such amendment(s) at the offices of the Association during regular business hours or to obtain a copy thereof upon payment of a reasonable fee for each copy.

Section 2. In the case of any conflict between the Articles of Incorporation and these By-Laws, the Articles shall control; and in the case of any conflict between the Restrictions and these By-Laws, the Restrictions shall control.

ARTICLE XIII.

INSPECTION OF BOOKS AND RECORDS

The Board shall establish reasonable rules with respect to:

- (a) A written request must to be given to the custodian of the records by a Member desiring to make an inspection.
- (b) Hours and days of the week when such an inspection may be made; and
- (c) Payment of the cost of reproducing copies of documents requested by a Member.

Every Director shall have the absolute right at any reasonable time to inspect all books, records and documents of the Association. The right of inspection by a Director includes the right to make extracts and copies of documents save and except a Director that is an adverse party to the Association in pending litigation, may not examine any records containing privileged information related to that lawsuit.

ARTICLE XIV.

FISCAL YEAR

The fiscal year of the Association shall begin on the first day of January and end on the last day of December of every year.

ARTICLE XV.

ACCEPTANCE OF ADDITIONAL PROPERTY

Additional Property may be accepted into the Association upon terms and conditions approved by a Majority vote of the Board of Directors; however, the Members may rescind or modify such acceptance by a Super Majority vote. If additional Property is accepted by the Board of

Directors, notice thereof shall immediately be given to all Members by posting a notice thereof at a public place on the Property for a sixty (60) day period.

ARTICLE XVI.

INDEMNIFICATION OF DIRECTORS AND OFFICERS

Section 1. General. Pursuant to the Texas Non-Profit Corporation Act, Article 1396-2.2A, the Association shall indemnify, defend, and hold harmless, any and all current and past Board members, Officers, and Committee members to the maximum extent permitted by law, including costs and attorneys fees.

Section 2. Business Judgment Rule. Any act or thing done by any Director, Officer, or Committee Member taken in furtherance of the purposes of the corporation, and accomplished in conformity with the procedures set forth in the Declaration, Articles of Incorporation, the laws of the State of Texas, and/or these By-laws, shall be reviewed under the standard of the Business Judgment Rule as established by the common law of Texas, and such act or thing done shall not be a breach of duty on the part of the Director, Officer, or Committee Member if they have been done within the exercise of their discretion and judgment.

The Business Judgment Rule means that a court shall not substitute its judgment for that of the Director, Officer or committee Member. A court shall not re-examine the quality of the decisions made by the Director, Officer, or Committee Member by determining the reasonableness of the decision as long as the decision is made in good faith in what the Director, Officer, or Committee Member believes to be the best interest of the corporation.

ARTICLE XVII.

MISCELLANEOUS

Section 1. Conflict. If an Owner is involved in litigation with the Association as to a conflict of interpretation of the Declaration of Covenants, Conditions and Restrictions for Point Aquarius the Articles of Incorporation for The Point Aquarius Property Owners Association, rules and regulations promulgated by the Association, or these Bylaws, and/or the amount of delinquent assessments, that Owner may not participate in any Association meeting or activity.

Section 2. Insurance. The Association shall have power to purchase and maintain insurance on behalf of any person who is or was a director, officer or employee of the Association, or is or was serving at the request of the Association as a director, officer or employee of another corporation, partnership, joint venture, trust or other enterprise against liability asserted against him/her and incurred by him/her in any such capacity, or arising out of his/her status as such, whether or not the Association would have the power to indemnify him/her against such liability under the provisions of this Article.

Section 3. Parliamentary Rules. "Robert's Rules of Order (current edition) shall govern the

conduct of Association proceedings when not in conflict with Texas law, the Articles of Incorporation, the Deed Restrictions, or these By-Laws when any of these documents are silent on any unresolved or disputed issue or procedure.

Section 4. For purposes of these bylaws, the term 'member' shall mean member in good standing as responsibilities, duties, rights, and powers are discussed in these bylaws.

SIGNED this the 21 day of March, 2006.

POINT AQUARIUS PROPERTY OWNERS ASSOCIATION

By:

Print Name: President



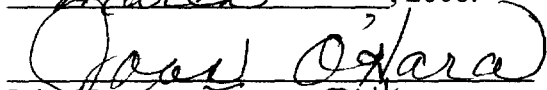
CERTIFICATION

I, Joan O'Hara the undersigned, do hereby certify:

That I am the duly elected and acting Secretary of Point Aquarius Property Owners Association, Inc., a Texas corporation;

That the foregoing By-Laws constitute the Amended and Restated By-Laws of said Association, as duly adopted at a meeting of the Board of Directors, by a majority of the Directors, where a quorum was present held on the 21 day of March, 2006.

IN WITNESS WHEREOF, I have hereunto subscribed my name on this the 21 day of March, 2006.



Print Name: Joan O'Hara

Title: Secretary

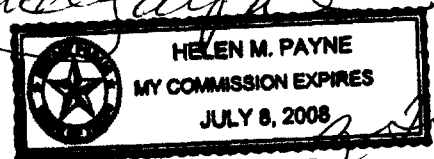
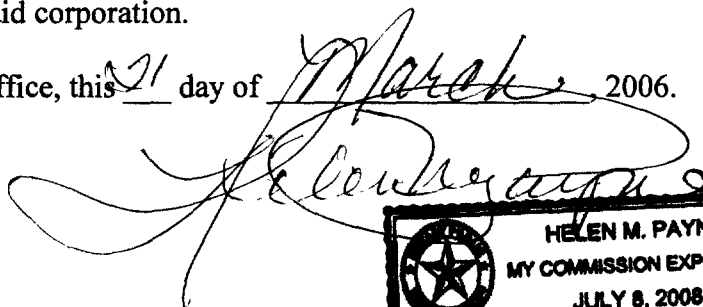
STATE OF TEXAS §

§

COUNTY OF MONTGOMERY §

BEFORE ME, on this day personally appeared Joan O'Hara the Secretary of Point Aquarius Property Owners Association, known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for the purposes and consideration therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

Given under my hand and seal of office, this 21 day of March, 2006.



21-06

Notary Public - State of Texas

After Recording Please Return To:

~~Marc D. Markel
Roberts, Markel & Folger, L.L.P.
2500 City West Blvd., Suite 1350
Houston, TX 77042~~

Point Aquarius P.O.A.
13189 Pt. Aquarius Blvd.
Willis, TX 77318

RECORDS 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 blackouts, additions and changes were present at the time the instrument was filed and recorded.

FILED FOR RECORD

06 MAR 23 PM 12: 23

Mark Turball
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify 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 at Montgomery County, Texas.

MAR 23 2006



Mark Turball

County Clerk
Montgomery County, Texas