

2005-113068

**MEMORANDUM OF
APPOINTMENT OF TRUSTEE**

STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §

1. By that certain First Amended and Restated Declaration of Covenants, Conditions, Assessments, Charges, Servitudes, Liens, Reservations and Easements for DEL LAGO ESTATES, recorded under Montgomery County Clerk's File No. 8801854 of the Real Property Records of Montgomery County, Texas, together with all amendments thereto (the "Declaration"), DEL LAGO ESTATES PROPERTY OWNERS ASSOCIATION, a Texas non-profit corporation (the "Association"), was granted the authority to levy, require and receive assessments from each respective owner of each respective lot in the DEL LAGO ESTATES Subdivision; and

2. Pursuant to the Declaration, the Association has a lien on each respective lot for any unpaid assessments due and owing by the respective owner of such respective lot, together with interest thereon, late charges, costs of collection, and reasonable attorney's fees; and

3. Pursuant to the Declaration, the Association has the right and power to bring all actions against all owners for the collection of such assessments as a debt and to enforce the lien by all methods available for the enforcement of such liens, including non-judicial foreclosure pursuant to §51.002 of the Texas Property Code; and

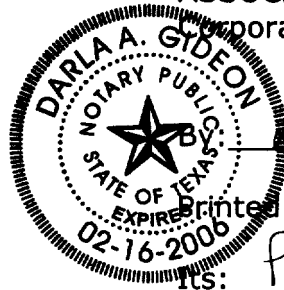
4. Pursuant to the Declaration by acquiring a lot, each owner has granted to the Association a power of sale in connection with the lien, such power of sale to be exercised pursuant to §51.002 of the Texas Property Code; and pursuant to the Declaration by written resolution the board of directors of the Association may appoint, from time to time, an officer, agent, trustee, or attorney of the Association to exercise the power of sale on behalf of the Association; and

5. The Association, acting by and through its Board of Directors, pursuant to a motion duly made, seconded, and approved at a meeting of the Board of Directors, has appointed, RICHARD C. LIEVENS and/or KRISTI A. SLAUGHTER, either to act severally, as Trustee to act pursuant to the Declaration and applicable law to post or cause to be posted the required notices and to conduct such foreclosure sales as in said Declaration provided.

933-10-0125

DATED this 27th day of September, 2005.

DEL LAGO ESTATES PROPERTY OWNERS ASSOCIATION, INC., a Texas non-profit corporation



Dawn Carline

Printed Name: Dawn Carline

Its: President

STATE OF TEXAS

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COUNTY OF MONTGOMERY

This instrument was acknowledged before me on this 27th day of September 2005 by President Dawn Carline of Del Lago Estates Property Owners Association, a Texas Non-Profit Corporation, on behalf of such corporation.

Darla A. Gideon

Notary Public - State of Texas

RECORD AND RETURN TO:

Richard C. Lievens
Frank, Elmore, Lievens, Chesney & Turet, L.L.P.
808 Travis Street, Suite 2600
Houston, Texas 77002

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.

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.

OCT 11 2005



Mark Turnbull

County Clerk
Montgomery County, Texas

FILED FOR RECORD

05 OCT 11 PM 2:31

Mark Turnbull
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS