

**AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR CLEAR LAKE FOREST, SECTION FOUR  
REGARDING ASSESSMENTS**

**THE STATE OF TEXAS**                   §  
                                                  §                   **KNOW ALL MEN BY THESE PRESENTS:**  
**COUNTY OF HARRIS**                   §

WHEREAS, the document entitled Clear Lake Forest, Section Four Residential Restrictions was filed of record under Harris County Clerk’s File No. D332657 in the Official Public Records of Real Property of Harris County, Texas; (hereinafter referred to as the “Declaration”);

WHEREAS, Part I, Paragraph 20 of the Declaration references a certain instrument recorded in Volume 6371, Page 271 of the Deed Records of Harris County, Texas (“Community Services Charge Agreement”), which sets forth the methodology for calculating and collecting an annual community service charge or assessment from owners;

WHEREAS, such Community Services Charge Agreement provides that the annual community service charge shall be based upon a millage rate;

WHEREAS, Sections 209.0041(h) and (h-1) of the Texas Property Code provide that, "...a declaration may be amended only by a vote of 67 percent of the total votes allocated to property owners entitled to vote on the amendment of the declaration, in addition to any governmental approval required by law;" and "if the Declaration contains a lower percentage than prescribed by Subsection (h), the percentage in the declaration controls;"

WHEREAS, the Declaration provides that it may be amended by approval of at least a majority of the owners of the lots; and

WHEREAS, owners representing at least a majority of the total number of lots (one vote per lot) in Clear Lake Forest, Section Four (4) desire to change the calculation method for the annual community service charge.

NOW THEREFORE, **Part I, Paragraph 20** of the Declaration is hereby AMENDED, in its entirety, as follows:

16. Each lot is subjected to an annual community services charge, or annual maintenance assessment (“Community Services Charge”), at a rate of \$300.00 per year, for the purpose of creating a fund to be known as “Community Service Fund” to be paid by the then owner of each lot annually in advance to Clear Lake Forest Community Association, Inc., its successors or assigns (“Association”), on the first day of July of each year. Such Community Services Charge shall be a covenant running with the land and, to secure payment thereof, a vendor’s lien in the name of the Association is hereby retained upon each lot, subject and inferior, however, to a purchase money lien or purchase money mortgage to the extent of any such Community Services Charge accrued or unpaid prior to foreclosure of any such purchase money lien or purchase money mortgage. Association shall collect all such Community Services Charges and will administer such Community Services Fund, in order that uniformity and continuity may be maintained and preserved.

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Such Community Services Charge may only be raised by vote of a majority of lots in all sections of Clear Lake Forest paying such charge.

Funds arising from such Community Services Charge shall be applied so far as sufficient, toward the common good of the community, civic betterment, education and public recreational purposes (but not by way of limitation) as follows:

1. To render constructive civic welfare for the promotion of social welfare of the community of Clear Lake Forest, to include active participation in constructive projects which will improve the community;
2. To promote and provide educational and recreational facilities for the residents of Clear Lake Forest;
3. To acquire, maintain and operate buildings and property for educational and recreational facilities; and
4. To do any other thing necessary or desirable or of general benefit to the community, including (but not by way of limitation) the following: trash collection, security, mosquito control, street maintenance, park maintenance and community recreation, and the enforcement of restrictions upon the use of property in Clear Lake Forest.

It is understood that the judgment of the Association in the allocation and expenditure of said funds shall be final so long as such judgment is exercised in good faith. The enumeration of services above carries no obligation to furnish any of such services except to the extent of funds actually received.

Notwithstanding anything to the contrary herein contained, the Community Services Charge shall only be assessed to residential lots and shall never be assessed to property owned by the Association.

Nothing herein is intended to alter, modify or amend the Declaration except as specifically provided hereinabove.

This amendment shall not become effective unless and until similar amendments are approved by at least a majority of the total number of votes in each section within the jurisdiction of CLEAR LAKE FOREST COMMUNITY ASSOCIATION, INC., it being the intention to assess any increases in the maintenance charge uniformly for all sections within Clear Lake Forest.

WITNESS THE EXECUTION HEREOF, this the 29<sup>th</sup> day of August, 2023.

IN WITNESS WHEREOF, the Owners of at least a majority of the total number of lots (one vote per lot) of property owners in Clear Lake Forest, Section Four (4) have voted in favor

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of this Amendment, effective as of the 29<sup>th</sup> day of August, 2023.

CLEAR LAKE FOREST COMMUNITY ASSOCIATION, INC.

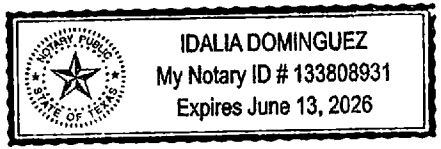
By: Chip Lacy

Print Name: CHIP LACY  
President of the Board of Directors

THE STATE OF TEXAS           §  
                                          §  
COUNTY OF HARRIS         §

This instrument was acknowledged before me. on the 29<sup>th</sup> day of August, 2023, by Chip Lacy, President of the Board of Directors of Clear Lake Forest Community Association, Inc., a Texas Non-Profit Corporation.

Idalia Dominguez  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



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# Pages 4  
08/30/2023 11:14 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
TENESHIA HUDSPETH  
COUNTY CLERK  
Fees \$26.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



*Teneshia Hudspeth*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

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