

SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENT
for
BENDERS LANDING PROPERTY OWNERS ASSOCIATION

STATE OF TEXAS §
 §
 COUNTY OF MONTGOMERY §

The undersigned, being the Managing Agent for Benders Landing Property Owners Association, a property owners' association as defined in Section 202.001 of the Texas Property Code ("the Association"), hereby supplements the "Notice of Dedicatory Instrument for Benders Landing Property Owners Association" (the "Notice") recorded in the Official Public Records of Real Property of Montgomery County, Texas under County Clerk's File No. 2006-059697, which Notice was filed of record for the purpose of complying with Section 202.006 of the Texas Property Code.

1. Additional Dedicatory Instrument. In addition to the Dedicatory Instrument identified in the Notice, the following document is a Dedicatory Instrument governing the Association.
 - a. Resolution Adopted by Unanimous Written Consent of the Board of Directors and the Architectural Control Committee of Benders Landing Property Owners Association regarding Fence Heights on Lakefront Lots, Parkfront Lots, Detention Lakefront Lots & Corner Lots.

This Supplemental Notice is being recorded in the Official Public Records of Real Property of Montgomery County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Supplemental Notice is true and correct.

BENDERS LANDING PROPERTY OWNERS ASSOCIATION

By: CMC, Chaparral Management Company, Inc.,
 Managing Agent


 Pamela D. Bailey

THE STATE OF TEXAS

§

COUNTY OF HARRIS

§

§

BEFORE ME, the undersigned notary public, on this day personally appeared Pamela D. Bailey of CMC, Chaparral Management Company, Inc., Managing Agent for Benders Landing Property Owners Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and in the capacity therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 14th day of August, 2007, to certify which witness my hand and official seal.



Tally D. Jenkins
Notary Public in and for the State of Texas

Return to:
Butler & Hailey, P.C.
1616 S. Voss, Suite 500
Houston, Texas 77057

131946

RESOLUTION ADOPTED BY UNANIMOUS WRITTEN CONSENT
of the
BOARD OF DIRECTORS
and the
ARCHITECTURAL CONTROL COMMITTEE
of
BENDERS LANDING PROPERTY OWNERS ASSOCIATION
regarding
FENCE HEIGHTS
on
**LAKEFRONT LOTS, PARKFRONT LOTS, DETENTION LAKEFRONT LOTS &
 CORNER LOTS**

We, the undersigned, being all of the members of the Board of Directors and the Architectural Control Committee of Benders Landing Property Owners Association (the "Association"), a Texas non-profit corporation organized under the Texas Non-Profit Corporation Act, do by this writing consent to the following actions and adopt the following resolution:

WHEREAS, Article III, Section 3.11 of the *Declaration of Covenants, Conditions and Restrictions for Benders Landing - Section 1*, as amended, states that, except for a Non-Privacy Fence, no privacy fence or wall of any kind shall be erected or maintained on a Lakefront Lot or a Parkfront Lot;

WHEREAS, Article III, Section 3.11 of the *Declaration of Covenants, Conditions and Restrictions for Benders Landing - Section 2*, as amended, states that, except for a Non-Privacy Fence, no privacy fence or wall of any kind shall be erected or maintained on a Detention Lakefront lot;

WHEREAS, Article III, Section 3.11 of the *Declaration of Covenants, Conditions and Restrictions for Benders Landing - Section 3* states that, except for a Non-Privacy Fence, no privacy fence or wall of any kind shall be erected or maintained on a corner lot;

WHEREAS, the Declarations referenced above (hereinafter collectively referred to as the "Declaration"), define a "Non-Privacy Fence" as an iron ornamental fence no more than four feet (4') in height of a design and color approved by the Association's *Architectural Control Committee* ("ACC") that does not obstruct the view of a lake, park or adjoining lots;

WHEREAS, the current ACC and the Association's current *Board of Directors* ("Board") have become aware that there are four fences on properties under the jurisdiction of the Association that violate the above-referenced provisions of the Declaration;

WHEREAS, the ACC and the Board have become aware that three of the violating fences in violation of the above-referenced provisions of the Declaration were approved by a past ACC;

WHEREAS, the ACC and the Board have become aware that the remaining violating fence was approved in error by the ACC; and

WHEREAS, the current ACC, with the current Board's support and approval, does not intend now and/or in the future to approve fences that violate the provisions of the Declaration:

NOW, THEREFORE, BE IT RESOLVED, that the ACC, with the Board's support and approval, will not approve fences that violate the provisions of the Declaration subject to the ACC's authority to grant a variance where required per the Declaration.


We direct that this consent be filed with the minutes of the proceedings of the Board of Directors of the Association.

This consent is executed pursuant to Article 9.10 of the Texas Non-Profit Corporation Act, which authorizes the taking of action by the Board of Directors by unanimous consent without a meeting. This consent may be executed in multiple counterparts, which, when placed together shall constitute the fully executed original instrument.

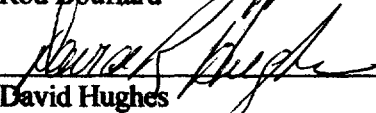
EXECUTED on the dates set forth below to be effective on the date this document is filed in the Official Public Records of Real Property of Montgomery County, Texas.

**BOARD OF DIRECTORS
BENDERS LANDING PROPERTY OWNERS
ASSOCIATION**


Date: 6/21/07

By: 
Rod Bouffard

Date: 7/23/07

By: 
David Hughes


Date: 6/21/07

By: 
Jimmy Hantz

Date: 6/21/07

By: 
Larry Dalton

Date: 6/21/07

By: 
Nancy Gamble

Date: 6/21/07

By: 
Mike Johnson

Date: 6/10/07

By: 
Doug Renfrow

**ARCHITECTURAL CONTROL COMMITTEE
BENDERS LANDING PROPERTY OWNERS
ASSOCIATION**

Date: _____

By: _____
Nancy Bouffard

Date: _____

By: _____
Kathy Johnson

Date: _____

By: _____
Pam Maddux

RETURN TO:

**BUTLER & HAILEY
1616 SOUTH VOSS, SUITE 500
HOUSTON, TEXAS 77057**

129049/3764/10001

Date: _____

By: _____
Mike Johnson

Date: _____

By: _____
Doug Renfrow

**ARCHITECTURAL CONTROL COMMITTEE
BENDERS LANDING PROPERTY OWNERS
ASSOCIATION**

Date: June 13, 2007

By: Nancy Bouffard
Nancy Bouffard

Date: June 13, 2007

By: Kathy Johnson
Kathy Johnson

Date: 6/13/07

By: Pam Maddux
Pam Maddux

FILED FOR RECORD
07 AUG 20 PM 12: 01

Mark Turnbull
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

~~INFORMATIONAL 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.

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.

AUG 20 2007

RETURN TO:

BUTLER & HAILEY
1616 SOUTH VOSS, SUITE 500
HOUSTON, TEXAS 77057

129049/3764/10001



Mark Turnbull
County Clerk
Montgomery County, Texas