1-c-15

AGREEMENT TO DESIGNATE
ARCHITECTURAL CONTROL COMMITTEE

STATE OF TEXAS * 36677
* KNOW ALL MEN BY THESE PRESENTS
COUNTY OF WILLIAMSON *

WHEREAS, the deed restrictions for High Gabriel West, Section Two have been duly recorded by the county clerk of Williamson County, Texas, in Volume 552, Page 435, Deed Records of Williamson County, Texas, which restrictions were amended by instrument recorded in Volume 564, Page 403, Volume 855, Page 279, and Volume 1143, Page 832, Deed Records of Williamson County, Texas; and

WHEREAS, article five (5) of said original restrictions creates an Architectural Control Committee to supervise construction within the subdivision as more particularly described in said restrictions; and

WHEREAS, said article five (5) authorizes a majority of the then record owners of the legal title to the lots to appoint the membership of the Architectural Control Committee through a duly recorded written instrument, if ten (10) years have elapsed from the date of the restrictions described above; and

WHEREAS, more than ten (10) years have elapsed from the date of the execution and recording of said original restrictions; and

WHEREAS, said section contains 83 lots; and

WHEREAS, John K. Neely, CLIFTON A. BIRCHMAN owns a majority of the lots in said subdivision; and

WHEREAS, John K. Neely and Clifton A. Birchman desires to confirm the prior establishment of the maintenance fund authorized by article twenty-seven (27) of said original restrictions;

NOW, THEREFORE, the lot owners covenant as follows:

1) John K. Neely and CLIFTON A. BIRCHMAN owns a majority of the lots within High Gabriel West, Section Two.

2) There is hereby appointed an Architectural Control Committee pursuant to article five (5) of the original deed restrictions.

3) The Board of Directors of High Gabriel Water Supply Corporation and High Gabriel Homeowners Association are hereby appointed as the Architectural Control Committee for this subdivision, which Committee membership shall change as membership on said Board changes. If for any reason the Board of Directors of the Water Supply Corporation and Homeowners Association are separated into two boards, the Board of the Homeowners Association shall serve as the Architectural Control Committee.

4) Pursuant to article twenty-seven (27) of the original restrictions, the undersigned constituting a majority of the lot owners do hereby confirm the prior establishment of a maintenance fund for the purposes described in said section, and designate the Board of Directors of the Homeowners Association as the lot owners' representative to administer said fund.

5) All means of enforcement of the restrictions mentioned in section thirty (30) of the original restriction are incorporated herein by reference, and the Board of Directors of the Association is expressly given the authority to prosecute violations of the restrictions in its capacity as representative for the lot owners.

EXECUTED this 25 day of September, 1985.

John K. Neely

Clifton A. Birchman
CLIFTON A. BIRCHMAN

STATE OF TEXAS *
COUNTY OF WILLIAMSON *

This instrument was acknowledged before me on the 25th day of September, 1985, by John K. Neely.

Nancy Eckardt
Notary Public, State of Texas
Printed Name: NANCY ECKARDT
Commission Expires: 3/12/88

FILED FOR RECORD
WILLIAMSON CO. TX.
1985 SEP 26 AM 10:51
James S. Boggeston
COUNTY CLERK

STATE OF TEXAS COUNTY OF WILLIAMSON
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me; and was duly RECORDED, in the Volume and Page of the named RECORDS of Williamson County, Texas, as stamped hereon by me, on

SEP 27 1985

James S. Boggeston
COUNTY CLERK
WILLIAMSON COUNTY, TEXAS