

OLD REPUBLIC TITLE  
GF# 0710910085

J.

DECLARATION

STATE OF TEXAS §  
COUNTY OF MONTGOMERY §

This instrument is executed by Pepper Hill Property Owners Association on the 21 day of SEPTEMBER 2007.

Recitals

A. Pepper Hill subdivision (hereinafter "Pepper Hill Subdivision") was platted a subdivision in the Raleigh Rogers Survey, A-33, Montgomery County, Texas as per the map of said subdivision recorded in Cabinet D, sheets 62A and 62B, Map Records of Montgomery County, Texas;

B. Restrictive covenants for Pepper Hill are contained in the instrument recorded under clerk's file no. 8346685 in the Real Property Records (Official Public Records of Real Property) of Montgomery County, Texas (hereinafter "Pepper Hill Restrictions");

C. The Pepper Hill Restrictions contained provisions for the assessment and collection of maintenance fees for the lots contained in Pepper Hill Subdivision;

D. Pepper Hill Property Owners Association, a Texas non-profit corporation (hereinafter "Pepper Hill POA") is the property owners association for Pepper Hill subdivision and is the entity which has been assigned the authority and ability to collect the maintenance fees provided for in the Pepper Hill Restrictions;

E. Lots 10 through 25 (herein called the "Phase II Lots"), inclusive, of Pepper Hill have been re-platted as Emmett Estates Section One pursuant to the plat of Emmett Estates Section One recorded in Cabinet Z, Sheets 847-848 in the Map Records of Montgomery County, Texas;

F. Restrictive covenants for Emmett Estates Section One are contained in the instrument recorded under clerk's file no. 2007-087955 in the Official Public Records of Real Property of Montgomery County, Texas (hereinafter "Emmett Estates Restrictions");

G. Confusion has arisen as to whether the Pepper Hill Restrictions and the maintenance fees provided for therein are applicable to the property contained in Emmett Estates Section One;

NOW THEREFORE, Pepper Hill POA declares as follows:

1. Pepper Hill Property Owners Association no longer collects maintenance fees pursuant to the Pepper Hill Restrictions on the properties and lots that have been re-platted to Emmett Estates Section One.

2. Pepper Hill Property Owners Association does not seek to enforce the Pepper Hill Restrictions on the property in Emmett Estates.

Signed on the date shown above.

Pepper Hill Property Owners Association

By: [Signature]  
Name: ROBERT ZUCCARIELLO  
Title: PRESIDENT

State of Texas §  
County of Montgomery §

This instrument was acknowledged before me on the 21 day of September, 2007 by ROBERT ZUCCARIELLO, PRESIDENT of Pepper Hill Property Owners Association, a Texas non-profit corporation, on behalf of said corporation.

[Signature]  
Notary Public in and for the State of Texas

My commission expires:

After recording return to:

ORIC  
150 N. MAIN  
CONROE, TX



71301  
FILED FOR RECORD

2007 SEP 25 PM 3: 38

[Signature]  
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.

SEP 25 2007



[Signature]  
County Clerk  
Montgomery County, Texas