

011-11-0483

**AMENDMENT TO CONDOMINIUM DECLARATION
FOR HARBOR EAST CONDOMINIUMS, INC.**

STATE OF TEXAS
COUNTY OF GILVESTON

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§ KNOW ALL MEN BY THESE PRESENTS:
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WHEREAS, DWELLING DEVELOPMENT, INC., a Texas Corporation, acting as "Declarant" did make a Condominium Declaration upon certain real property located in the City of Galveston, Galveston County, Texas, known as HARBOR EAST CONDOMINIUMS, INC., which Condominium Declaration is filed in the Official Public Records of Real Property in Galveston County, Texas, under Film Code No. 004-04-1967, and which Condominium Declaration was amended by Amendment of Condominium Declaration for Harbor East Condominiums, Inc., which Amendment is filed in the Official Public Records of Real Property in Galveston County, Texas, under Film Code No. 004-25-0962.

WHEREAS, such Condominium Declaration provides, in paragraph 23 thereof, that "...this declaration shall not be amended unless the Owners representing an aggregate ownership interest of 67%, or more, of the common elements consent and agree to such amendment by instruments duly recorded..."

WHEREAS, this instrument and the certifications herein contained are made and filed in the Galveston County Condominium Records for the purpose of evidencing Amendments to such Condominium Declarations.

011-11-0484

THEREFORE, in consideration of the premises, VINCENT C. WEIDO and SALLY PHILLIPS, the duly elected and acting President and Secretary, respectively, of the BOARD OF DIRECTORS OF HARBOR EAST CONDOMINIUMS, INC. (a Texas non-profit corporation), acting as the governing and administrative body for all Owners, all as described and defined in the Condominium Declaration for HARBOR EAST CONDOMINIUMS, INC., as amended, hereby certify as follows:

That VINCENT C. WEIDO and SALLY PHILLIPS are the duly elected and acting President and Secretary, respectively, of HARBOR EAST CONDOMINIUMS, INC., and that each of them are authorized by the Board of Directors of such corporation to make this certification and cause it to be filed in the Condominium Records in the office of the County Clerk of Galveston County, Texas, to evidence amendments to such Condominium Declaration.

The Owners of HARBOR EAST CONDOMINIUMS, INC., at the annual meeting held January 25, 1996, pursuant to the terms and conditions of the Condominium Declaration for HARBOR EAST CONDOMINIUMS, INC., as amended, and pursuant to a vote of the Owners representing an aggregate ownership interest of 67% or more, of the common elements, amended the second paragraph of Article 25; the third paragraph of Article 25; and, the first paragraph of Article 34, as follows:

a. Article 25, Paragraph 2:

Assessments for the estimated Common Expenses shall be due monthly in advance on the first day of each month. Failure to pay by the fifteenth (15th) day of each month shall require the imposition and assessment of a late charge of \$5.00 per day after the 15th. The Managing Agent or Board of Managers shall provide to each Owner an annual written notification of the owner's monthly assessment. In the event the ownership of a condominium commences on a day other than the first day of a month, the assessment for that month shall be prorated.

011-11-0485

b. Article 25, Paragraph 3:

The assessments made for Common Expenses shall be based upon the cash requirements deemed to be such aggregate sum as the Managing Agent, or if there is no Managing Agent, then the Board of Managers of the Association, determines is to be paid by all of the condominium Owners, including as limited herein, the Declarant, expenses growing out of or connected with the maintenance, repair, operation, additions, alterations and improvements of and to the General Common Elements, which sum may include, but shall not be limited to expenses of management; taxes and special assessments until separately assessed; insurance premiums; landscaping and care of grounds; common lighting; repairs and renovations; removal of pollutants and trash collections; wages; utility charges; beautification and decoration; professional including legal and accounting fees, management fees, expenses and liabilities incurred by the Managing Agent or Board of Managers on behalf of the Owners under or by reason of this Declaration and the Bylaws of the Association; for any deficit arising or any deficit remaining from a previous period; the creation of a reasonable contingency fund, reserves, working capital, and sinking funds as well as other costs and expenses relating to the Common Elements. Costs incurred in the construction of additional units by Declarant and other costs in connection therewith shall not be included in such aggregate sum.

c. Article 34, Paragraph 1:

The Managing Agent, or if there is no Managing Agent, then the Board of Managers, shall maintain insurance as is required by V.T.C.A. Property Code §82.111.

HARBOR EAST CONDOMINIUMS, INC.

By: 
Its: President VINCENT L. WAIDE

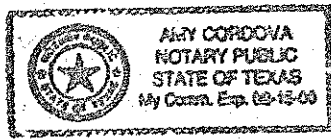
By: 
Its: Secretary SALL PHILLIPS

011-11-0486

THE STATE OF TEXAS
COUNTY OF GALVESTON

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This instrument was acknowledged before me on the 6 day of May, 1996, by VINCENT C. WEIDO, President of HARBOR EAST CONDOMINIUMS, INC., a Texas non-profit corporation, on behalf of said corporation.

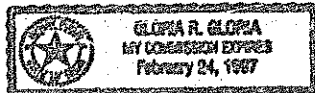


Amy Cordova
Notary Public, State of Texas
Notary's Name Printed:
Amy Cordova
My Commission Expires: 2-15-2000

THE STATE OF TEXAS
COUNTY OF GALVESTON

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This instrument was acknowledged before me on the 30 day of April, 1996, by SALLI PHILLIPS, Secretary of HARBOR EAST CONDOMINIUMS, INC., a Texas non-profit corporation, on behalf of said corporation.



Gloria R. Gloria
Notary Public, State of Texas
Notary's Name Printed:
Gloria R. Gloria
My Commission Expires: 2-24-97

FILED AND RECORDED

Official Public Records of Real Property

Patricia Ritchie

5-24-96 04:12 PM PUCETT_A \$15.00 9620832
Patricia Ritchie - Co. Clerk
Galveston Co. TX

BY RETURN TO:
A. Redmond
6025 HEARDS LANE
GALVESTON, TX 77557