



Except as hereinabove modified, the Original Restrictions, as amended, remain unchanged and continue in full force and effect, binding within the Subdivision in accordance with their terms and provisions.

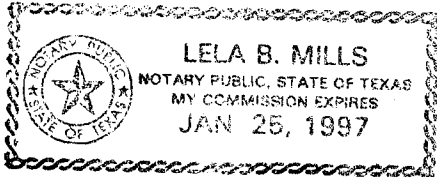
Executed on this 11th day of June, 1996.

PROPERTIES OF THE SOUTHWEST, INC.

By Rod Broussard  
ROD BROUSSARD,  
Vice President

STATE OF TEXAS §  
                                          §  
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 11th day of June, 1996, by ROD BROUSSARD, Vice-President of PROPERTIES OF THE SOUTHWEST, INC., a Delaware corporation, on behalf of said corporation.



Lela B. Mills  
Notary Public, State of Texas

Return To:  
First Surety Title

FILED FOR RECORD  
96 JUN 11 PM 3:37  
MARK TURNBULL, CO. CLERK  
MONTGOMERY COUNTY, TEXAS  
dh DEPUTY

STATE OF TEXAS  
COUNTY OF MONTGOMERY  
I hereby certify that 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 of  
Montgomery County, Texas.

JUN 11 1996

Mark Turnbull  
COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

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**SECOND AMENDMENT**  
*to*  
**DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS,**  
**INDIGO LAKE ESTATES, SECTION 5**

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THE STATE OF TEXAS                    §  
                                                         §                    KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF MONTGOMERY           §

WHEREAS, PROPERTIES OF THE SOUTHWEST, INC., a Delaware corporation (the "Developer"), was the sole owner of that certain real property known Indigo Lake Estates, Section Five, a subdivision in Montgomery County, Texas according to the map or plat thereof filed of record in Cabinet G, Sheets 175(B) and 176(A) et seq. and Cabinet I, Sheet 93 of the Map Records of Montgomery County, Texas ("Indigo Lake Estates, Section Five"); and

WHEREAS, by that certain instrument entitled "Declaration of Covenants, Conditions, and Restrictions Indigo Lake Estates, Section 5" filed of record in the Official Public Records of Real Property of Montgomery County, Texas, under County Clerk's File No. 9364784 (the "Declaration"), the Declarant imposed on the Indigo Lake Estates, Section Five all those certain covenants, conditions, restrictions, easements, charges, and liens therein set forth; and

WHEREAS, the Declaration was amended by that certain instrument entitled "First Amendment of Indigo Lake Estates, Section Five Covenants, Conditions, and Restrictions" filed of record in the Official Public Records of Real Property of Montgomery County, Texas, under County Clerk's File No. 9635232, (the Declaration as previously amended still hereinafter referred to as the "Declaration"); and

WHEREAS, Article IX, Section 9.01 of the Declaration entitled "Term" provides that two-thirds (2/3rds) of the Owners of Lots in Indigo Lake Estates, Section Five (the "Owners") can amend or change the Declaration; and

WHEREAS, Article IX, Section 9.02 of the Declaration entitled "Amendments" provides that the Declaration may be amended or changed, in whole or in part, at any time by the written agreement signed by Owners entitled to cast not less than two thirds (2/3rds) of the votes of all the Owners; and

NOW, THEREFORE, the Owners representing the votes of two thirds (2/3rds) of the Owners within Indigo Lake Estates, Section Five, as evidenced by the signatures of the Owners set forth in Exhibit "A" attached hereto and incorporated herein, hereby amend the Declaration as follows:

Article III, Section 3.06 of the Declaration entitled "Water Supply" is hereby amended to read as follows:

Section 3.06 Water Supply. All residential dwellings in the Subdivision may be equipped with and served by a fresh water system that

is installed, operated and continuously maintained in accordance with applicable utility company and governmental requirements. No water wells shall be made, bored or drilled, nor any type or kind of private system installed or used, except upon the approval of the Architectural Control Committee and any required governmental authorities.

The amendment and modification of the Declaration set forth above shall be deemed to be a part of and shall be interpreted in accordance with the Declaration. This amendment to Article III, Section 3.06 of the Declaration shall supersede any and all prior amendments and modifications to this section, if any. All provisions of the Declaration not amended hereby are hereby ratified and confirmed in each and every particular, and shall continue in full force and effect pursuant to the terms of the Declaration.

IN WITNESS WHEREOF, the Owners representing the votes of two thirds (2/3rds) of the Owners in Indigo Lake Estates, Section Five, have approved this amendment and modification to the Declaration to be effective upon the date of filing in the Official Public Records of Real Property of Montgomery County, Texas. This instrument may be executed in multiple originals, which when placed together shall constitute one document.

**CERTIFICATE**

I, Betty Ballard, Vice President of Indigo Lake Estates Property Owners Association, a Texas non-profit corporation (the "Association"), do hereby certify that the foregoing amendment to the Declaration was approved by the affirmative vote of two-thirds (2/3rds) of the Owners of Lots Indigo Lake Estates, Section Five as required by Article XI, Section 9.02 of the Declaration, as evidenced by the Consents of Owners attached hereto and incorporated herein as Exhibit "A."

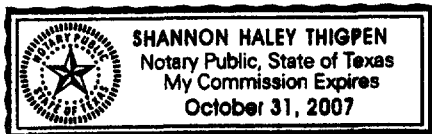
TO CERTIFY WHICH WITNESS MY HAND on this 4 day of November, 2004.

**INDIGO LAKE ESTATES  
PROPERTY OWNERS ASSOCIATION**

By: [Signature]  
Betty Ballard, Vice President

STATE OF TEXAS §  
                                          §  
COUNTY OF HARRIS §

Before me, a notary public, on this day personally appeared Betty Ballard, Vice President of Indigo Lake Estates Property Owners Association, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that she executed same in the capacity and consideration therein expressed. Given under my hand and seal of office this 4th day of NOVEMBER 2004.



[Signature]  
NOTARY PUBLIC - STATE OF TEXAS

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