

Handwritten initials: "AL" and "WD" with a large "X" over them.

ESTABLISHMENT OF BROOKWOOD HILLS II
HOMEOWNERS' ASSOCIATION ARCHITECTURAL
CONTROL COMMITTEE AND ELECTION TO
PERFORM FUNCTIONS AND RIGHTS OF DECLARANT

41.00 W.C.
6 010.028

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS THAT:
COUNTY OF TARRANT §

WHEREAS, on the 6th day of October, 1983, BWH2 DEVELOPMENT CORPORATION, hereinafter called "Declarant", filed of record in Volume 7635, at Page 1021, Deed Records, Tarrant County, Texas, a Declaration of Covenants, Conditions And Restrictions, hereinafter called the "Declaration", applicable to the following described real property then owned by Declarant:

PHASE II, BROOKWOOD HILLS, an Addition to the City of Bedford, Texas, according to the Plat thereof recorded in Volume 388/164, Page 81, Plat Records, Tarrant County, Texas; and

WHEREAS, the above described real property consists of ninety-three (93) single family residential lots (the "Lots"), the owners of the Lots being herein sometimes referred to as Lot Owners and/or Homeowners; and

WHEREAS, Paragraph 3.06 of the Declaration provides for the establishment by the record owners of a majority of the Lots constituting the above Phase II, Brookwood Hills Addition ("Phase II"), of a committee elected by the Homeowners to continue the functions of the Architectural Control Committee created under the Declaration; and

WHEREAS, Paragraph 5.05 of the Declaration provides for the election by a majority of the owners of the Lots to perpetually perform Declarant's landscaping, maintenance, approval and other rights or functions under the Declaration; and

WHEREAS, Brookwood Hills II Homeowner's Association, Inc. (the "Association") is a Texas non-profit corporation whose membership includes the undersigned Lot Owners; and

WHEREAS, the undersigned Lot Owners, constituting a majority of the owners of the Lots (i) desire by this document to provide for the committee elected by the Homeowners/Lot Owners pursuant to Paragraph 3.06 of the Declaration, and (ii) desire to elect to perpetually perform Declarant's rights and functions pursuant to Paragraph 5.05 of the Declaration;

NOW, THEREFORE, BE IT KNOWN AS FOLLOWS:

1. Each of the undersigned Lot Owners is the owner of the Lot listed opposite such Lot Owner's signature hereto, upon which there has been constructed a single family residence.
2. There are a total of ninety-three (93) Lots constituting Phase II.
3. The undersigned Lot Owners, by recordation of this document, hereby establish a Committee (the "Homeowners' Committee") elected by the Homeowners to continue the functions of the Architectural Control Committee created under Article III of the Declaration. The Homeowners' Committee shall be made up of five (5) persons who shall be the President, Vice President, Secretary, Treasurer and Parliamentarian of the Association. Any change in the person holding any of such offices and positions in the Association shall automatically affect a corresponding change in the membership of the Homeowners' Committee. From and after this date, the Homeowners' Committee shall have the power and authority to function and act in the same manner as the Architectural Control Committee created by Article III of the Declaration.

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4. The undersigned Lot Owners, by recordation of this document, express their intent and desire to perpetually perform all of Declarant's landscaping, maintenance, approval or other rights or functions under the Declaration, and to receive, exercise, use and enjoy all rights, easements, discretion and authority of Declarant with respect to all matters under the Declaration. The exercise, use and enjoyment of all such rights, easements, discretion and authority is hereby delegated to the Association.

5. After recording, a true and correct copy of this document shall be mailed and/or delivered to each of the Lot Owners.

6. The rights and interests created by this document shall run with the land and bind the Lots and shall inure to the benefit of all Lot Owners, and their respective legal representatives, heirs, successors and assigns.

7. By its execution below, Declarant hereby approves Section 4 above and confirms that the persons signing this document as members of the Architectural Control Committee are presently the only members of such committee.

8. By their execution below, the Architectural Control Committee member(s) hereby declare the termination of the Architectural Control Committee, subject to the continuing function of the Homeowners' Committee, as provided in Paragraph 3.06 of the Declaration and in this document.

9. This document may be executed and/or recorded in two or more counterparts with one or more of the Declarant, Architectural Control Committee and/or Lot Owners executing only one of such counterparts, each of which shall be deemed an original, and such counterparts shall together constitute but one and the same instrument.

EXECUTED to be effective the 31st day of May, 1986.

DECLARANT:

CDC Liquidation Partnership, Ltd., as
successor in interest to Crow Development
Company, successor by merger to BWH2
Development Corporation

By its general partner, Bagwell, Inc.,
a Texas corporation

By: David S. Bagwell
Title: President

ARCHITECTURAL CONTROL COMMITTEE:

[Signature]
[Signature]
J. Stephen Johnson

STATE OF TEXAS §
§
COUNTY OF Dallas §

This instrument was acknowledged before me on this the 28th day
May, 1986 by DAVID S. BAGWELL, PRESIDENT of
Bagwell, Inc., a Texas corporation, on behalf of said corporation in its
capacity as general partner of CDC Liquidation Partnership, Ltd., a Texas
partnership, on behalf of said
partnership. Gloria S. Turner
Notary Public, State of Texas

My commission expires:
6/28/89

Notary's Printed Name:
GLORIA S. TURNER

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Individual Acknowledgement

STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on this the 28th day of JANUARY, 1987 by GEORGE A. FIELD III.

Marcy A. Winslow
Notary Public, State of Texas

My commission expires:
07-22-89

Notary's Printed Name:
MARCY A. WINSLOW

STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on this the 28th day of JANUARY, 1987 by KATHLEEN E. CUNNINGHAM.

Marcy A. Winslow
Notary Public, State of Texas

My commission expires:
07-22-89

Notary's Printed Name:
MARCY A. WINSLOW

STATE OF TEXAS §
COUNTY OF DALLAS §

This instrument was acknowledged before me on this the 28th day of JANUARY, 1987 by J. STEPHEN JELICORSE.

Marcy A. Winslow
Notary Public, State of Texas

My commission expires:
07-22-89

Notary's Printed Name:
MARCY A. WINSLOW

LOT OWNERS:

Lot 9, Block 11

[Signature]
Lizbeth Richard Council

Lot 8, Block 10

Robert D. Wood
James H. Wilkes

Lot 1, Block 8

[Signature]
John H. Starn
Annita D. Starn

Lot 6, Block 9

[Signature]
Robert J. Jorgensen

Lot 1, Block 10

Steven S. Parley
Victoria T. Hamlin

Lot 9, Block 8

Arthur J. Hallen
Kathleen J. Williams

Lot 11, Block 8

Carol S. Caspar
Kevin H. Taylor

Lot 21, Block 11

Norman East
Calvin H. East

Lot 20, Block 10

Robert A. Bolton
[Signature]


Lot 1, Block 11

Kristy O. Young
Wendy [Signature]

Individual Acknowledgements

STATE OF TEXAS
COUNTY OF TARRANT


This instrument was acknowledged before me on this the 14th day of June, 1986 by Jack Connell and Vicki Pollard Connell.
Lot 7, Bl 11

 JAMES A. CLINE, Notary Public
In and for the State of Texas
My Commission Expires 7/31/88

James A. Cline
Notary Public, State of Texas
Notary's Printed Name
James A. Cline

STATE OF TEXAS
COUNTY OF TARRANT

This instrument was acknowledged before me on this the 14th day of June, 1986 by Rebecca L. Wilkes and James M. Wilkes.


 JAMES A. CLINE, Notary Public
In and for the State of Texas
My Commission Expires 7/31/88

My commission expires: Lot 8, Bl 10

James A. Cline
Notary Public, State of Texas
Notary's Printed Name
James A. Cline

STATE OF TEXAS
COUNTY OF TARRANT

This instrument was acknowledged before me on this the 14th day of June, 1986 by Deborah Shea and Pamela A. Shea.

 JAMES A. CLINE, Notary Public
In and for the State of Texas
My Commission Expires 7/31/88


My commission expires:

James A. Cline
Notary Public, State of Texas
Notary's Printed Name
James A. Cline

STATE OF TEXAS
COUNTY OF TARRANT

This instrument was acknowledged before me on this the 14th day of June, 1986 by Joan Leighton and G. Paul Leighton.


Lot 6, Bl. 9
My commission expires:

 JAMES A. CLINE, Notary Public
In and for the State of Texas
My Commission Expires 7/31/88

STATE OF TEXAS
COUNTY OF TARRANT

This instrument was acknowledged before me on this the 14th day of June, 1986 by Steven E. Herald and Victoria V. Herald.

Lot 1, Bl 10
My commission expires:

 JAMES A. CLINE, Notary Public
In and for the State of Texas
My Commission Expires 7/31/88

Brookwood Hills II - Acknowledgement Page

James A. Cline
Notary Public, State of Texas
Notary's Printed Name
James A. Cline


Individual Acknowledgements

STATE OF TEXAS
COUNTY OF TARRANT

This instrument was acknowledged before me on this the 14th day of JUNE, 1986 by LESTER D. WILLIAMS and EDITH T. WILLIAMS.

Lot 9, B1 8

James A. Cline
Notary Public, State of Texas

 JAMES A. CLINE, Notary Public
in and for the State of Texas
My Commission Expires 7/31/88

Notary's Printed Name
JAMES A. CLINE

STATE OF TEXAS
COUNTY OF TARRANT

This instrument was acknowledged before me on this the 14th day of JUNE, 1986 by Robert F. Hardy and Ruth H. Taylor.

Lot 11, B1 8

James A. Cline
Notary Public, State of Texas

My commission expires:
JAMES A. CLINE, Notary Public
in and for the State of Texas
My Commission Expires 7/31/88

Notary's Printed Name
JAMES A. CLINE

STATE OF TEXAS
COUNTY OF TARRANT

This instrument was acknowledged before me on this the 14th day of JUNE, 1986 by DONNA EAST and CALVIN H. EAST.

Lot 21, B1 8

James A. Cline
Notary Public, State of Texas

My commission expires:
JAMES A. CLINE, Notary Public
in and for the State of Texas
My Commission Expires 7/31/88

Notary's Printed Name
JAMES A. CLINE

STATE OF TEXAS
COUNTY OF TARRANT

This instrument was acknowledged before me on this the 14th day of JUNE, 1986 by Robert Britton

Lot 20, B1 10

James A. Cline
Notary Public, State of Texas

My commission expires:
JAMES A. CLINE, Notary Public
in and for the State of Texas
My Commission Expires 7/31/88

Notary's Printed Name
JAMES A. CLINE

STATE OF TEXAS
COUNTY OF TARRANT

This instrument was acknowledged before me on this the 14th day of JUNE, 1986 by KERRY GLENN and PAUL GLENN.

Lot 1, B1 11

James A. Cline
Notary Public, State of Texas

JAMES A. CLINE, Notary Public
in and for the State of Texas
My Commission Expires 7/31/88

Notary's Printed Name
JAMES A. CLINE

Brookwood Hills II - Acknowledgement Page

As recorded, the foregoing document consists of additional pages 194-207 containing additional Owners' signatures and acknowledgements, and page 208 containing the file stamp and other data.