

Amend
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**EXTENSION OF THE RESTATED COVENANTS AND RESTRICTIONS
FOR THE BAL HARBOUR ASSOCIATION FOR ADDITIONAL TERMS**

WHEREAS, the Restated Covenants and Restrictions for The Bal Harbour Association ("Restated Covenants") was filed of record on July 11, 1986 in the Official Records of Real Property of Harris County, Texas under County Clerk's Film Code No. 052-66-0765 and File No. K629277;

WHEREAS, Article XII, Section 1 of the Restated Covenants states,

"Section 1. Duration and Parties Who Can Enforce: The Covenants and Restrictions of this Declaration shall run with and bind THE PROPERTIES and shall inure to the benefit of an be enforceable by the ASSOCIATION, or the OWNER of any land subject to this Declaration, their respective legal representatives, heirs, successors, and assigns until December 1, 2010, subject to Section 5 below, after which term said covenants shall expire unless extended by a majority vote of the MEMBERS for additional term or terms as may be desired at the expiration of each term."

WHEREAS, the Owners of more than a majority of the lots in Bal Harbour desire to extend the Restated Covenants and any amendments thereto beyond the current December 1, 2010 deadline, and make said Restated Covenants automatically renew;

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NOW THEREFORE, Article XII, Section 1 shall now be amended and replaced entirely by the following in order to extend the term of the Restated Covenants and any amendments thereto;

"Section 1. Duration and Parties Who Can Enforce. The covenants and restrictions of this Declaration shall run with the land, and shall inure to the benefit of and be enforceable by the Association, or the Owner of any land subject to this Declaration, their respective legal representatives, heirs, successors and assigns, for a period of forty (40) years from November 30, 2010, after which time said covenants and restrictions shall be automatically extended for successive period of ten (10) years each, unless an instrument signed by the Owners of seventy-five percent (75%) of the Lots has been recorded agreeing to terminate the covenants and restrictions in whole or in part."

Nothing herein is intended to alter, modify or amend the Restated Covenants, except as specifically provided hereinabove.

**FILED FOR RECORD
8:00 AM**

AUG 27 2010

Dorothy L. Hayden
County Clerk, Harris County, Texas

CERTIFICATION

I, the undersigned, am the duly elected and acting President of Bal Harbour Association, Inc., a Texas non-profit corporation, and I do hereby certify:

That the within and foregoing Extension of the Restated Covenants and Restrictions for the Bal Harbour Association and any amendments thereto was properly adopted by at least a majority of the votes in Bal Harbour by written ballot.

IN WITNESS WHEREOF, I have executed this Extension of the Restated Covenants and Restrictions for the Bal Harbour Association to be effective on the date it is filed of record in the Official Records of Real Property of Harris County, Texas

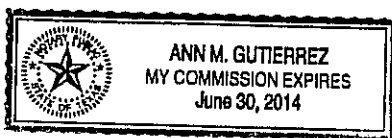
BAL HARBOUR ASSOCIATION, INC. 102

By: *Robert K. Scott*

Print Name: Robert K. Scott
President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me, on the 23 day of August, 2010, by Robert K. Scott, President of the Board of Directors of BAL HARBOUR ASSOCIATION, INC., a Texas Non-Profit Corporation.



Ann M. Gutierrez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

AFTER RECORDING RETURN TO:

Daughtry & Jordan, P.C. //
17044 El Camino Real
Houston, Texas 77058

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS UNLAWFUL AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas on

AUG 27 2010



Carol B. Keyman
COUNTY CLERK
HARRIS COUNTY, TEXAS