



FIFTH AMENDMENT
to
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
for
WATERVIEW ESTATES, SECTION ONE (1)
A SUBDIVISION IN FORT BEND COUNTY, TEXAS

THE STATE OF TEXAS
COUNTY OF FORT BEND

§
§
§

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, VENTANA DEVELOPMENT MORTIN, LTD., a Texas limited partnership ("Developer") is the sole record owner of that certain property known as Waterview Estates, Section One (1), a subdivision located in Fort Bend County, Texas according to the map or plat recorded under Film Code No. 20040042 of the Plat Records of Fort Bend County, Texas (the "Subdivision");

WHEREAS, Developer by that certain instrument entitled "Declaration of Covenants, Conditions and Restrictions, Waterview Estates, Section One (1) A Subdivision in Fort Bend County, Texas" filed of record in the Official Public Records of Real Property of Fort Bend County, Texas, under County Clerk's File No. 2004051859 (the "Declaration"), imposed on the Subdivision all those certain covenants, conditions, restrictions, and easements set forth therein;

WHEREAS, the Declaration was amended by those certain instruments entitled "Amended Declaration of Covenants, Conditions and Restrictions, Waterview Estates, Section One (1) a Subdivision in Fort Bend County, Texas", "Second Amendment to Declaration of Covenants, Conditions and Restrictions for Waterview Estates, Section One (1) a Subdivision in Fort Bend County, Texas", "Third Amendment to Declaration of Covenants, Conditions and Restrictions for Waterview Estates, Section One (1) a Subdivision in Fort Bend County, Texas" and "Fourth Amendment to Declaration of Covenants, Conditions and Restrictions for Waterview Estates, Section One (1) a Subdivision in Fort Bend County, Texas" respectively filed of record in the Official Public Records of Real Property of Fort Bend County, Texas under County Clerk's File Nos. 2004133762, 2007048797, 2008009939 and 2008077561 (the Declaration as amended hereinafter still referred to as "Declaration");