

2013010192



**ASSIGNMENT AND RELEASE OF DEVELOPER'S RIGHTS
CHATEAU WOODS**

WHEREAS, MARLCO LTD. (the "Developer") is the developer of that certain subdivision known as CHATEAU WOODS, as depicted on the maps or plats thereof recorded under File No. 2006-133867 in Cabinet Z, Sheets 536 through 539, of the Map Records of Montgomery County, Texas (the "Subdivision");

WHEREAS, the Subdivision is subject to that certain Declaration of Covenants, Conditions and Restrictions for Chateau Woods, of record in the Official Public Records of Real Property of Montgomery County, Texas under Clerk's File No. 2009-020967, the First and Second Amendments to the Declaration of Covenants, Conditions and Restrictions for Chateau Woods, of record in the Official Public Records of Real Property of Montgomery County, Texas under Clerk's File Nos. 2010-006364 and 2010-051992, respectively, and various other declarations of restrictions applicable to the Subdivision or portions thereof as set out in instruments recorded in the Official Public Records of Montgomery County, Texas (collectively, the "Restrictions"); and

WHEREAS, the Restrictions reserve and grant to the Developer certain rights, powers, privileges, immunities and prerogatives and imposes on the Developer certain duties and obligations relating to the Subdivision; and

WHEREAS, pursuant to the provisions of the Restrictions, CHATEAU WOODS PROPERTY OWNER'S ASSOCIATION, INC. (the "Association") has been formed and currently operates as the property owners association (as that term is used and defined in Section 202.001(2) of the TEXAS PROPERTY CODE) for the Subdivision; and

WHEREAS, Developer desires to transfer and assign to the Association Developer's rights, powers, privileges, immunities and prerogatives as reserved and granted to Developer in the Restrictions; and

WHEREAS, the Association has agreed to accept such transfer and assignment;

NOW THEREFORE, in consideration of the premises, and except as otherwise expressly provided herein, Developer has TRANSFERRED and ASSIGNED and does hereby TRANSFER and ASSIGN unto the Association all of Developer's rights, powers, privileges, immunities and prerogatives, whether expressed or implied, under the Restrictions; provided however, this assignment is not intended as and does not include a delegation of any of Developer's duties or obligations under the Restrictions, or otherwise, and the Association does not assume any such duties or obligations.

The rights, powers, privileges, immunities and prerogatives of Developer which are transferred and assigned to the Association hereunder include, but are not limited to (i) the right to appoint and replace the members of the Architectural Control Committee; (ii) the right to collect and maintain control of the maintenance fund and to administer same; and (iii) the right to enforce the

Restrictions.

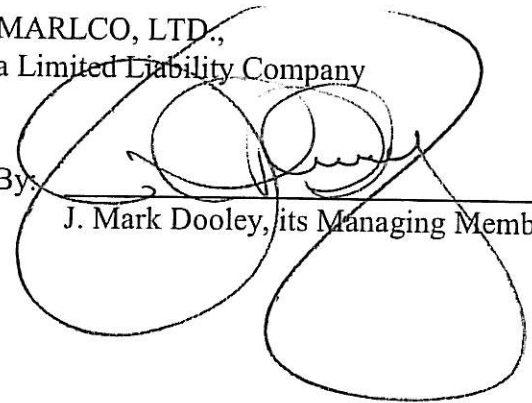
Additionally, Developer hereby RELEASES and RELINQUISHES (but does not assign), the exclusive right to select the Board of Directors of the Association, it being the intention of the Developer and the Association that from and after the date of this instrument, and except as provided in the succeeding paragraph, Developer will retain only the rights, powers and privileges of any other Lot Owner in the Subdivision.

Notwithstanding any provision to the contrary herein contained, Developer does not assign to the Association, nor does Developer release, its immunity or exemption from the payment of maintenance charges on the Lots owned by it, and, as provided in the Restrictions, the maintenance charge will continue not to accrue against any Lot during any period in which the legal and/or equitable title is vested in Developer.

EXECUTED this 14th day of December, 2012.

MARLCO, LTD.,
a Limited Liability Company

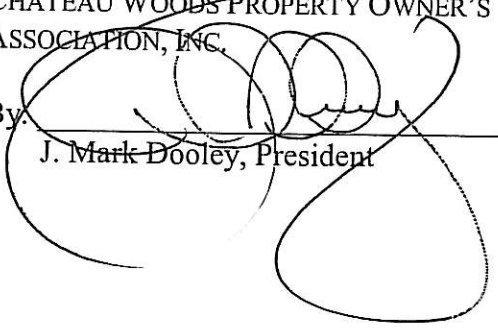
By


J. Mark Dooley, its Managing Member

AGREED TO AND ACCEPTED:

CHATEAU WOODS PROPERTY OWNER'S
ASSOCIATION, INC.

By

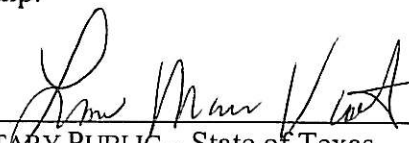

J. Mark Dooley, President

Acknowledgment

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 14th day of December, 2012, by **J. MARK DOOLEY**, Managing Member of MARLCO, Ltd., a Texas limited liability company acting in its capacity as sole general partner of MARLCO, Ltd., a Texas limited partnership), on behalf of said limited liability company on behalf of said partnership.

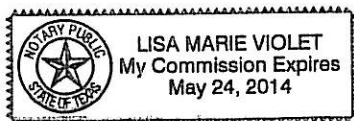




NOTARY PUBLIC – State of Texas

THE STATE OF TEXAS §
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This instrument was acknowledged before me on the 14th day of December, 2012, by **J. MARK DOOLEY**, Managing Member of MARLCO, Ltd., a Texas limited liability company acting in its capacity as sole general partner of MARLCO, Ltd., a Texas limited partnership), on behalf of said limited liability company on behalf of said partnership.





NOTARY PUBLIC – State of Texas

AFTER RECORDING RETURN TO:
Chateau Woods Property Owner's Association, Inc.
c/o The Fowler Law Firm
300 West Davis, Suite 510
Conroe, Texas 77301