

7003572

✓
3/4/70

5904

AMENDMENT TO RESTRICTIONS
PIRATES BEACH, SECTION 3
GALVESTON COUNTY, TEXAS

DEED OF TRUST
BOOK 2088 PAGE 553

THE STATE OF TEXAS X
 X
COUNTY OF GALVESTON X

WHEREAS, pursuant to the provisions of that certain instrument dated December 2, 1968, recorded in Book 2014, Page 105 of the Records in the Office of the County Clerk of Galveston County, Texas, certain restrictions were imposed upon all lots in Pirates Beach, Section 3, a Subdivision in Galveston County, Texas, according to the Replat thereof recorded in Book 1616, Page 174 of the Records in the Office of the County Clerk of Galveston County, Texas; and

WHEREAS, the aforesaid restrictions were amended in certain particulars by that certain instrument dated May 16, 1969, recorded in Book 2036, Page 210 of the Records in the Office of the County Clerk of Galveston County, Texas; and,

WHEREAS, it is the desire of the undersigned owner of a majority of the lots in the aforementioned Subdivision to amend the restrictions contained in said instrument dated December 2, 1968:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That, MITCHELL-DOBBINS LAND CORPORATION, a Texas corporation, with its offices and principal place of business in the City of Houston, Harris County, Texas, owner of a majority of the lots in Pirates Beach, Section 3, a Subdivision in Galveston County, Texas, does hereby amend the restrictions contained in said instrument dated December 2, 1968, recorded in Book 2014, Page 105 of the Records in the Office of the County Clerk of Galveston County, Texas, as heretofore amended by said instrument dated May 16, 1969, recorded in Book 2036, Page 210 of the Records in the Office of the County Clerk of Galveston County, Texas, in the following particulars:

Paragraph 18 contained in the section entitled "Maintenance Charge" is hereby amended by the addition to said Paragraph 18 of the following provision:

TRUST
2088 PAGE 554

"Notwithstanding anything contained herein to the contrary, in the event either the public and/or private roads and/or streets of this subdivision (including, but not limited to access roads) are damaged by hurricane, flood, storm or other act of nature, and the County of Galveston does not satisfactorily repair such roads, the annual maintenance charge may be increased annually during the next ensuing collection period or periods by an amount not to exceed one-half of the then current annual maintenance charge in order to raise sufficient funds to pay the cost of restoring such roads or streets to their former condition and the funds collected by reason of such increase may be used to repair such damage and/or to reimburse Mitchell-Dobbins Land Corporation, its successors or assigns, for any expense, including interest, if any, which it may have incurred in connection with the repair of such damage. After the total cost of such repairs, including interest, if any, has been paid, the annual maintenance charge shall revert to such amount as may have been collected annually prior to such increase, subject to the right of the property owners to increase such maintenance charges as herein provided."

Paragraph 19 contained in the section entitled "Maintenance Charge" is hereby amended by adding the words "public and/or private roads and/or streets (including, but not limited to, access roads)" following the word "paths" in line 4 of said Paragraph 19, so that said line 4 will now read as follows:

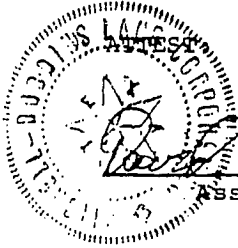
"...any), paths, public and/or private roads and/or streets (including, but not limited to, access roads), public canals, parks, playgrounds, Gulf and Bay lot-owner ...".

EXCEPT as heretofore and as herein changed and amended, all of the provisions contained in said instrument dated December 2, 1968, recorded in Book 2014, Page 105 of the Records in the Office of the County Clerk of Galveston County, Texas shall remain in full force and effect as originally written.

EXECUTED this 4th day of March, 1970.

DEED OF TRUST

OWNER: BOOK 2088 PAGE 555
MITCHELL-DOBBINS LAND CORPORATION



[Signature]
Assistant Secretary

By: [Signature]
Vice President 113

LIENHOLDERS:

BANK OF THE SOUTHWEST NATIONAL ASSOCIATION, HOUSTON

ATTEST:

Assistant Cashier

By: _____
Vice President

ATTEST:

HOUSTON BANK & TRUST COMPANY

Assistant Cashier

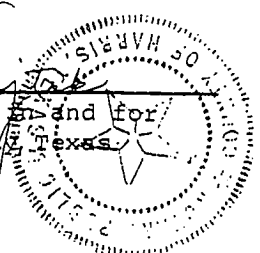
By: _____
Vice President

THE STATE OF TEXAS X
COUNTY OF HARRIS X

BEFORE ME, the undersigned authority, on this day personally appeared M. H. Thompson, Jr. known to me to be the person whose name is subscribed to the foregoing instrument, as Vice President of Mitchell-Dobbins Land Corporation, a corporation and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 4th day of March, 1970.

[Signature]
Notary Public and for
Harris County, Texas



THE STATE OF TEXAS }
COUNTY OF HARRIS }

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, as Vice President of Bank of the Southwest National Association, Houston, a corporation, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____, 1970.

DEED OF TRUST
BOOK 2088 PAGE 556

Notary Public in and for
Harris County, Texas

THE STATE OF TEXAS }
COUNTY OF HARRIS }

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, as Vice President of Houston Bank & Trust Company, a corporation, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____, 1970.

Notary Public in and for
Harris County, Texas

FILED FOR RECORD
at 9:00 o'clock 9 M
MAR 11 1970
GERTRUDE McKENNA
CLERK CO. CL. GALVESTON COUNTY, TEXAS
By Sybilonia Russell Deputy

STATE OF TEXAS COUNTY OF GALVESTON
I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of Galveston County, Texas as stamped hereon by me.

MAR 11 1970



Gertrude McKenna
COUNTY CLERK, Galveston County, Texas