

6909038

AMENDMENT TO RESTRICTIONS

PIRATES COVE, SECTION 3

GALVESTON COUNTY, TEXAS

83126

THE STATE OF TEXAS Y
 Y
COUNTY OF GALVESTON Y

DEED OF TRUST
BOOK 2036 PAGE 201

WHEREAS, pursuant to the provisions of that certain instrument dated August 6, 1968, recorded in Book 1978, Page 210, of the Records in the Office of the County Clerk of Galveston County, Texas, certain restrictions were imposed upon lots in Pirates Cove, Section 3, a Subdivision in Galveston County, Texas, according to the Map or Plat thereof recorded in Volume 1616, Page 158, 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 February 27, 1969, recorded in Book 2018, Page 789, 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 further amend the restrictions contained in said instrument dated August 6, 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, acting herein by and through its duly authorized officers, the owner of a majority of the lots located in Pirates Cove, Section 3, a Subdivision in Galveston County, Texas, does hereby amend the restrictions contained in said instrument dated August 6, 1968, recorded in

Book 1978, Page 210 of the Records in the Office of the County Clerk of Galveston County, Texas, as heretofore amended by said instrument dated February 27, 1969, recorded in Book 2018, Page 789 of the Records in the Office of the County Clerk of Galveston County, Texas, in the following particulars:

Paragraph 3 of said instrument dated August 6, 1968, entitled "Architectural Control and Construction Time" in the Section entitled "Restrictions, Covenants and Conditions", is hereby amended by the addition to said Paragraph 3 of the following:

"The water tap fee and sewer connection fee provided for herein shall be paid in cash at the time such plans and specifications are submitted to Said Committee for approval."

Paragraph 4 (h) of said instrument dated August 6, 1968, contained in the Section entitled "Restrictions, Covenants and Conditions" is hereby amended by the addition to said Paragraph 4 (h) of the following:

"An easement is hereby reserved on, over and across all lots in said Subdivision for the installation and maintenance of a temporary sewage gathering and disposal system utilizing mechanical disposal units such as "Cavittete" or similar type units. At such time as a central disposal system has been installed in said Subdivision and such temporary lines and mechanical units removed, this easement shall thereupon become abandoned and all lots in said Subdivision shall thereafter be free and clear thereof. Nothing herein contained shall alter or affect any permanent utility easement shown on the plat or set forth in the restrictions."

Except as herein and heretofore changed and amended, all of the provisions contained in said instrument dated August 6, 1968, recorded in Book 1978, Page 210 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 the 16th day of May, 1969.

OWNER:

MITCHELL-DOBBINS LAND CORPORATION

ATTEST:

[Signature]
Assistant Secretary

By:

[Signature]
Vice President

DEED OF TRUST

BOOK 2036 PAGE 203

LIENHOLDERS:

BANK OF THE SOUTHWEST NATIONAL
ASSOCIATION, HOUSTON

ATTEST:

[Signature]
Assistant Cashier

By:

[Signature]
Asst. Vice President

HOUSTON BANK & TRUST COMPANY

ATTEST:

[Signature]
Assistant Cashier

By:

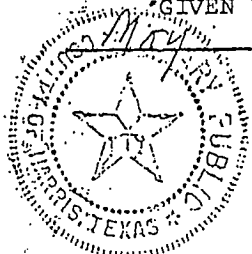
[Signature]
Vice President

THE STATE OF TEXAS X
"COUNTY OF HARRIS X

BEFORE ME, the undersigned authority, on this day personally appeared M. D. 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 16th day of May, 1969.

[Signature]
Notary Public in and for Harris County,
TEXAS



DEED OF TRUST

THE STATE OF TEXAS
COUNTY OF HARRIS

BOOK 2036 PAGE 204

BEFORE ME, the undersigned authority, on this day personally appeared JOHN W. SPARKS Assistant Vice President, 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 22nd day of MAY, 1969.

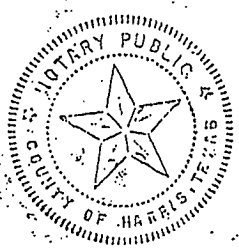


Baron Albert
Notary Public in and for Harris County,
T E X A S

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared CARL R. GRAEF, 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 16th day of May, 1969.



Velma Jean Starks
Notary Public in and for Harris County,
T E X A S

VELMAJEAN STARKS
Notary Public in and for Harris County, Texas
My Commission Expires June 1, 1969

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.

MAY 26 1969



Estelle McAnnel
COUNTY CLERK, Galveston County, Texas

FILED FOR RECORD
at 9 o'clock A M
MAY 26 1969
ERTRUDE FICKENNA
CLERK COUNTY CLERK, GALVESTON COUNTY, TEXAS
By Lydona Muscat Deputy