

6909040

DEED OF TRUST 83128
OK 2036 PAGE 210

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

THE STATE OF TEXAS I
 I
COUNTY OF GALVESTON I

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, 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 in the following particulars:

Paragraph 2 entitled "Architectural Control and Construction Time" contained in the Section entitled "Restrictions, Covenants and Conditions" is hereby amended by the addition to said Paragraph 2 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 (g) contained in the section entitled "Restrictions, Covenants and Conditions" is hereby amended by the addition to Paragraph 4 (g) 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."

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Paragraph 16 (a) contained in the section entitled "Restrictions, Covenants and Conditions" is hereby amended by deleting said Paragraph 16 (a) in its entirety and substituting therefor the following:

"(a) A water tap fee of \$150.00 will be charged to any lot requesting water service."

Except 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 16th day of May, 1969.

OWNER:
MITCHELL-DOBBINS LAND CORPORATION

By: [Signature]
Vice President

ATTEST:
[Signature]
Assistant Secretary

APPROVED:
[Signature]

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LIENHOLDERS:

BANK OF THE SOUTHWEST NATIONAL ASSOCIATION, HOUSTON

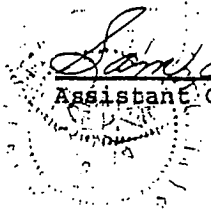
ATTEST:



[Signature]
Assistant Cashier

By: [Signature]
Vice President

ATTEST:



[Signature]
Assistant Cashier

HOUSTON BANK & TRUST COMPANY

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.

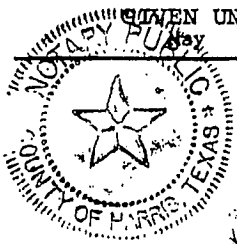
[Signature]
Notary Public in and for Harris County,
T E X A S

THE STATE OF TEXAS X
COUNTY OF HARRIS X

DEED OF TRUST
BOOK 2036 PAGE 213

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.



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

THE STATE OF TEXAS X
COUNTY OF HARRIS X

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

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

FILED FOR RECORD
at 9 o'clock 2 M
MAY 26 1969
GERTRUDE MCKENNA
CLERK OF COURT GALVESTON COUNTY, TEXAS
by Sylvia M. ... 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.

MAY 26 1969
Gertrude McKenna
COUNTY CLERK, Galveston County, Texas



5/26/69