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(A11)

AMENDMENT TO RESTRICTIONS, COVENANTS AND CONDITIONS,
PIRATES BEACH, SECTION 7
~~GALVESTON COUNTY, TEXAS~~

DEED OF TRUST
BOOK 2908 PAGE 101

THE STATE OF TEXAS §
COUNTY OF GALVESTON §

WHEREAS, by instrument dated February 23, 1977,
recorded in Book 2796, Page 605, of the Deed of Trust
Records of Galveston County, Texas, certain Restrictions,
Covenants and Conditions were imposed upon all of the lots
in Pirates Beach, Section 7, a subdivision in Galveston
County, Texas, according to the map thereof, recorded in
Volume 15, Page 57 of the Plat Records in the Office of the
County Clerk of Galveston County, Texas;

WHEREAS, such Restrictions, Covenants and Condi-
tions may be amended by an instrument signed by the owners
of a majority of the lots in said subdivision, provided that
only one vote shall be allowed for each lot in the sub-
division, regardless of whether more than one person owns a
lot, and provided further, that when one person or the
developer owns more than one lot, he or it shall be entitled
to one vote for each lot owned:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, MITCHELL DEVELOPMENT CORPORATION OF THE
SOUTHWEST, a Texas corporation with offices and place of
business in The Woodlands, Montgomery County, Texas, acting
herein by and through its undersigned duly authorized
officers, the owner of a majority of the lots in Pirates
Beach, Section 7, does by this instrument in writing, modify
and amend the aforesaid Restrictions, Covenants and Condi-
tions, in the following particulars:

Paragraph 6 captioned Location of Improvements on Page 5 of said Restrictions, Covenants and Conditions is hereby changed and amended so that such Paragraph will hereafter read and be as follows:

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Paragraph 6. Location of Improvements. No building, porch, overhang or stairs shall be located closer to the street than the front building set-back line as shown on the recorded plat and no closer than five (5') feet to any side lot line. Further, no construction or landscaping over three (3') feet in height may be placed or permitted to remain in the areas crosshatched on Exhibit "A" attached hereto and incorporated herein for all purposes. Aboveground propane tanks must be screened from public view by planting or decorative fence. Corner lots shall be deemed to front on the street along which such lot has the least amount of frontage, except those houses which have been accepted by said committee by reason of outstanding or unusual design. No fence shall be erected in front of the front building set-back line and no rear yard fencing shall be higher than four (4') feet. No building or permanent structure of any type shall be built, placed, or permitted to remain on any portion of a lot designated as open space reserve on the map or plat of this subdivision as recorded in the Office of the County Clerk of Galveston County, Texas. Those open space reserves adjoining the common lot lines of Lots 8 and 9, 24 and 25, and 38 and 39, shall be and are hereby set aside as nonvehicular access easements for the use of all lot owners in Pirates Beach and Pirates Cove.

Except as heretofore and as herein amended, all of the provisions of said Restrictions, Covenants and Conditions dated February 23, 1977, recorded in Book 2796, Page 605 of the Deed of Trust Records of Galveston County, Texas shall remain in full force and effect as originally written.

EXECUTED this 2nd day of November,

1977.

ATTEST:



James Smith

MITCHELL DEVELOPMENT CORPORATION
OF THE SOUTHWEST

By: Edward J. Preece
Senior Vice President P.C.

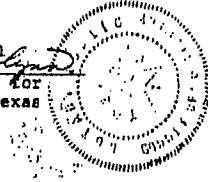
THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

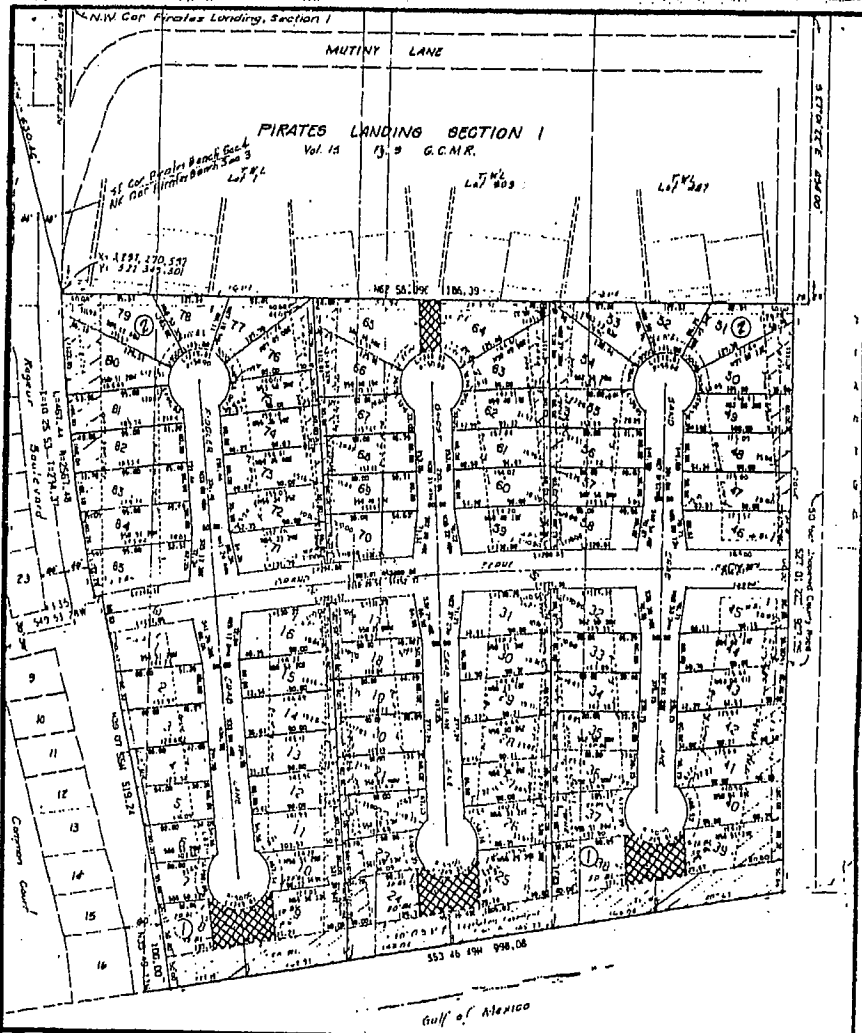
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BEFORE ME, the undersigned authority, on this day personally appeared Edward Dress, known to me to be the person whose name is subscribed to the foregoing instrument, as Senior Vice President of MITCHELL DEVELOPMENT CORPORATION OF THE SOUTHWEST, a 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 2nd day of November, 1977.

John C. Floyd
Notary Public in and for
Montgomery County, Texas





PIRATES BEACH SECTION 7

A SUBDIVISION OF 25.0068 ACRES OUT OF LOTS 1 & 14 SECTION 3, & LOTS 503 & 487, SECTION 2 OF THE TRIMBLE & LINDSEY SURVEY OF GALVESTON ISLAND, GALVESTON COUNTY TEXAS

OWNER: MITCHELL DEVELOPMENT CORPORATION OF THE SOUTHWEST
 ENGINEER: WILSON WINDLE & ASSOCIATES

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 BOOK 2008 PAGE 104

EXHIBIT "A"

DEED OF TRUST 4,
BOOK 2908 PAGE 105

134079

FILED FOR RECORD
NOV 2 4 17 PM 1977

RECORDS SECTION COUNTY CLERK

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

NOV 2 1977
John Humphrey Jr.
COUNTY CLERK, Galveston County, Texas



Rule 2 o/c
Mitchell Oil Barrel Corp
Attn: Tom Riemann
Box 149-B
Galveston, Tex
77551