

AMENDMENT TO RESTRICTIONS -- PIRATES COVE,
SECTIONS 1 AND 2, GALVESTON COUNTY, TEXAS

Handwritten: Dwelling size
28/6/08

THE STATE OF TEXAS Y
COUNTY OF GALVESTON Y

DEED OF TRUST
BOOK 1978 PAGE 218

66128

WHEREAS, under the provisions of that certain instrument dated July 12, 1967, recorded in Book 1884, page 823 of the records in the office of the County Clerk of Galveston County, Texas, certain restrictions were imposed upon various lots in Pirates Cove, Section 1, a subdivision in Galveston County, Texas according to the map or plat thereof recorded in Volume 1513, page 128 of the Map Records of Galveston County, Texas, and upon various lots in Pirates Cove, Section 2, a subdivision in Galveston County Texas according to the map or plat thereof, recorded in Volume 1616, page 126, of the Map Records of Galveston County, Texas; and,

WHEREAS, the aforesaid restrictions were amended in certain particulars by the certain instrument dated April 19, 1968, recorded in Book 1944, page 496 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 subdivisions to further amend the restrictions contained in said instrument dated July 12, 1967:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That, Mitchell-Dobbins Land Corporation, a Texas corporation with 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 each of the aforementioned subdivisions, does hereby amend the restrictions contained in said instrument dated July 12, 1967, recorded in Book 1884, page 823 of the records in the office of the County Clerk of Galveston County, Texas, as heretofore amended by said instrument dated April 19, 1968, recorded in Book 1944, page 496 of the records in the office of the County Clerk of Galveston County, Texas, in the following particulars:

Paragraph 3 captioned "Dwelling Size", contained in the section entitled "Restrictions, Covenants, and Conditions" of said instrument dated July 12, 1967, as heretofore amended, is hereby amended so that said Paragraph 3 shall hereafter be and read as follows:

"3. Dwelling Size. Only one detached single-family type dwelling may be erected on any one of said lots, and each such dwelling shall contain the minimum square feet of living area, the minimum square feet of deck area, and the minimum square feet of storage area as follows:

"(a) Each such dwelling constructed on any lot located in Pirates Cove, Section 1, shall contain not less than 1,000 square feet of living area, not less than 200 square feet of deck area, and not less than 100 square feet of closed-in ground storage area.

"(b) Each such dwelling constructed on Lots 88 to 95, inclusive, in Block Two (2) of Pirates Cove, Section 2, shall contain not less than 1,000 square feet of living area, not less than 250 square feet of deck area, and not less than 100 square feet of closed-in ground storage area.

"(c) Each such dwelling constructed on all lots in Pirates Cove, Section 2, save and except lots listed in sub-paragraph (b) above, shall contain not less than 800 square feet of living area, not less than 200 square feet of deck area, and not less than 60 square feet of closed-in ground storage area."

Paragraph 4 captioned "Type of Construction, Material and Landscape" in the section entitled "Restrictions, Covenants and Conditions" of said instrument dated July 12, 1967 is hereby amended by the addition to said Paragraph 4 of the following sub-paragraphs (k) and (l):

"(k) All houses facing a main boulevard having rolled concrete curbs must install concrete driveways.

"(l) Notwithstanding anything herein contained to the contrary, mobile homes and other building modules meeting the minimum dwelling size requirements may be raised in the subdivisions, provided that no such mobile home or other building modules may be raised in the subdivisions with horizontal or vertical type aluminum siding, and provided further that each such mobile home or other building module raised in the subdivisions must first be approved by Said Committee."

Except as herein changed and amended, all of the provisions contained in said instrument dated July 12, 1967, recorded in Book 1884, Page 823 of the Records in the office of the County Clerk of Galveston County, Texas, shall remain in full force and effect as originally written.

DEED OF TRUST

BOOK 1978 PAGE 219

EXECUTED this 6th day of August, 1968.

OWNER
MITCHELL-DOBBIENS LAND CORPORATION

ATTEST:

[Signature]
Its Assistant Secretary

By: [Signature]
Its President

APPROVED:
[Signature]

LEINHOLDER
BANK OF THE SOUTHWEST NATIONAL ASSOCIATION,
HOUSTON

ATTEST:

[Signature]
Its Assistant Cashier

By: [Signature]
Its Vice-President

DEED OF TRUST
BOOK 1978 PAGE 220

THE STATE OF TEXAS X
COUNTY OF HARRIS X

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 6th day of August, 1968.

[Signature]
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 James H. Brown, known to me to be the person whose name is subscribed to the foregoing instrument as Vice President of the Bank of the Southwest National Association, Houston, a Texas corporation, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 15th day of August, 1968.

[Signature]
NOTARY PUBLIC in and for:
Harris County, T e x a s

LIENHOLDER

HOUSTON BANK & TRUST COMPANY

ATTEST:

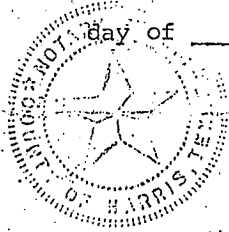
Sam W. Lusk
Its Assistant Cashier

By: Carl R. Graef
Its Vice President

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 Texas corporation, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 16th day of August, 1968.



Doris Benson
NOTARY PUBLIC in and for
Harris County, T e x a s

DORIS BENSON
* Notary Public in and for Harris County, Texas
My Commission Expires June 1, 1969

FILED FOR RECORD
9 o'clock A M
SEP 3 1968
GERTRUDE McKENNA
CLERK CO. CL. GALVESTON COUNTY, TEXAS
By Catrina Publico 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.

SEP 3 - 1968



Gertrude McKenna
COUNTY CLERK, Galveston County, Texas

DEED OF TRUST
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