

012-61-1354

## FIRST AMENDMENT TO DECLARATION

OF

## COVENANTS, CONDITIONS AND RESTRICTIONS

STATE OF TEXAS

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COUNTY OF GALVESTON

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In accordance with the Declaration of Covenants, Conditions and Restrictions filed of record in the Office of the County Clerk of Galveston County, Texas under Clerk's File No. 9601322, these Restrictions are hereby filed of record as the First Amendment to the Restrictions. Said Amendments are specifically outlined below as follows:

Article III, entitled Use Restrictions, Section 8 is hereby amended as follows:

Section 8. The main floor of the main structure, exclusive of open porches and garages, and exclusive of the area beneath the main floor, shall not be less than the following designated square feet of living area as outlined below:

- a) As to Lot nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22, respectively, herein designated on the plat of the Subdivision known as RANCHO CARRIBE, the main structure shall not be less than sixteen hundred (1600) square feet of living area;
- b) As to Lot nos. 23, 24, 31, 32, 33, 34, 43, 44, 45, 46, 55, 56, 57, 58, 67, 68, 69, 70, 79, 80, and 81, respectively, herein designated on the plat of Subdivision known as RANCHO CARRIBE, the main structure shall not be less than fourteen hundred (1400) square feet of living area; and
- c) As to Lot nos. 25, 26, 27, 28, 29, 30, 35, 36, 37, 38, 39, 40, 41, 42, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 65, 66, 71, 72, 73, 74, 75, 76, 77, 78, 82, 83, 84, 85, 86, 87, and 88, respectively, herein designated on the plat of the Subdivision known as RANCHO CARRIBE, the main structure shall not be less than twelve hundred (1200) square feet of living area.

Article III, entitled Use Restrictions, Section 9 is hereby amended as follows:

Section 9. No building shall be located nearer to the respective boundaries of the respective lots than the minimum building set-back lines as shown on the Amended Plat marked as Exhibit "A" and made a part hereof for all purposes. Any mention in the Restrictions filed of record in the Office of the County Clerk herein, shall refer to the Amended Plat attached hereto.

Article V, entitled Covenants for Maintenance Assessments, Section 8 is hereby amended as follows:

Section 8. All that part of the Property designated on the plat as Reserves A, B, C, and D and the numbered Lots in the Subdivision known as RANCHO CARRIBE, which Declarant has not sold or conveyed shall be exempt from the provisions of this Article V.

These Amendments constitute all Amendments made to the original Declaration of Covenants, Conditions, and Restrictions and are submitted in accordance with the provisions outlined for making such amendments. Said provisions require an instrument signed by not less than seventy-five (75%) of the Lot owners. The Lot Owners' signatures below constitute the minimum seventy-five percent (75%) required for such Amendment.

Any and all contents outlined in the original Declaration of Covenants, Conditions, and Restrictions, not specifically amended herein, remain in their entirety.

EXECUTED this 26<sup>th</sup> day of May, 1998.

## DECLARANT:

FOUR D. VENTURE, INC.

By: Julia A. Turbeville  
Julia A. Turbeville  
President

By: Wallis W. Smith  
Wallis W. Smith  
Secretary

## PROPERTY OWNERS:

Julia A. Turbeville  
JULIA A. TURBEVILLE

Cherice Ann Smith  
CHERICE ANN SMITH

Lucy S. Roy  
LUCY S. ROY

Pat Rogers  
PAT ROGERS

Sandy Cheer  
SANDY CHEER

Wallis W. Smith  
WALLIS W. SMITH

Cary Lee Smith  
CARY LEE SMITH

P. Kay Eshbach  
P. KAY ESHBACH

Maryanne Rogers  
MARYANNE ROGERS

Robert J. Cartier  
ROBERT J. CARTIER

STATE OF TEXAS

COUNTY OF GALVESTON

This instrument was acknowledged before me on this the 17<sup>th</sup> day of February, 1998 by Julia A. Turbeville and Wallis W. Smith, President and Secretary, respectively, of Four D. Venture, Inc., a Texas corporation on behalf of said corporation, and individually as Property Owners, and by Cary Lee Smith and Cherice Ann Smith.



Marcia L. Gilmore  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS  
My Commission Expires: 4-6-00

STATE OF TEXAS

COUNTY OF GALVESTON

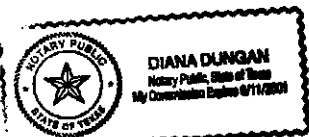
This instrument was acknowledged before me on this the 17<sup>th</sup> day of February, 1998 by P. Kay Eshbach, Pat Rogers, Maryanne Rogers, Lucy S. Roy and Robert J. Cartier.



Marcia L. Gilmore  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS  
My Commission Expires: 4-6-00

STATE OF ~~NEW HAMPSHIRE~~ TEXASCOUNTY OF GALVESTON

This instrument was acknowledged before me on this the 19<sup>th</sup> day of February, 1998 by Sandy Cheer.



Diana Dungan  
NOTARY PUBLIC IN AND FOR  
THE STATE OF ~~NEW HAMPSHIRE~~ TEXAS  
My Commission Expires: 8-11-2001

PROPERTY OWNERS:

F. DAVID CLAYBAR

SCOTT HAMILTON

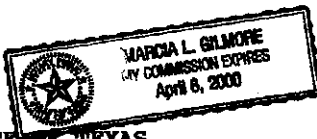
PEGGY S. CLAYBAR

EDD McDONALD

STATE OF TEXAS

COUNTY OF Orange

This instrument was acknowledged before me on this the 3rd  
day of March, 1998 by F. David Claybar and Peggy S.  
Claybar.



Marcia L. Gilmore  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 4-6-00

STATE OF TEXAS

COUNTY OF GALVESTON

This instrument was acknowledged before me on this the 3rd  
day of March, 1998 by Scott Hamilton.



Marcia L. Gilmore  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 4-6-00

STATE OF TEXAS

COUNTY OF Jefferson

This instrument was acknowledged before me on this the 24th  
day of February, 1998 by Edd McDonald.



Patricia A. Focken  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: \_\_\_\_\_

Return To:

Terri L. Varner - and  
40 Rancho Carribe Property Owners Assoc.  
5320 Bracburn Dr.  
Bellaire, TX 77401

012-61-1357

PROPERTY OWNERS:

Michael R. Meeks  
MICHAEL R. MEEKS

Ruth Meeks  
RUTH MEEKS

Terri L. Varner  
TERRI L. VARNER

OCEAN RESORT PROPERTIES

By: William T. Varner  
William T. Varner,  
President

SETCO GENERAL CONTRACTORS

By: Tom Adam  
Tom Adam, Officer

STATE OF TEXAS

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COUNTY OF GALVESTON

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This instrument was acknowledged before me on this the 14th day of Feb, 1998 by Terri L. Varner, Michael R. Meeks, Ruth Meeks, and by William T. Varner, President of Ocean Resort Properties, a Texas limited partnership, on September 1, 2000 of said partnership.

John J. Jones  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 9-1-2000

STATE OF TEXAS

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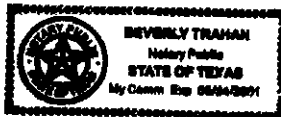
COUNTY OF Jefferson

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This instrument was acknowledged before me on this the 23rd day of February, 1998 by Tom Adam, Officer for Setco General Contractors.

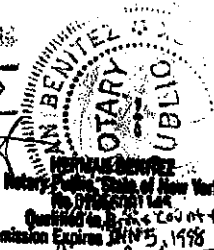
Beverly Trahan  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 6/24/01



012-61-1358

STATE OF NEW YORK  
COUNTY OF Brooklyn  
SWORN TO BEFORE ME Carolyn Speich  
THIS 4th DAY OF March 19 98



PROPERTY OWNERS:

Gary Robinson  
GARY ROBINSON  
Randolph J. Speich  
RANDOLPH J. SPEICH  
Dirk W. Blankenship  
DIRK W. BLANKENSHIP

Carolyn Speich  
Carolyn Speich  
CAROLYN SPEICH  
Sharon Blankenship  
SHARON K. BLANKENSHIP

STATE OF TEXAS  
COUNTY OF Jefferson

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This instrument was acknowledged before me on this the 7th  
day of April, 1998 by Gary Robinson.



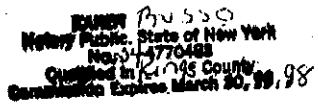
Stacey P. Robinson  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 7-19-99

STATE OF NEW YORK  
COUNTY OF New York

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This instrument was acknowledged before me on this the 3rd  
day of March, 1998 by Randolph J. Speich and Sharon Blankenship.



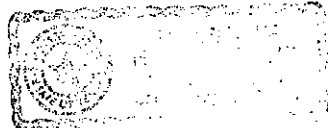
Karen Russo  
NOTARY PUBLIC IN AND FOR  
THE STATE OF NEW YORK

My Commission Expires: 3/30/98

STATE OF TEXAS  
COUNTY OF HARRIS

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This instrument was acknowledged before me on this the 19  
day of MARCH, 1998 by Dirk W. Blankenship and Sharon K. Blankenship.



James Hugg  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 6-16-98

012-61-1359

PROPERTY OWNERS:

[Signature]  
TOM OVERSTREET

Contract for Deed

[Signature]  
SCOTT MURFF

Contract for Deed

[Signature]  
GEORGE GOBER

Contract for Deed

[Signature]  
JUDY OVERSTREET

Contract for Deed

[Signature]  
LINDY MURFF

Contract for Deed

STATE OF TEXAS

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COUNTY OF

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This instrument was acknowledged before me on this the 31<sup>st</sup>  
day of March, 1998 by Tom Overstreet and Judy  
Overstreet.

[Signature]  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 5/29/01

STATE OF TEXAS

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COUNTY OF

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This instrument was acknowledged before me on this the 26<sup>th</sup>  
day of March, 1998 by Scott Murff and Lindy Murff.



[Signature]  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 02/26/01

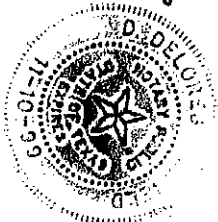
STATE OF TEXAS

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COUNTY OF

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This instrument was acknowledged before me on this the 16<sup>th</sup>  
day of April, 1998 by George Gober.



[Signature]  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 11/10/99

012-61-1360

PROPERTY OWNER:

James C. Veirs  
JAMES C. VEIRS  
~~Contract for Deed~~ ✓

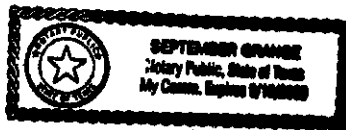
Barbara Veirs  
BARABRA VEIRS  
~~Contract for Deed~~ ✓

STATE OF TEXAS

COUNTY OF

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This instrument was acknowledged before me on this the 14  
day of April, 1998 by James C. Veirs and Barbara Veirs.



September Granger  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 9-18-2000

012-61-1361

PROPERTY OWNER:

Everett L. Talbot

EVERETT TALBOT  
Contract for Deed

STATE OF TEXAS

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COUNTY OF HARRIS

This instrument was acknowledged before me on this the 10th  
day of April, 1998 by Everett Talbot.



Kimberly Wootton  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 9/26/98



012-61-1362

PROPERTY OWNER:

Roger Allen Taylor  
ROGER TAYLOR  
Contract for Deed

STATE OF TEXAS

COUNTY OF Brazoria

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This instrument was acknowledged before me on this the 30th  
day of April, 1998 by Roger Taylor.



Dianne Buckelew  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 3/27/99

012-61-1363

PROPERTY OWNER:

Gilbert Low  
GILBERT LOW  
Contract for Deed

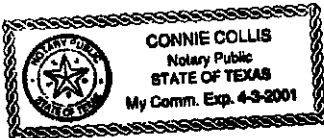
STATE OF TEXAS §

COUNTY OF JEFFERSON §

9th This instrument was acknowledged before me on this the  
day of April, 1998, by Gilbert Low.

Connie Collis  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires 4-3-2001



012-61-1364

PROPERTY OWNER:

George A. Snyder  
GEORGE A. SNYDER  
Contract for Deed

STATE OF TEXAS

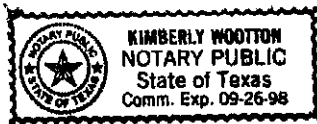
COUNTY OF ~~HARRIS~~ Galveston

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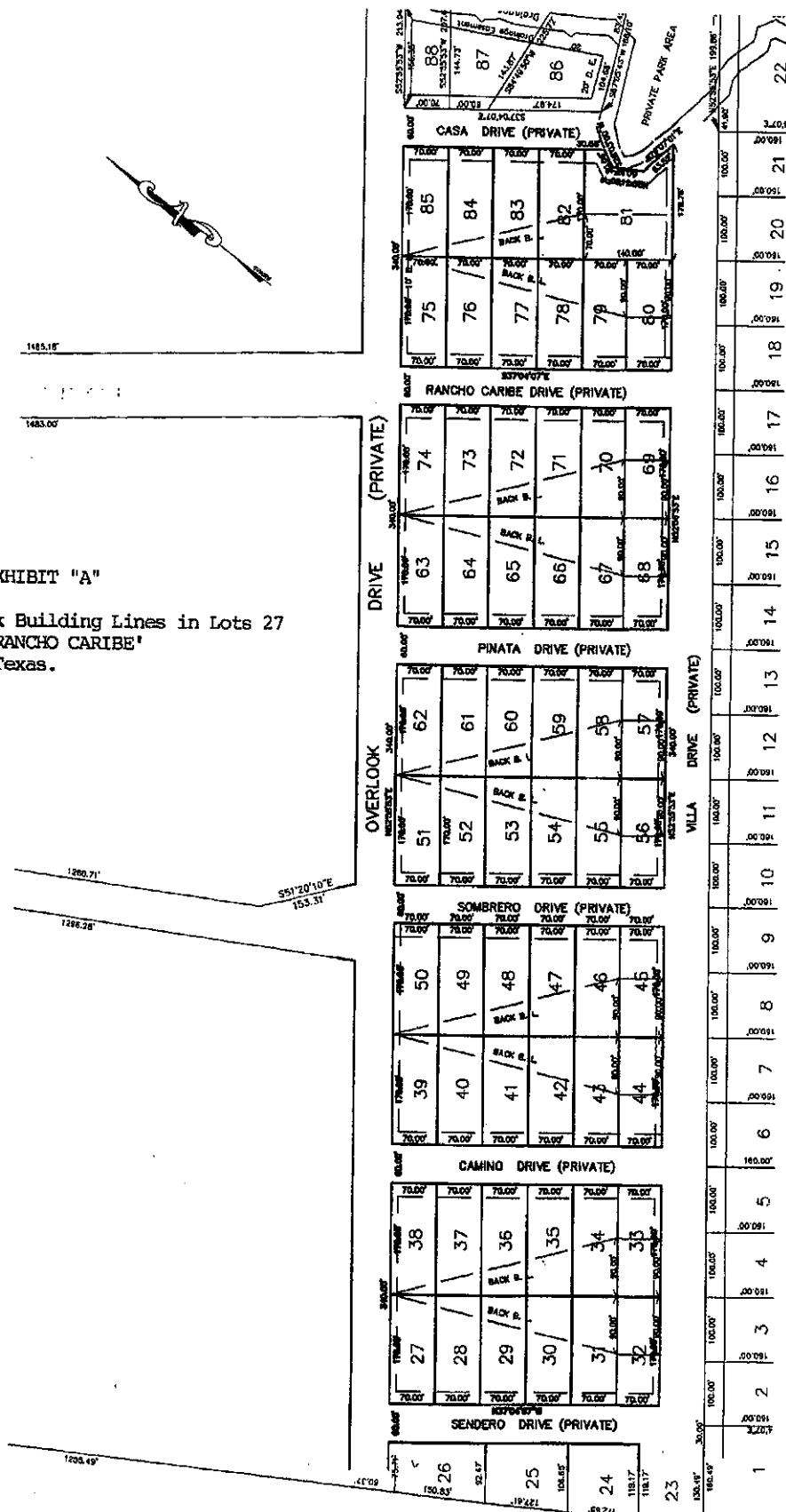
This instrument was acknowledged before me on this the 27th  
day of May, 1998 by George A. Snyder.

Kimberly Wootton  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 9/26/98



Re-location of Back Building Lines in Lots 27  
through Lot 80 of RANCHO CARIBE'  
Galveston County, Texas.



FILED AND RECORDED 012-61-1366  
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

*Patricia Ritchie*

5-27-98 02:07 PM 9823979  
LONG D \$31.00  
Patricia Ritchie, County Clerk  
GALVESTON COUNTY, TEXAS

RECORDER'S MEMORANDUM

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.