

014-66-0316

SECOND 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 for Rancho Carribe, a subdivision in Galveston County, Texas, recorded in the Office of the County Clerk of Galveston County, Texas under Clerk's File No. 9601322, as Amended by First Amendment to Declaration recorded in the Office of the County Clerk of Galveston County, Texas, under Clerk's File No. 9823979, at least seventy-five percent (75%) of the Lot Owners in the subdivision have elected to amend the above Covenants, Conditions, and Restrictions. The Amendments are specifically outlined below as follows:

Article V, entitled Covenants for Maintenance Assessments, Section 1, is hereby amended as follows:

"Section 1. Except as specifically set forth below, the Declarant and Property Owners, for each Lot owned within the Property, hereby covenant, and each Owner of any Lot by acceptance of a Deed therefore, whether or not it shall be so expressed in such Deed, is deemed to covenant and agree to pay to the Association: (1) annual assessments or charges, and (2) special assessments for capital improvements, maintenance or ad valorem taxes levied on the Common Area, such assessments to be established and collected as hereinafter provided. The annual and special assessments, together with interest, costs and reasonable attorney's fees, shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. Each such assessment, together with interest, costs, and reasonable attorney's fees, shall also be the personal obligation of the person who was the Owner of such property at the time the assessment fell due.

Notwithstanding the foregoing, the Association shall have the authority, in its sole discretion, to waive maintenance assessments (both annual and special) for additional contiguous Lots owned by the same Owner or Owners. Specifically, and in the full discretion of the Association, waiver of assessments may be considered where the Owner or Owners have completed a home on one or more Lots, own one or more contiguous Lots, and represent to the satisfaction of the Association that they do not intend to build upon or sell the vacant Lot(s), separately from the contiguous home

The granting of waivers of maintenance assessments shall be made on an annual basis, shall be the sole and absolute discretion of the Association, and may be revoked at any time by the

Association The Association shall have the authority to require Affidavits or other documentation as deemed necessary by the Association when considering or granting a waiver.

If the Association determines that a Lot or a portion of a Lot has been built upon or sold contrary to representations made to the Association in connection with the granting of a waiver under this Section, the Association may assess against that Lot all annual and special assessments which would have been assessed had the waiver not been in place, back to the original effective date of the waiver."

These Amendments constitute all Amendments made to the original Declaration of Covenants, Conditions, and Restrictions and the First Amendment to Declaration of Covenants, Conditions, and Restrictions, and are submitted in accordance with the provisions outlined for making such Amendments. Accordingly, this instrument is signed by not less than seventy-five percent (75%) of the Owners of Lots in the subdivision

Except as amended hereby, the original Declaration of Conditions and Restrictions and First Amendment thereto, shall remain in full force and effect according to their terms. This Amendment shall be effective as of the date it is recorded in the Official Real Property Records for Galveston County, Texas.

EXECUTED this 26th day of May, 2000

DECLARANT:

FOUR D VENTURE, INC.

By: Wallis W. Smith
Wallis W. Smith, Secretary
Owner Lots 81, 83, 84

PROPERTY OWNERS:

Julia A. Turbeville
JULIA A. TURBEVILLE
Owner Lot 22

Wallis W. Smith
WALLIS W. SMITH
Owner Lot 22

STATE OF TEXAS

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COUNTY OF GALVESTON

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This instrument was acknowledged before me on this the 6th day of May, 2000 by Wallis W. Smith, Secretary for and on behalf of Four D Venture, Inc., a Texas corporation, and Wallis W. Smith and Julia A. Turbeville, individually as Property Owners.



Kimberly Wootton
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 9/26/02

014-66-0318

PROPERTY OWNERS:

F.

DAVID F. CLAYBAR
Owner Lots 1,2

MIKE MORRIS
Owner Lots 69,70

PEGGY S. CLAYBAR
Owner Lots 1,2

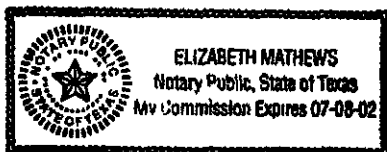
DIANE MORRIS
Owner Lots 69,70

STATE OF TEXAS

COUNTY OF

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This instrument was acknowledged before me on this the 16th
day of May, 2000 by David F. Claybar and wife, Peggy
S. Claybar.



Elizabeth Mathews
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

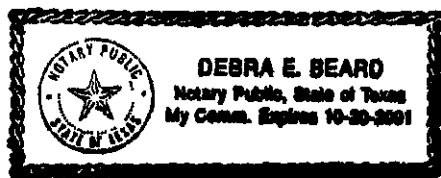
My Commission Expires: 7-8-02

STATE OF TEXAS

COUNTY OF

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This instrument was acknowledged before me on this the 17th
day of May, 2000 by Mike Morris and wife, Diane
Morris.



Debra E. Beard
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires. 10-20-01

014-66-0319

PROPERTY OWNERS:

Scott Hamilton
SCOTT HAMILTON
Owner Lot 3

Everette Talbot
EVERETTE TALBOT
Owner Lot 14

Michael R. Meeks
MICHAEL R. MEEKS
Owner Lot 9

CANNONBILT HOMES, LLC
By: Willis P. Conner, Jr.
Willis P. Conner, Jr. Partner
Owner Lots 65,66,75,76 & #2 Green

P. Kay Eshbach
P. KAY ESHBACH
Owner Lot 19

Ruth Meeks
RUTH MEEKS
Owner Lots 79,80

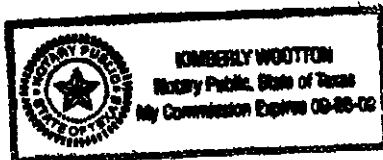
OCEAN RESORT PROPERTIES, LTD.
By: Terri L. Varner
Terri L. Varner, Manager
Owner Lots 18,23,26,45,46

STATE OF TEXAS

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COUNTY OF GALVESTON

This instrument was acknowledged before me on this the 6th
day of MAY, 2000 by Scott Hamilton, Everette Talbot,
and P. Kay Eshbach.



Kimberly Wootton
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 9/26/02

STATE OF TEXAS

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COUNTY OF GALVESTON

This instrument was acknowledged before me on this the 6th
day of May, 2000 by Michael R. Meeks, Ruth Meeks,
Terri L. Varner, Manager for and on behalf of Ocean Resort
Properties, a Texas limited partnership, and Willis P. Conner, Jr.,
for and on behalf of Cannonbilt Homes, a Texas limited liability
company.



Kimberly Wootton
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 9/26/02

014-66-0320

PROPERTY OWNERS:

DAVID SNEED
Owner Lots 47,48

DARBY WAYNE MOUTON
Owner Lots 43,44

AL WHALEY
Owner Lots 55,56

MARY F. BRADFORD
Owner Lots 57,58

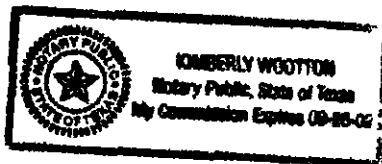
VICKIE MOUTON
Owner Lots 43,44

M. CAROLYN WHALEY
Owner Lots 55,56

STATE OF TEXAS
COUNTY OF GALVESTON

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This instrument was acknowledged before me on this the 6th
day of May, 2000 by David Sneed, Darby Wayne Mouton
and wife, Vickie Mouton.



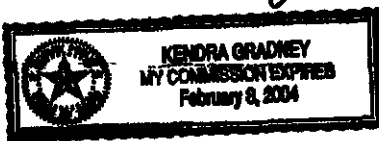
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 9/26/02

STATE OF TEXAS
COUNTY OF JEFFERSON

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This instrument was acknowledged before me on this the 12th
day of May, 2000 by Mary F. Bradford.



NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 2-8-04

STATE OF TEXAS
COUNTY OF

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This instrument was acknowledged before me on this the 6th
day of May, 2000 Al Whaley and wife, M. Carolyn
Whaley.



NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 9/26/02

014-66-0321

PROPERTY OWNERS:

James C. Veirs
JAMES C. VEIRS
Owner Lot 4

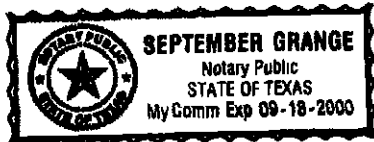
Barbara Veirs
BARBARA VEIRS
Owner Lot 4

STATE OF TEXAS

COUNTY OF

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This instrument was acknowledged before me on this the 10
day of May, 2000 by James C. Veirs and wife, Barbara
Veirs.



September Grange
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 9-18-2000

014-66-0322

PROPERTY OWNER:

Lucy S. Roy

LUCY S. ROY

Owner Lot 6

STATE OF TEXAS

COUNTY OF GALVESTON

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This instrument was acknowledged before me on this the 19th
day of May, 2000 by Lucy S. Roy.

Kimberly Wootton

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 9/26/02



014-66-0323

PROPERTY OWNER:

Gilbert J. Low
GILBERT LOW
Owner Lot 13

STATE OF TEXAS

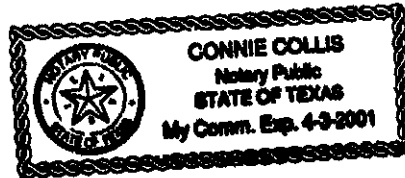
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COUNTY OF JEFFERSON

This instrument was acknowledged before me on this the 4TH
day of MAY, 2000 by Gilbert Low.

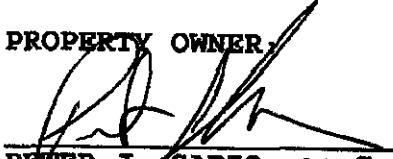
Connie Collis
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires 4-3-2001



014-66-0324

PROPERTY OWNER

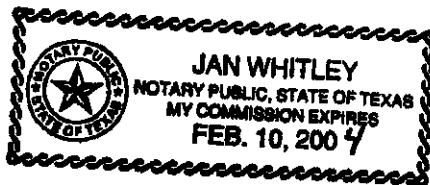

PETER J. SAPIO, as Custodian for
COURTNEY MARIE SAPIO
Owner Lot 15


STATE OF TEXAS

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COUNTY OF GALVESTON

This instrument was acknowledged before me on this the 5th
day of May, 2000 by Peter J. Sapio, as Custodian for
Courtney Marie Sapio




NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: _____

014-66-0325

PROPERTY OWNERS:

MCNEILL FAMILY PARTNERSHIP

By: Jack McNeill
Jack McNeill, Partner
Owner Lot 17

TAM LIMITED PARTNERSHIP

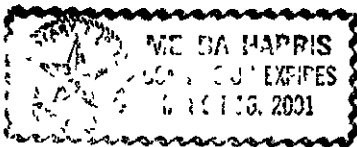
By: Thomas M. Smith
Thomas M. Smith, Partner
Owner Lots 33, 34, 35, 36 & 37 1/2

STATE OF TEXAS

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COUNTY OF JEFFERSON

This instrument was acknowledged before me on this the 19th day of May, 2000, by Jack McNeill, for and on behalf of McNeill Family Partnership, a Texas limited partnership, and by Thomas M. Smith, for and on behalf of TAM Limited Partnership, a Texas limited partnership.



Melba Harris
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 3-16-01

014-66-0326

PROPERTY OWNERS:

PAT ROGERS
Owner Lots 20, 21

MARYANNE ROGERS
Owner Lots 20, 21

STATE OF TEXAS

COUNTY OF GALVESTON

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This instrument was acknowledged before me on this the 6th
day of May, 2000 by Pat Rogers and wife, Maryanne
Rogers.

Diana Dungan
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 6-11-2001



014-66-0327

PROPERTY OWNERS:

Doug Mason
DOUG MASON
Owner Lots 32,31,30,29 & 1/2 28

Judy Kellaway Mason
JUDY KELLAWAY MASON
Owner Lots 32,31,30,29 & 1/2 28

James T. Konen
JAMES T. KONEN
Owner Lots 67,68

Diane L. Konen
DIANE L. KONEN
Owner Lots 67,68

STATE OF TEXAS

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COUNTY OF

This instrument was acknowledged before me on this the 8th
day of May, 2000 by Doug Mason and wife, Judy Kellaway
Mason



Tina M. Gutierrez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

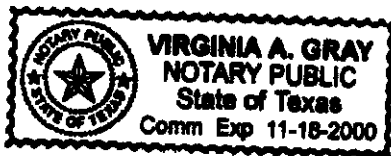
My Commission Expires: 3-23-03

STATE OF TEXAS

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COUNTY OF

This instrument was acknowledged before me on this the 12th
day of May, 2000 by James T. Konen and wife, Diane L.
Konen.



Virginia A. Gray
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 11/18/00

014-66-0328

PROPERTY OWNER:

Sandy Chea Sandy Cheer
SANDY ~~SHEER~~ CHEER
Owner Lots 73,74

STATE OF NEW ~~HAMPSHIRE~~

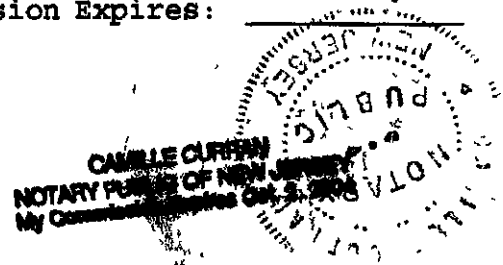
COUNTY OF Ocean

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This instrument was acknowledged before me on this the 9th
day of May, 2000 by Sandy ~~Cheer~~.

Camille Curran
NOTARY PUBLIC IN AND FOR
THE STATE OF NEW ~~HAMPSHIRE~~ Jersey

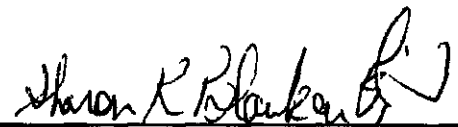
My Commission Expires: _____



014-66-0329

PROPERTY OWNERS:


DIRK W. BLANKENSHIP
Owner Lot 88



SHARON K. BLANKENSHIP
Owner Lot 88

STATE OF TEXAS

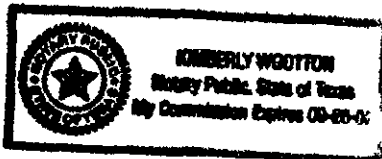
COUNTY OF HARRIS

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This instrument was acknowledged before me on this the 19th
day of May, 2000 by Dirk W. Blankenship and wife,
Sharon K. Blankenship.


NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS


My Commission Expires: 9/26/02



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.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY


2000 JUN 22 09:14 AM 2000030801
HODD_P \$35.00
Patricia Ritchie, COUNTY CLERK
GALVESTON, TEXAS

Rancho Carribe Property Owners Assn
PO Box 2044
Crystal Beach, Tx. 77650
PAID