

AMENDED  
DEED RESTRICTION ANALYSIS  
BRIDGEPOINT SUBDIVISION

February 15, 2023 – May 19, 2023

This amended report is being furnished at the request of Mr. Len Vogel, President of the Bridgepoint Civic Association, to determine which properties within the boundaries of Bridgepoint Subdivision are affected or bound by the Deed Restrictions and Amendments thereto as found in the Public Records of Montgomery County, Texas. Subsequent to my original report, a resident of the Bridgepoint community, Mr. Robert Taylor, raised some questions with the Board of Directors which are addressed herein. A copy of Mr. Taylor's letter is included as Exhibit 5 herein.

Question One of Mr. Taylor's letter should be addressed by the Board of Directors.

Question Two – The Plat numbers used in my report were accurate. The only numbers available at the time the consent letters were executed were "Tract" numbers, as the means of conveyance was by metes and bounds. These "Tract" were referenced to the unrecorded plat. The "Tract" lots were added to the recorded plat (1996) and given an assigned Lot number. To better illustrate this I have amended Page (4) of this amended report to show the original "Tract" numbers and the resulting change to Lots numbers on the recorded plat. Although there were only 8 Consents Letters executed, one of the letters included 2 Lots, resulting in a total of 9.

Question Three – Mr. Taylor's conclusion that the Consent to Plat documents were a consent to "abide by the 1996 First Amended Restrictions" is incorrect. As stated in my original report on Page 3, these consents were given to B. & A. Interest, Inc. with the understanding that their respective tracts would be shown on the proposed plat of Bridgepoint Subdivision (1996), without altering the size or location of their individual tracts. Note: Consent Letter under CFN 9672479 of the RPR covered "Tract" 12 (2.380 acres), but this tract did not receive a designated Lot number on the 1996 plat. It is shown as 2.380 acres, situated between Lot 13 and 14, Block 1 of the recorded plat.

Question Four – As Mr. Taylor pointed out, the land North of Jones Gully might include additional lots. Upon review I believe that only the lot shown in the name of Jersey should be included as a "red" lot. There are no legal descriptions of record defining the meanders of Jones Gully and my report is amended to show the Jersey lot as a red lot. (Lot 46, Block1) The lots at the front present a different scenario, because there is a definitive distance (400 feet) affecting the land. The southern parts of the Stanley Lot and the Johnson Lot would be covered by the 1996 First Amended Restrictions.

- 1.) Restrictions dated August 1, 1978 as recorded in Volume 1078, Page 653 of the Deed Records of Montgomery County, Texas. Said Restrictions are applicable to 171.006 acres and 28.996 acres of land situated in the Neal Martin Survey, Abstract No. 26, Montgomery County, Texas. Said property is more particularly described by metes and bounds in deed recorded in Volume 1048, Page 227 of the Deed Records of Montgomery County, Texas. It is noted therein that the land north of Jones Gully (not identified) is excluded from said Restrictions, and the portion of said

171.006 acres lying 400 feet north of FM 1097 is also excluded from said Restrictions. (See Exhibit 1A. )

- 2.) Modification of Restrictions dated November 30, 1979 as recorded under Clerk's File No. 8020179 of the Real Property Records of Montgomery County, Texas. Amends Section 1, Paragraph 4 of the Original Restrictions.
- 3.) Restrictions reserved by Warranty Deed dated August 16, 1996 recorded under Clerk's File No. 9651557 of the Real Property Records of Montgomery County, Texas. This Deed is a conveyance of previously unsold property out of a 171.006 acre tract and a 28.996 acre tract and part of a 414.685 acre tract, all situated in the Neal Martin Survey, Abstract No. 26, Montgomery County, Texas. Said tracts are identified and described as Tract A through H, inclusive and containing a composite of 247.09 acres: (See Exhibits 1A and 1B.)

TRACT A -	1.999 acres
TRACT B -	11.116 acres
TRACT C -	1.269 acres
TRACT D -	66.648 acres
TRACT E -	17.299 acres
TRACT F -	145.686 acres
TRACT G -	2.206 acres
TRACT H -	0.068 acres

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Composite Total: 247.09 acres

The property in this conveyance is subject to: "any and all restrictions, covenants, conditions, assessments, maintenance charges...." In addition, " no business of a commercial nature, whether for profit or not, shall be permitted, nor shall there be permitted manufactured housing, mobile homes, campers or trailers on any of the herein described property." These restrictions are applicable to all property acquired herein which is part of said 171.006 acres and 28.995 acre, including the property north of Jones Gully and the property lying 440 feet north of FM 1097.

- 4.) First Amendment of Restrictions of Bridgepoint Subdivision dated December 27, 1996 recorded under Clerk's File No. 9679843 of the Real Property Records of Montgomery County, Texas. The current owner, B. & A. Interest, Inc. having previously acquired certain properties from the original developer, being out and part of a 171.006 acre tract and a 28.995 acre tract desires to impose additional covenants and restrictions against said property which shall not be in violation of the original Restrictions. The portion of land to which said additional covenants and restrictions are being added has been platted as 125.22 acres, known as BRIDGEPOINT SECTION ONE, and recorded in Cabinet I, Sheets 150 and 151 of the Map Records of Montgomery County, Texas. Certain Lots have been excluded from the coverage of said Amended Restrictions, namely: (See Exhibit 2 – Recorded Plat)  
Lots 11, 15, 18, 19, 20, 34 and 35 – Block One (1);

Lot 10 – Block Two (2) Note: The purpose of this First Amended Restriction should have been more clearly stated, thus...."B. & A. Interest, Inc....desires to place an additional covenants and restriction against a portion of said acreage; and.... Shall be in addition and not in violation of the Restrictions (of 1978.)

- 5.) Amendment and Modification of Restrictions dated March 3, 1997 recorded under Clerk's File No. 9717572 of the Real Property Records of Montgomery County, Texas. This Amendment and Modification pertains to those restrictions set forth in Warranty Deed dated August 16, 1996 recorded under Clerk's File No. 9651557 of the Real Property Records of Montgomery County, Texas. It was the original intention of the parties to said Deed that Tract F (145.686 acres) described therein, be excluded and exempt from such restrictions. (See Exhibit 1B.) This amendment is executed to correct said mistake and thereby cancel, release and discharge said restriction as to said 145.686 acres. Said restriction is modified as to Tract F as follows: " no noxious or offensive activity or any activity which would constitute a nuisance offensive to persons of ordinary sensitivities." This amendment affects Lots 1 through 6 in Block 1 and Lots 1 through 6 and Lot 12 in Block 2 of the recorded Plat of Bridgepoint, Section One (1). (Crosshatched on Plat – See Exhibit 4 . )
- 6.) Second Amendment to Restrictions dated February 26, 2006 recorded under Clerk's File No. 2006-02476- of the Official Public Records of Montgomery County, Texas. This Amendment only affects the internal language to First Amended Restrictions (Item 4 above.)  
Amends Article VI, Par. 6.02 (c).  
Amends Article VI, Par. 6.02 (b).  
Amends Article VIII, Par. 8.01
- 7.) Third Amendment to Restrictions dated September 14, 2006 recorded under Clerk's File No. 2006-109495 of the Official Public Records of Montgomery County, Texas. This Amendment only affects the internal language to First Amended Restrictions (Item 4 above.)  
Amends Article III Par. 3.07 Water Supply
- 8.) Voluntary Adoption of Restrictions dated November 10, 2004 recorded under Clerk's File No. 2004-126726 of the Official Public Records of Montgomery County, Texas executed by Michael Paine and Carol. The parties agree to adopt the First Amended Restrictions set forth in Item 4 above as running with Tracts 28 and the S/2 of Tract 29 containing a total of 1.50 acres as described therein. Said property is now owned by CRAWFORD.

It is noted here that there were various Consent to Plat of a Subdivision documents recorded in the Public Records in 1996. These various "consents" were given to B. & A. Interests, Inc. with the understanding that their respective tracts would be shown on the proposed plat of Bridgepoint Subdivision, without altering the size or location of the individual tracts. These tracts were parcels which had been previously sold by the original developer, and not included in the Deed dated August 16, 1996 recorded under Clerk's File No. 9651557 of the Real Property Records of Montgomery County, Texas. These consents ratified all matters to be shown on the recorded plat, but it did not change or

ratify the new Restrictions. These Consents are listed showing the original "Tract" numbers with the subsequent Platted Lot number.

Consent – August 27, 1996 – Clerk's File No. 9672473 Real Property Records – Tract 10 – 1.5 ac –  
Converted to Lot 11, Blk 1;

Consent – October 15, 1996- Clerk's File No. 9672479 Real Property Records – Tract 12 – 2.380 ac –  
not given a designated number of the Plat. Shown on the recorded plat a 2.380 acres between Lot  
13 and 14, Blk 1;

Consent – August 26, 1996 – Clerk's File No. 9672475 Real Property Records – Tract 14-A-1- 1.054 ac  
Converted to Lot 15, Blk 1;

Consent – August 23, 1996 – Clerk's File No. 9672474 Real Property Records – Tracts 15 & 17- 4.410  
ac – Converted to Lots 18 and 19, Blk 1;

Consent – August 17, 1996 – Clerk's File No. 9672472 Real Property Records – Tract 18 – 1.590 ac -  
Converted to Lot 20, Blk 1;

Consent – August 31, 1996 – Clerk's File No. 9672477 Real Property Records – Tract 32 – 1.280 ac –  
Converted to Lot 34, Blk 1;

Consent – August 27, 1996 – Clerk's File No. 9672476 Real Property Records – Tract 34 – 1.000 ac –  
Converted to Lot 35, Blk 1;

Consent – September 3, 1996 – Clerk's File No. 9672478 Real Property Records – Tract 41 – 1.618 ac  
-Converted to Lot 10, Blk 2.

#### CONCLUSIONS AND SUMMARY

My conclusions, based upon the Public Records reviewed herein, are as follows, to-wit:

Lots in Bridgepoint affected by 1978 Restrictions –(Item 1) – All Lots marked in yellow and blue on  
Amended Exhibit 4

Lots in Bridgepoint affected by 1996 Deed Restrictions and First Amended Restrictions – Items 3 & 4  
– All Lots marked in Red & Blue, EXCEPT those which are crosshatched – See Amended Exhibit 4

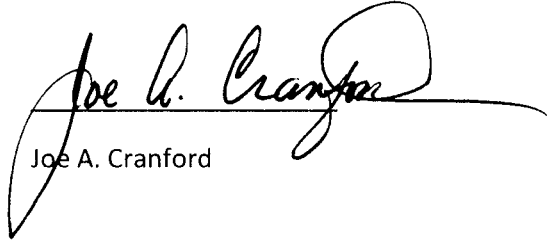
Lots affected only by 1997 First Amended Restrictions – Item 5 – All Crosshatched Lots – See  
Amended Exhibit 4

Lots affected by Consent to Recorded Plat – 9 Yellow Lots outlined in Red – See Amended Exhibit 4

Lots Adopting First Amended Restrictions – Item 7 – 1 Yellow Lot outlined in Green – Shown in the  
name of CRAWFORD – See Amended Exhibit 4.

Amended Page Five (5)

This original report and my amended report and accompanying copies and Exhibits are prepared for the use and benefit of Bridgepoint Civic Association and shall inure solely to its benefit. Any typographical error or omissions are unintentional. Prepared and respectfully submitted by:

A handwritten signature in black ink, appearing to read "Joe A. Cranford". The signature is written in a cursive style with a long horizontal flourish extending to the right. A horizontal line is drawn across the signature, and the printed name "Joe A. Cranford" is positioned below it.

Joe A. Cranford



MAP LEGEND FOR AMENDED EXHIBIT 4

BRIDGEPOINT SUBDIVISION – TOTAL RESIDENTIAL LOTS – 94

YELLOW LOTS – (24) – 1978 RESTRICTIONS (ITEM 1)

BLUE LOTS – (51) – 1978 RESTRICTIONS, 1996 DEED RESTRICTIONS AND 1996 FIRST AMENDED RESTRICTIONS. (ITEMS 1, 3 & 4) NOTE: THIS INCLUDES THE NORTH PORTION OF THE STANLEY AND JOHNSON LOTS AT THE FRONT.

RED LOTS – 19 – 1996 DEED RESTRICTIONS AND 1996 FIRST AMENDED RESTRICTIONS. (ITEMS 3 & 4) NOTE: THIS INCLUDES THE SOUTH PORTION OF THE STANLEY AND JOHNSON LOTS AT THE FRONT.

CROSSHATCHED LOTS – 1997 AMENDED RESTRICTIONS. (ITEM 5)

YELLOW LOTS OUTLINED IN RED – (9) CONSENT TO PLAT OF A SUBDIVISION – (PAR. 1, PG. 3)

YELLOW LOT OUTLINED IN GREEN – (1) VOLUNTARY ADOPTION OF 1996 FIRST AMENDED RESTRICTIONS. (ITEM 8)