

191 Paradise Trail
Coldspring, Texas 77331

According to the Deed Restrictions, Article 2, all homes in block 8 shall be single story only; however, this home is in Reserve C, which is not legally considered in block 8. Prior to construction of the home, I had this legally clarified by Judge Fritz Faulkner of San Jacinto County.

I subsequently submitted and received approval from the Architectural Control Committee of the Paradise Cove Subdivision to proceed with my plans to build a two-story home.

Regarding the fencing: Article 7 of the Deed Restrictions state that no fencing shall be placed in front of the residence unless approved by the Architectural Control Committee. There is no statement regarding fencing on the back/or water side of the residence.



4704

Deed Restrictions & Modifications

VOL. 38 PAGES 809 & 810

EXHIBIT "B"

RESTRICTIONS

1. All lots in said subdivision shall be known and described as a single family residential lots, and no more than one home shall be erected on any one lot.
2. No residence shall be erected upon the property, which does not contain 1200 square feet on waterfront lots and 900 square feet on off water lots. All homes must be site built with new materials. Elevation of foundation shall not exceed 24 inches above highest ground elevation under foundation, unless approved by the architectural committee. All homes in Block Eight (8) will be single story only. Residence must be behind set back lines (front being 30 feet, side being 5 feet, and back being 20 feet).
3. No building shall be erected, placed or altered on any lot in this subdivision until the plans, specifications and plat plans showing the location of such building has been approved in writing by the Architectural Control Committee composed of DAVID L. SHEFFIELD, TRUSTEE and/or by a committee appointed by DAVID L. SHEFFIELD, TRUSTEE. or their designated representative. In the event of death or resignation of any member of said committee, the remaining members shall have full authority to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, and in the event said committee fails to approve or disapprove such plans, within such time, such approval will not be required and this covenant shall be deemed to have been complied with. Neither the members of such committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant.
4. No recreational vehicles may be used as a permanent or temporary residence. Recreational vehicle may be used weekend or vacation purposes, in any case the recreational vehicle is not to be on premises more than two (2) consecutive weeks in any one year.
5. Whenever a residence is established on the property, all toilets shall be connected with a septic system that meets the San Jacinto County Health Department standards. All residences must connect to the Central Water System.
6. No household pet shall be raised or maintained on the property in such manner, or with such lack of care, as to cause offensive odors or noises, or so as to otherwise be a nuisance or annoyance or for commercial purposes. No one will be allowed to keep livestock.
7. No fencing shall be placed in front of residence unless approved by Architectural Control Committee.
8. No noxious or offensive trade or activity shall be carried on upon this property, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood such as allowing junk automobiles or excessive garbage and trash accumulation on the property.
9. Drilling or exploration of minerals is not allowed.
10. Developer may have temporary sales office in residential area as long as lots are available for sale.

11. No signs of any kind shall be displayed to the public view on any lot except one small sign of not more than six (6) square feet advertising the property for rent or sale.
12. All homes on the property must have finished exteriors such as brick, varnish, paint, etc., before home can be permanently occupied.
13. No property owner shall excavate, remove or sell the soil other than what may be necessary for the reasonable use, upkeep and maintenance of the property. No property owner will remove any timber larger than six (6) inches in diameter except at the exact location for a home or driveway. Any other removals must be approved in advance by DAVID L. SHEFFIELD, TRUSTEE

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14. All property owners upon constructing a driveway will use culverts of at least eighteen (18) inches in diameter placed in the road ditch according to county requirements. These culverts may be required to be larger than eighteen (18) inches. Property owners must check with the developer for proper size before installation and depth setting in ditch.
15. Transport vehicles: Trucks with tonnage in excess of one ton shall not be permitted in development, other than used to carry construction materials, RV's or moving vans. No vehicle shall be parked on the road right of way overnight, and no vehicle of any size which normally transports inflammatory or explosive cargo may be kept in the subdivision at any time.
16. Firearms: The use or discharge of any type firearm is expressly prohibited on any of the property.
17. No boat docks, piers, boat houses, boat storage sheds, slips, pilings or rip-rap shall be constructed, placed or excavated until plans and specifications shall be approved in writing by the Architectural Control Committee, and the Trinity River Authority, when applicable.
18. No boats or trailers may be parked in front of residence.
19. Roads are to be private and will be maintained from a fund collected by the Developer payable monthly. Starting fee will be \$10.00 per month; this may be increased to \$15.00 on or after January 1, 1991; and to \$20.00 on or after January 1, 1996. When 90% of lots are deeded to buyers, road and balance in fund may be turned over to the property owners association. Fee shall be charged per lot sold. A lien in the form of Mechanic & Materialman's lien will be placed on each lot to ensure payment.
20. No lot shall be used as access to any other lot or tract either this subdivision or otherwise and no lot shall be converted to a road to be used as access for the purpose of sub-dividing adjoining property except with the express written permission of DAVID L. SHEFFIELD, TRUSTEE.
21. Seller, his successors or assigns reserve a fifteen (15) foot wide easement along all interior road rights-of-way for the purpose of installing, operating and maintaining utility lines and mains thereon, together with the right to trim and/or cut or remove any trees and/or brush and the right to locate guy wires, braces, and anchors wherever necessary; together with the right to install, operate and maintain gas lines, and water main's and water lines and appurtenances, sewer lines, culverts, and drainage ditches, reserving the right to ingress and egress to such areas for any of the purposes mentioned above, developer also reserves the right to cause or permit drainage of surface water over and/or across said property, and shall retain an easement of fifteen (15) feet both side of center of all natural drains or gullies and no property owner shall be permitted to obstruct this drainage in any way unless approved in writing in advance by DAVID L. SHEFFIELD, TRUSTEE. The owners of said lots shall have no cause of any damage caused said lots by installing or maintaining above mentioned installations.
22. DAVID L. SHEFFIELD, TRUSTEE reserves the right to modify these restrictions where the best interest of the Subdivision and the property owners would be served by such modification, and shall retain this right as long as 50% of the lots in PARADISE COVE are owned by the Developer.

Purchaser

David Sheffield

Paradise Cove

THE STATE OF TEXAS
 COUNTY OF SAN JACINTO

This instrument was acknowledged before me on the 8th day of September, 1986 by David Sheffield
Trustee

Lois Cashsey

Notary Public, State of Texas

Notary's Printed Name:

My Commission Expires:
12-31-86

Filed for record: 1986 Sep 8 PM 12:09

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MODIFICATIONS OF RESTRICTIVE COVENANTS

THE STATE OF TEXAS

COUNTY OF SAN JACINTO

WHEREAS, there is filed for record in Volume 38, Page 809 et seq of the Real Property Records of San Jacinto County, Texas, certain restrictive covenants applicable to the Paradise Cove Subdivision (the "Subdivision") in San Jacinto County, Texas, to which document and its recording reference is hereby made for all intents and purposes; and

WHEREAS, in said restrictive covenants DAVID L. SHEFFIELD reserved the right to modify such restrictions as he determined to be in the best interest of the Subdivision; and

WHEREAS, DAVID L. SHEFFIELD no longer has a financial interest in the development of the Subdivision and C. BERT DICKENS COMPANY, L.L.C., a limited liability company organized under the laws of the State of Texas, is the owner of the majority of the lots and other property in the Subdivision; and,

WHEREAS, since C. BERT DICKENS COMPANY, L.L.C.,(referred to herein as "Dickens") shall hereafter be the owner of the majority of the lots and other acreage comprising the Subdivision, it is in the best interest of the Subdivision that DAVID L. SHEFFIELD assign all of his interest, titles, privileges, authorites and rights created pursuant to the restrictive covenants recorded in Volume 38, Page 809 et seq of the Real Property Records of San Jacinto County, Texas, to Dickens; and,

WHEREAS, DAVID L. SHEFFIELD and Dickens desire to execute an agreement reflecting the changes to said restrictive covenants and have such agreement recorded in the real Property Records of San Jacinto County, Texas.

THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that I, DAVID L. SHEFFIELD, acting individually and as Trustee, being one and the same person as the DAVID L. SHEFFILED named in the restrictive covenants recorded in Volume 38, Page 809 et seq of the Real Property Records of San Jacinto County, Texas, do hereby modify such restrictive covenants to the extent that C. BERT

DICKENS COMPANY, L.L.C. shall have the same rights, titles, interests, authorities and privileges granted to DAVID L. SHEFFIELD and DAVID L. SHEFFIELD, TRUSTEE, pursuant to the above described restrictive covenants. It is covenanted and agreed that all of the other terms, provisions, stipulations and conditions set forth in said restrictive covenants shall remain the same except to the extent herein modified.

DICKENS joins in the execution hereof for all lawful purposes.

EXECUTED the dated of the respective acknowledgements as described above.

David L. Sheffield, Trustee

DAVID L. SHEFFIELD, individually and as Trustee

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C. BERT DICKENS COMPANY, L.L.C.

By: C. Bert Dickens

THE STATE OF TEXAS
COUNTY of SAN JACINTO

This instrument was acknowledged before me on this the 28th day of December, 1992, by DAVID L. SHEFFIELD, individually and as Trustee.

Dollie Barnes

Notary Public, State of Texas

THE STAE OF TEXAS
COUNTY of SAN JACINTO

This instrument was acknowledged before me on this 28th day of December, 1992, by C. BERT DICKENS, as a Manager of C. BERT DICKENS COMPANY, L.L.C., a Texas limited liability company, on behalf of C. BERT DICKENS COMPANY L.L.C..

Dollie Barnes

Notary Public, State of Texas

92121860
AFTER RECORDING, PLEASE RETURN TO:
Dickens
Route 9, Box 1678
Livingston, Texas 77351

Filed for record: 93 JAN 4 AM 10:53

JAN 4 1993

JOYCE HOGUE
County Clerk
San Jacinto County, Texas

Added information for property owners, this information is not on file, but is recorded in PCPOA documents:

June 9, 2000 by James T. Dickens - Manager

Because 50% of the lots have been sold, C. Bert Dickens has turned over the management of the subdivision to the Paradise Cove Property Owners Association (PCPOA). Any questions to be originally addressed to C. Bert Dickens regarding these deed restrictions should be referred to the PCPOA.

NOTICE OF PARADISE COVE PROPERTY OWNERS ASSOCIATION'S ADOPTION OF
PROCEDURE TO AMEND DEED RESTRICTIONS PURSUANT TO TEXAS PROPERTY
CODE SECTION 211.004

COUNTY OF SAN JACINTO §

STATE OF TEXAS §

TAKE NOTICE that in December 2014 pursuant to Texas Property Code Section 211.004 more than two thirds of the voting property owners in Paradise Cove Subdivision adopted the following procedures for amending its deed restrictions. The existing deed restrictions are filed of record in the Real Property Records of San Jacinto County at Vol. 38, Pages 809 & 810 with modifications filed at Vol. 160, Pages 146 & 147. The adopted procedures are as follows:

23. By a two-thirds vote of the officers and directors of Paradise Cove Property Owners Association, one or more amendments to the Deed Restrictions may be put to a vote of the property owners in the subdivision. Amendments submitted to a vote shall bind all property owners in the subdivision or the parcels of the subdivision to which the procedure applies if more than two-thirds of the voting property owners vote in favor of the amendment(s). Not later than the 30th day before the date a ballot for a vote must be received to be counted, the property owners' association shall mail to each affected property owner a notice that includes:(1) the exact wording of the amendment(s); and (2) the date by which a property owner's ballot must be received to be counted. The property owners' association shall pay all costs of: (1) printing and mailing the required notices and ballots; and (2) canvassing, tabulating, and certifying the vote.

(a) A property owner may not cast more than one vote, regardless of the number of lots the person owns. If more than one person owns an interest in a lot, the owners may cast only one vote for that lot. A person may not vote if the person has an interest in a lot only by virtue of being a lienholder. A person may not vote if the person is not current in its maintenance fees at the time the ballot is due.

(b) A ballot cast under this section is secret and may not be counted unless it is placed inside an unmarked envelope that is placed inside another envelope that bears the signature and printed name of the property owner casting the enclosed ballot.

(c) The President of the property owners' association shall appoint an election canvassing committee and a committee chairperson to canvass and count the votes and determine the outcome. If the amendment procedure receives more than two-thirds the number of votes required, the election canvassing committee chairperson shall certify the result to the President of the property owners' association.

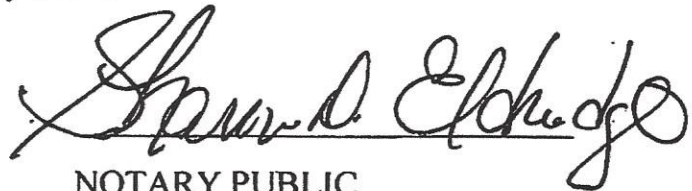
(d) The President shall file in the real property records of San Jacinto County an instrument that indicates that the Deed Restrictions were amended and the exact wording of the amendment. If an amendment is not adopted, the property owners' association may not submit the same amendment to a vote on or before the first anniversary of the date the previous result on the amendment was certified.

SIGNED this 16th day of January 2015.



Nelson Durant, President Paradise Cove Property Owners Association

This Instrument was acknowledged before me the undersigned notary by Nelson Durant, President of Paradise Cove Property Owners Association who is known to me on this ____ day of January 2015.



NOTARY PUBLIC



After Recording please return to:
Paradise Cove Property Owners Association
PO Box 1522
Coldspring, Texas 77331

Filed for Record in:
San Jacinto County

On: Jan 16, 2015 at 01:39P

As a
Recording

Document Number: 20150238

Amount 25.00

Receipt Number - 2703

By,
Cheryl West

STATE OF TEXAS
COUNTY OF SAN JACINTO

I, Dawn Wright hereby certify that this instrument was filed in number sequence on the date and time hereon by me, and was duly recorded in the OFFICIAL PUBLIC RECORDS of San Jacinto County, Texas as stamped hereon by me on

Jan 16, 2015

Dawn Wright, County Clerk
San Jacinto County, Texas

NOTICE OF PARADISE COVE PROPERTY OWNERS ASSOCIATION ADOPTION OF AMENDMENT TO DEED RESTRICTIONS REGARDING MANDATORY MEMBERSHIP

COUNTY OF SAN JACINTO §

§

STATE OF TEXAS §

TAKE NOTICE that in April 2017 pursuant to the procedures in paragraph 23 of the deed restrictions more than two thirds of the voting property owners of Paradise Cove Subdivision adopted the following amendment to its deed restrictions. The existing deed restrictions are filed in the Real Property Records of San Jacinto County at Vol. 38, pages 809 & 810 with amendments filed at Vol. 160, pages 146 & 147 and designation 20150238 pages 1131 – 1133. The amendment is as follows:

24. "Property Owners Association", and/or "Association", as such term is used herein, shall mean the "Paradise Cove Property Owners Association." Every property owner in Paradise Cove Subdivision shall be a member of the Association, and the Association shall be a Property Owners Association as defined by the Texas Property Code in which membership is mandatory.

SIGNED this 24 day of April 2017.

Carl Williford

CARL WILLIFORD, VICE PRESIDENT OF PARADISE COVE PROPERTY OWNERS ASSOCIATION

COPY

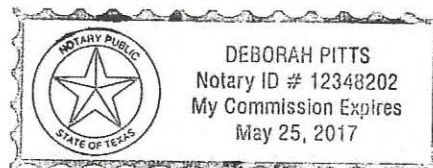
THIS INSTRUMENT was acknowledged before me, the undersigned notary, by Carl Williford, Vice President of Paradise Cove Property Owners Association, who is known to me on this 24 day of April 2017.

Deborah Pitts

Notary Public

After Recording please return to Paradise Cove Property Owners Association

P.O. Box 1522 Coldspring, TX 77331



11/2

20172225

11022

Filed for Record in
San Jacinto County

On: Apr 24, 2017 at 08:21A

As a
Recordings

Document Number: 20172225

Amount 21.00

Receipt Number - 17944

By
Celenia Willis

STATE OF TEXAS
COUNTY OF SAN JACINTO

I, Dawn Wright hereby certify that this
instrument was filed in number sequence on the date
and time hereon by me, and was duly recorded in the
OFFICIAL PUBLIC RECORDS of San Jacinto County, Texas
as stamped hereon by me on

Apr 24, 2017

Dawn Wright, County Clerk
San Jacinto County, Texas