

8430262

AMENDMENTS TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
EDWARDS LANDING

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

THAT, WHEREAS, Bill E. King ("Declarant"), is the sole owner of certain real property in Galveston County, Texas {"Property"} and being more particularly described as follows, to-wit:

EDWARDS LANDING, an addition to the City of San Leon, Galveston County, Texas, according to the map or plat thereof recorded in Volume 17, Page 119, of the Plat Records of Galveston County, Texas; and

WHEREAS, Declarant has established a subdivision plan covering the Property by filing a Declaration of Covenants, Conditions and Restrictions ("Declaration") for Edwards Landing ("Subdivision"), dated February 21, 1984 and recorded in the Official Real Estate Records of Galveston County, Texas under Galveston County Clerk's Film Code No. 002-86-0655, and a Subdivision plat in Volume 17, Page 119 of the Map Records of Galveston County, Texas; and

WHEREAS, Article II, Section 3 of the Declaration provides, among other things, that in no event shall the elevation of the interior living area of the residential structure (exclusive of porches and decking), measured to the top of the lowest interior living area floor, be less than seventeen feet (17') above mean sea level; and

WHEREAS, Declarant desires to change Article II, Section 3 to provide that in no event shall the elevation of the interior living area of the residential structure (exclusive of porches and decking), measured to the top of the lowest interior living area floor, be less than sixteen feet (16') above mean sea level; and

WHEREAS, Article II, Section 9 of the Declaration provides, among other things, that easements for the installation and maintenance of utilities are reserved as shown on the recorded plat of the Subdivision; and

WHEREAS, installation and maintenance of underground utilities may require easements covering a larger portion of the Property than that reflected on the recorded plat of the subdivision; and

WHEREAS, Declarant desires to change Article II, Section 9 of the Declaration by adding a provision allowing Declarant, for a period of one hundred twenty (120) days from the date hereof, to grant any additional easement necessary in the sole discretion of Declarant to provide for the installation and maintenance of underground utilities for the Property; and

WHEREAS, Declarant desires to amend the Declaration to provide for such changes; and

WHEREAS, the Declarant is the only owner affected by the amendments to the Declaration contemplated hereunder and is the sole owner of the Property.

NOW THEREFORE, pursuant to Article VI, Section 6 of the Declaration, the Declaration is amended as follows:

1. Article II, Section 3 of the Declaration is hereby amended to read as follows:

Section 3. Minimum Elevation. The building placed or erected on any Lot for use and occupancy as a dwelling shall be constructed in compliance with all federal, state and local regulations and standards, and satisfy all mandatory minimum elevation requirements as to the interior living area of the residential structure. Provided, however, in no event shall the elevation of the interior living area of the residential structure (exclusive of porches and decking), measured to the top of the lowest interior living area floor, be less than sixteen feet (16') above Mean Sea Level (M.S.L.).

2. Article II, Section 9 of the Declaration is hereby amended by adding the following paragraph:

Notwithstanding the foregoing, for a period of one hundred twenty (120) days from the date hereof, Declarant reserves the right to grant any additional easements he deems necessary, in his sole and absolute discretion, to provide for the installation and maintenance of adequate underground utilities in the Subdivision.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be signed and delivered this the 20th day of June, 1984.



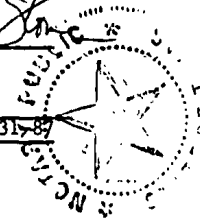
Bill E. King

003-16-0631

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on this the 20th day of June, 1984 by Bill E. King.

Joan Marie Stone
Notary Public in and for
the State of Texas
Name: Joan Marie Stone
My Commission Expires: 3-31-89



RDL34/TT

RETURN TO:

PHILLIPS, KING & SMITH
One 1800 Berling Dr.
Suite 1010
Houston, TX 77057

PAID

FILED FOR RECORD
JUN 26 11 43 AM '84

Mary Jane Christensen
COUNTY CLERK, GALVESTON COUNTY, TEXAS

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 Official Public Records of Real Property of Galveston County, Texas, on

JUN 26 1984



Mary Jane Christensen
COUNTY CLERK, Galveston County, Texas