

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF
THE TRANSEAU TRACTS
COLORADO COUNTY, TEXAS**

THE STATE OF TEXAS §
 §
COUNTY OF COLORADO §

This First Amendment to the Declaration of Covenants, Conditions and Restrictions of Old Galveston Villas Subdivisions, is made by all of the Members of the Transeau Tracts.

WITNESSETH:

WHEREAS, the original Declaration of Covenants, Conditions and Restrictions of the Transeau Tracts was recorded under Volume 523 at Page 361 as shown in the Official Public Records of Real Property for Colorado County, Texas; and

WHEREAS, the Declaration of Covenants, Conditions and Restrictions of the Transeau Tracts may be amended by duly recording an instrument executed and acknowledged as approved by all lot owners the Transeau Tracts which have approved such Amendment.

WHEREAS, it is the desire of all of the Members to place as an Amendment to the Declaration of Covenants, Conditions, and Restrictions for the Transeau Tracts certain changes and stipulations as to the situation of setback lines in the Transeau Tracts.

NOW, THEREFORE, all of the lot owners hereby establish and impose upon the real property which constitutes the Transeau Tracts and hereby declares the following reservations, easements, restrictions, covenants and conditions applicable thereto, all the same of which shall run with the land and shall be binding upon all parties having of acquiring any right, title or interest therein, or nay part thereof, and shall inure to the benefit of all successors and assigns of all or any part of the property which constitutes the Transeau Tracts. The amendment to the Declaration of Covenants, Conditions and Restrictions are as follows:

ARTICLE V

Section 3. Section 3 is hereby eliminated in its entirety and in its place is substituted the following: **Minimum Setback** – All residences and other buildings must be constructed with

the minimum setback from the front property line of at least 125 feet and 30 feet from any side property line.

EXECUTED this 30 day of June, 2023

911
2942
2962 FM 109 OWNERS --

Sandy C Staton

SANDY STATON

Gary Staton

GARY STATON

THE STATE OF TEXAS §
§
COUNTY OF COLORADO §

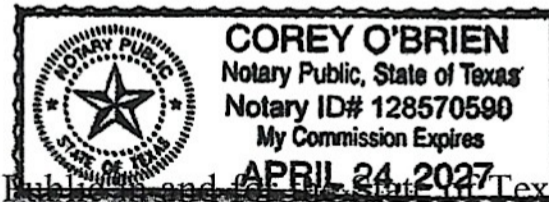
BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this day personally appeared SANDY STATON who being by me duly sworn, declared that he is the person who signed the foregoing document.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 30 day of June 2023.

Corey O'Brien

Notary Public, State of Texas

THE STATE OF TEXAS §
§
COUNTY OF COLORADO §

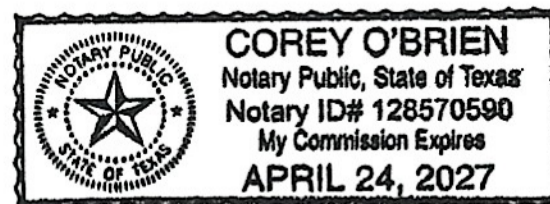


BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this day personally appeared GARY STATON who being by me duly sworn, declared that he is the person who signed the foregoing document.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 30 day of June 2023.

Corey O'Brien

Notary Public, State of Texas



2964 FM 109 OWNER --

Yvette Wright

YVETTE WRIGHT as Trustee for Billy & Yvette
Wright Revocable Living Trust

THE STATE OF TEXAS §
 §
COUNTY OF COLORADO §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this day personally appeared YVETTE WRIGHT who being by me duly sworn, declared that he is the person who signed the foregoing document.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 30 day of June 2023.



Lanelle J Engstrom
Notary Public, State of Texas

2966 FM 109 OWNERS --

Kari Smith

KARI SMITH

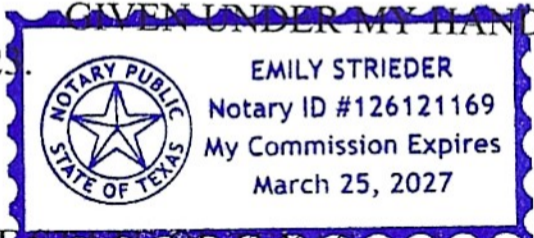
Daniel Smith

DANIEL SMITH

THE STATE OF TEXAS §
 §
COUNTY OF COLORADO §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this day personally appeared KARI SMITH who being by me duly sworn, declared that he is the person who signed the foregoing document.

2023. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 28 day of June



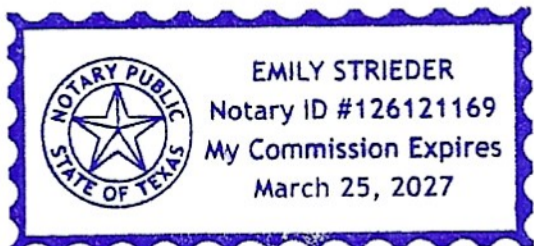
Emily Strieder

Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF COLORADO §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this day personally appeared DANIEL SMITH who being by me duly sworn, declared that he is the person who signed the foregoing document.

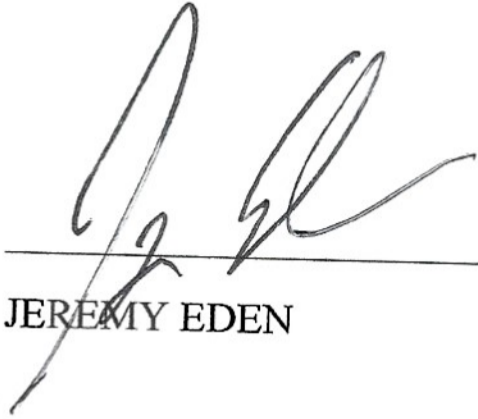
2023. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 28 day of June



Emily Strieder

Notary Public, State of Texas

2970 FM 109 OWNERS --



JEREMY EDEN

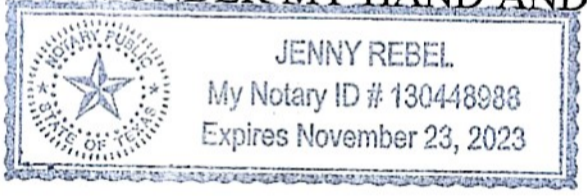


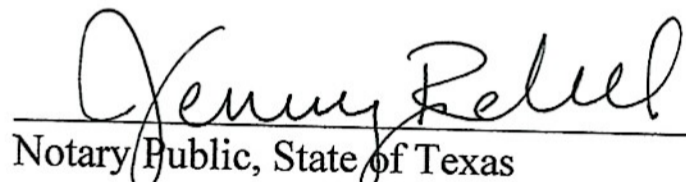
MICHELLE EDEN

THE STATE OF TEXAS §
 §
COUNTY OF COLORADO §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this day personally appeared **JEREMY EDEN** who being by me duly sworn, declared that he is the person who signed the foregoing document.

2023. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 2 day of ~~June~~ ^{August}



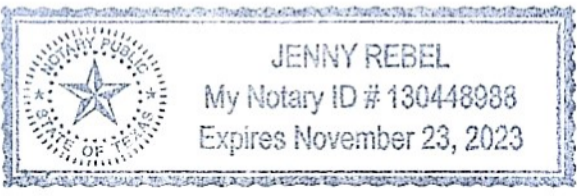


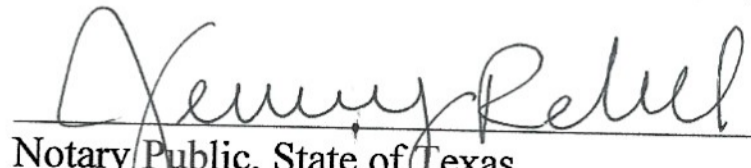
Notary Public, State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF COLORADO §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that on this day personally appeared **MICHELLE EDEN** who being by me duly sworn, declared that he is the person who signed the foregoing document.

2023. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 2 day of ~~June~~ ^{August}





Notary Public, State of Texas

Exhibit "B"

Lot 5

THE TRANSEAU TRACTS
Colorado County, Texas

Declaration of Covenants, Conditions and Restrictions

WHEREAS, It is advisable and desirable for the persons purchasing the above described tracts and for the benefit of the general public to designate, describe and declare the following covenants, conditions and restrictions be attached to the sale, use and enjoyment of said lands;

NOW, Therefore we the owners or purchasers of the above described tracts do hereby establish the following covenants, conditions and restrictions, binding ourselves, our successors and assigns in accordance with the provisions herein, for the use and benefit of the purchasers hereof.

1. **Commercial Structures** - No retail, industrial or commercial purposes are permitted.
2. **Single Family** - All tracts are limited to single family residences only.
3. **Minimum Setback** - All residences and other buildings must be constructed with a minimum setback from the front property line of at least 125 feet and 60 feet from any side property line.
4. **Minimum Square footage** - All residences constructed on these tracts must be a minimum of 1600 square feet of living space (climate controlled)
5. **Construction** - All residences must be constructed on-site. No modular, mobile, pre-manufactured or other mobile residence structures allowed. Construction of main residence must be completed with 18 months of commencement.
6. **Use and Enjoyment** - All sites may contain: guest houses, barns, sheds, animal pens, and other non-commercial structures so long as construction is commenced at the same time, or after the construction of main residence.
7. **Livestock** - The raising of livestock and poultry is permitted. Commercial livestock or poultry operations are not permitted. Suitable fencing must be used to control any animals on site. Swine production is not permitted. One swine animal unit is permitted for show or personal consumption.
8. **Business in the Home** - Home-based businesses are permitted. Business space used may not exceed 1000 square feet. No retailing or wholesaling of products is permitted.
9. **Garbage Disposal** - No disposal of garbage or rubbish is permitted except by the approved methods of the local and/or state governmental authority. All tracts must be maintained in a clean and neat condition.
10. **Utilities** - All utilities must be located along lot lines except where utility company deems that location is not practical or possible. All utility placement should be underground where possible and practical.

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