

012-61-1354

FIRST 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 filed of record in the Office of the County Clerk of Galveston County, Texas under Clerk's File No. 9601322, these Restrictions are hereby filed of record as the First Amendment to the Restrictions. Said Amendments are specifically outlined below as follows:

Article III, entitled Use Restrictions, Section 8 is hereby amended as follows:

Section 8. The main floor of the main structure, exclusive of open porches and garages, and exclusive of the area beneath the main floor, shall not be less than the following designated square feet of living area as outlined below:

- a) As to Lot nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22, respectively, herein designated on the plat of the Subdivision known as RANCHO CARRIBE, the main structure shall not be less than sixteen hundred (1600) square feet of living area;
- b) As to Lot nos. 23, 24, 31, 32, 33, 34, 43, 44, 45, 46, 55, 56, 57, 58, 67, 68, 69, 70, 79, 80, and 81, respectively, herein designated on the plat of Subdivision known as RANCHO CARRIBE, the main structure shall not be less than fourteen hundred (1400) square feet of living area; and
- c) As to Lot nos. 25, 26, 27, 28, 29, 30, 35, 36, 37, 38, 39, 40, 41, 42, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 65, 66, 71, 72, 73, 74, 75, 76, 77, 78, 82, 83, 84, 85, 86, 87, and 88, respectively, herein designated on the plat of the Subdivision known as RANCHO CARRIBE, the main structure shall not be less than twelve hundred (1200) square feet of living area.

Article III, entitled Use Restrictions, Section 9 is hereby amended as follows:

Section 9. No building shall be located nearer to the respective boundaries of the respective lots than the minimum building set-back lines as shown on the Amended Plat marked as Exhibit "A" and made a part hereof for all purposes. Any mention in the Restrictions filed of record in the Office of the County Clerk herein, shall refer to the Amended Plat attached hereto.

Article V, entitled Covenants for Maintenance Assessments, Section 8 is hereby amended as follows:

Section 8. All that part of the Property designated on the plat as Reserves A, B, C, and D and the numbered Lots in the Subdivision known as RANCHO CARRIBE, which Declarant has not sold or conveyed shall be exempt from the provisions of this Article V.

These Amendments constitute all Amendments made to the original Declaration of Covenants, Conditions, and Restrictions and are submitted in accordance with the provisions outlined for making such amendments. Said provisions require an instrument signed by not less than seventy-five (75%) of the Lot owners. The Lot Owners' signatures below constitute the minimum seventy-five percent (75%) required for such Amendment.

Any and all contents outlined in the original Declaration of Covenants, Conditions, and Restrictions, not specifically amended herein, remain in their entirety.

EXECUTED this 26th day of May, 1998.

DECLARANT:
FOUR D. VENTURE, INC.

By: Julia A. Turbeville
Julia A. Turbeville
President

By: Wallis W. Smith
Wallis W. Smith
Secretary

PROPERTY OWNERS:

Julia A. Turbeville
JULIA A. TURBEVILLE

Wallis W. Smith
WALLIS W. SMITH

Cherice Ann Smith
CHERICE ANN SMITH

Cary Lee Smith
CARY LEE SMITH

Lucy S. Roy
LUCY S. ROY

P. Kay Eshbach
P. KAY ESHBACH

Pat Rogers
PAT ROGERS

Maryanne Rogers
MARYANNE ROGERS

Sandy Cheer
SANDY CHEER

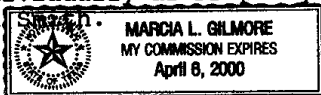
Robert J. Cartier
ROBERT J. CARTIER

STATE OF TEXAS

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COUNTY OF GALVESTON

This instrument was acknowledged before me on this the 17th day of February, 1998 by Julia A. Turbeville and Wallis W. Smith, President and Secretary, respectively, of Four D. Venture, Inc., a Texas corporation on behalf of said corporation, and individually as Property Owners, and by Cary Lee Smith and Cherice Ann Smith.



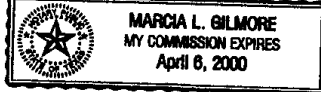
Marcia L. Gilmore
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires: 4-6-00

STATE OF TEXAS

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COUNTY OF GALVESTON

This instrument was acknowledged before me on this the 17th day of February, 1998 by P. Kay Eshbach, Pat Rogers, Maryanne Rogers, Lucy S. Roy and Robert J. Cartier.

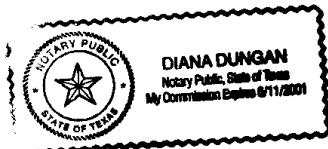


Marcia L. Gilmore
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires: 4-6-00

STATE OF ~~NEW HAMPSHIRE~~ TEXAS
COUNTY OF GALVESTON

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This instrument was acknowledged before me on this the 19th day of February, 1998 by Sandy Cheer.



Diana Dungan
NOTARY PUBLIC IN AND FOR
THE STATE OF ~~NEW HAMPSHIRE~~ TEXAS
My Commission Expires: 6-11-2001

PROPERTY OWNERS:
[Signature]
F. DAVID CLAYBAR
[Signature]
SCOTT HAMILTON

[Signature]
PEGGY S. CLAYBAR
[Signature]
EDD McDONALD

STATE OF TEXAS §
COUNTY OF Orange §

This instrument was acknowledged before me on this the 3rd day of March, 1998 by F. David Claybar and Peggy S. Claybar.



[Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires: 4-6-00

STATE OF TEXAS §
COUNTY OF GALVESTON §

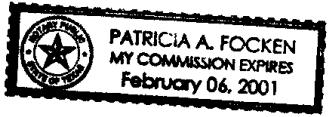
This instrument was acknowledged before me on this the 3rd day of March, 1998 by Scott Hamilton.



[Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires: 4-6-00

STATE OF TEXAS §
COUNTY OF Jefferson §

This instrument was acknowledged before me on this the 24th day of February, 1998 by Edd McDonald.



[Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires: _____

Return To:
TERRI L. VARNER -AND-
c/o Rancho Carribe Property Owners Assoc.
5320 Braeburn Dr.
Bellaire, TX 77401

PROPERTY OWNERS:

[Signature]
MICHAEL R. MEEKS
[Signature]
TERRI L. VARNER

[Signature]
RUTH MEEKS

OCEAN RESORT PROPERTIES

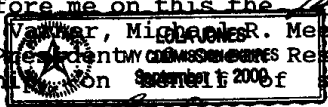
By: [Signature]
William T. Varner,
President

SETCO GENERAL CONTRACTORS

By: [Signature]
Tom Adam, Officer

STATE OF TEXAS §
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COUNTY OF GALVESTON §

This instrument was acknowledged before me on this the 14th day of July, 1998 by Terri L. Varner, Michael R. Meeks, Ruth Meeks, and by William T. Varner, President of Ocean Resort Properties, a Texas limited partnership, on September 1, 2000 of said partnership.

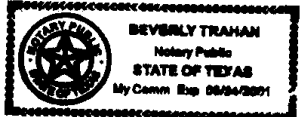


[Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires: 9-1-2000

STATE OF TEXAS §
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COUNTY OF Jefferson §

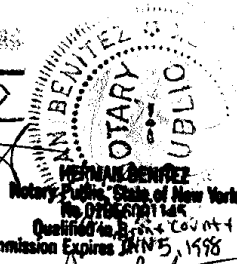
This instrument was acknowledged before me on this the 23rd day of February, 1998 by Tom Adam, Officer for Setco General Contractors.

[Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires: 6/24/01



012-61-1358

STATE OF NEW YORK
COUNTY OF Orange
SWORN TO BEFORE ME Carolyn Speich
THIS 14th DAY OF March 19 98



PROPERTY OWNERS:

Gary Robinson
GARY ROBINSON
Randolph J. Speich
RANDOLPH J. SPEICH
Dirk W. Blankenship
DIRK W. BLANKENSHIP

Carolyn Speich
CAROLYN SPEICH
Sharon Blankenship
SHARON K. BLANKENSHIP

STATE OF TEXAS §
COUNTY OF Jefferson §

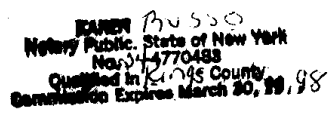
This instrument was acknowledged before me on this the 7th day of April, 1998 by Gary Robinson.



Stacey P. Robinson
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires: 7-19-99

STATE OF NEW YORK §
COUNTY OF New York §

This instrument was acknowledged before me on this the 3rd day of March, 1998 by Randolph J. Speich.



Ernest Russo
NOTARY PUBLIC IN AND FOR
THE STATE OF NEW YORK
My Commission Expires: 3/30/98

STATE OF TEXAS §
COUNTY OF HARRIS §

This instrument was acknowledged before me on this the 19 day of MARCH, 1998 by Dirk W. Blankenship and Sharon K. Blankenship.



James Huff
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires: 6-16-98

PROPERTY OWNERS:

[Signature]
TOM OVERSTREET

Contract for Deed

[Signature]
SCOTT MURFF

Contract for Deed

[Signature]
GEORGE GOBER

Contract for Deed

[Signature]
JUDY OVERSTREET

Contract for Deed

[Signature]
LINDY MURFF

Contract for Deed

STATE OF TEXAS

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COUNTY OF

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This instrument was acknowledged before me on this the 31st day of March, 1998 by Tom Overstreet and Judy Overstreet.

[Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 5/29/01

STATE OF TEXAS

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COUNTY OF

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This instrument was acknowledged before me on this the 26th day of March, 1998 by Scott Murff and Lindy Murff.

[Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 02/26/01



STATE OF TEXAS

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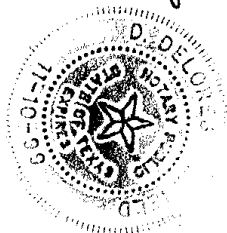
COUNTY OF

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This instrument was acknowledged before me on this the 16th day of April, 1998 by George Gober.

[Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 11/16/99



PROPERTY OWNER:

James C Veirs
JAMES C. VEIRS
~~Contract for Deed~~ ✓

Barbara Veirs
BARABRA VEIRS
~~Contract for Deed~~ ✓

STATE OF TEXAS

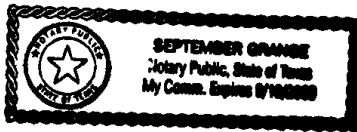
COUNTY OF

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This instrument was acknowledged before me on this the 14
day of April, 1998 by James C. Veirs and Barbara Veirs.

September Grange
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 9-18-2000



PROPERTY OWNER:

Everett L. Talbot
EVERETT TALBOT
Contract for Deed

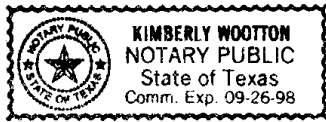
STATE OF TEXAS

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COUNTY OF HARRIS

This instrument was acknowledged before me on this the 10th
day of April, 1998 by Everett Talbot.

Kimberly Wootton
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



My Commission Expires: 9/26/98

PROPERTY OWNER:

Roger Allen Taylor
ROGER TAYLOR
Contract for Deed

STATE OF TEXAS

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COUNTY OF BRAZORIA

This instrument was acknowledged before me on this the 30th
day of April, 1998 by Roger Taylor.



Dianne Buckelew
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 3/27/99

PROPERTY OWNER:

Gilbert Low
GILBERT LOW
Contract for Deed

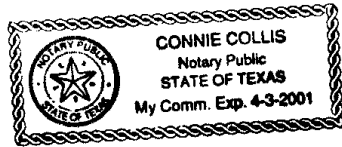
STATE OF TEXAS §

COUNTY OF JEFFERSON §

9th This instrument was acknowledged before me on this the
day of April, 1998, by Gilbert Low.

Connie Collis
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires 4-3-2001



PROPERTY OWNER:

George A. Snyder
GEORGE A. SNYDER
Contract for Deed

STATE OF TEXAS

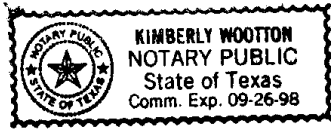
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COUNTY OF ~~HARRIS~~ Galveston

This instrument was acknowledged before me on this the 27th
day of May, 1998 by George A. Snyder.

Kimberly Wootton

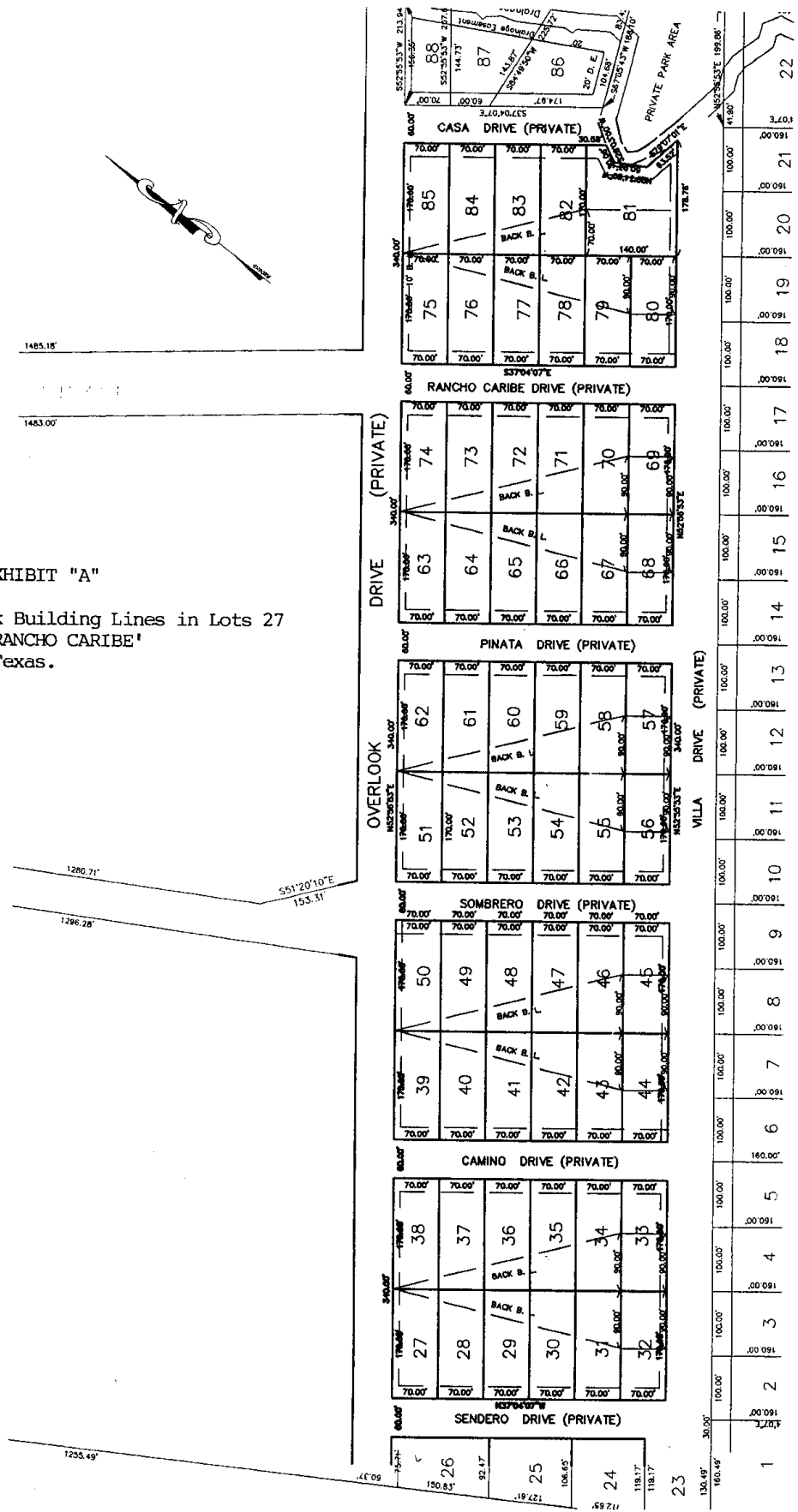
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



My Commission Expires: 9/26/98

EXHIBIT "A"

Re-location of Back Building Lines in Lots 27 through Lot 80 of RANCHO CARIBE' Galveston County, Texas.



FILED AND RECORDED 012-61-1366
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Patricia Ritchie

5-27-98 02:07 PM 9823979
LONG_D \$31.00
Patricia Ritchie, County Clerk
GALVESTON COUNTY, TEXAS

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.