

014-66-0316

**SECOND AMENDMENT TO DECLARATION  
OF  
COVENANTS, CONDITIONS AND RESTRICTIONS**

STATE OF TEXAS

§

COUNTY OF GALVESTON

§

§

In accordance with the Declaration of Covenants, Conditions and Restrictions for Rancho Carribe, a subdivision in Galveston County, Texas, recorded in the Office of the County Clerk of Galveston County, Texas under Clerk's File No. 9601322, as Amended by First Amendment to Declaration recorded in the Office of the County Clerk of Galveston County, Texas, under Clerk's File No. 9823979, at least seventy-five percent (75%) of the Lot Owners in the subdivision have elected to amend the above Covenants, Conditions, and Restrictions. The Amendments are specifically outlined below as follows:

Article V, entitled **Covenants for Maintenance Assessments**, Section 1, is hereby amended as follows:

"Section 1. Except as specifically set forth below, the Declarant and Property Owners, for each Lot owned within the Property, hereby covenant, and each Owner of any Lot by acceptance of a Deed therefore, whether or not it shall be so expressed in such Deed, is deemed to covenant and agree to pay to the Association: (1) annual assessments or charges, and (2) special assessments for capital improvements, maintenance or ad valorem taxes levied on the Common Area, such assessments to be established and collected as hereinafter provided. The annual and special assessments, together with interest, costs and reasonable attorney's fees, shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. Each such assessment, together with interest, costs, and reasonable attorney's fees, shall also be the personal obligation of the person who was the Owner of such property at the time the assessment fell due.

Notwithstanding the foregoing, the Association shall have the authority, in its sole discretion, to waive maintenance assessments (both annual and special) for additional contiguous Lots owned by the same Owner or Owners. Specifically, and in the full discretion of the Association, waiver of assessments may be considered where the Owner or Owners have completed a home on one or more Lots, own one or more contiguous Lots, and represent to the satisfaction of the Association that they do not intend to build upon or sell the vacant Lot(s), separately from the contiguous home

The granting of waivers of maintenance assessments shall be made on an annual basis, shall be the sole and absolute discretion of the Association, and may be revoked at any time by the

Association The Association shall have the authority to require Affidavits or other documentation as deemed necessary by the Association when considering or granting a waiver.

If the Association determines that a Lot or a portion of a Lot has been built upon or sold contrary to representations made to the Association in connection with the granting of a waiver under this Section, the Association may assess against that Lot all annual and special assessments which would have been assessed had the waiver not been in place, back to the original effective date of the waiver."

These Amendments constitute all Amendments made to the original Declaration of Covenants, Conditions, and Restrictions and the First Amendment to Declaration of Covenants, Conditions, and Restrictions, and are submitted in accordance with the provisions outlined for making such Amendments. Accordingly, this instrument is signed by not less than seventy-five percent (75%) of the Owners of Lots in the subdivision

Except as amended hereby, the original Declaration of Conditions and Restrictions and First Amendment thereto, shall remain in full force and effect according to their terms. This Amendment shall be effective as of the date it is recorded in the Official Real Property Records for Galveston County, Texas.

EXECUTED this 26<sup>th</sup> day of May, 2000

DECLARANT:

FOUR D VENTURE, INC.

By: Wallis W. Smith  
Wallis W. Smith, Secretary  
Owner Lots 81, 83, 84

PROPERTY OWNERS:

Julia A. Turbeville  
JULIA A. TURBEVILLE  
Owner Lot 22

Wallis W. Smith  
WALLIS W. SMITH  
Owner Lot 22

STATE OF TEXAS

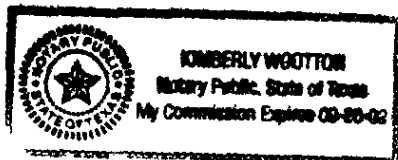
§

COUNTY OF GALVESTON

§

This instrument was acknowledged before me on this the 6<sup>th</sup> day of May, 2000 by Wallis W Smith, Secretary for and on behalf of Four D Venture, Inc., a Texas corporation, and Wallis W. Smith and Julia A. Turbeville, individually as Property Owners.

Kimberly Wootton  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS  
My Commission Expires: 9/26/02



PROPERTY OWNERS:

*[Signature]*  
F. DAVID F. CLAYBAR  
Owner Lot 1,2

*[Signature]*  
PEGGY S. CLAYBAR  
Owner Lots 1,2

*[Signature]*  
MIKE MORRIS  
Owner Lots 69,70

*[Signature]*  
DIANE MORRIS  
Owner Lots 69,70

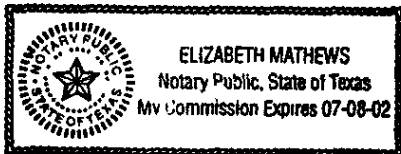
STATE OF TEXAS

§  
§  
§

COUNTY OF

This instrument was acknowledged before me on this the 16<sup>th</sup>  
day of May, 2000 by David F. Claybar and wife, Peggy  
S. Claybar.

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



My Commission Expires: 7-8-02

STATE OF TEXAS

§  
§  
§

COUNTY OF

This instrument was acknowledged before me on this the 17<sup>th</sup>  
day of May, 2000 by Mike Morris and wife, Diane  
Morris.

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



My Commission Expires. 10-20-01

PROPERTY OWNERS:

Scott Hamilton  
SCOTT HAMILTON  
Owner Lot 3

Everette Talbot  
EVERETTE TALBOT  
Owner Lot 14

Michael R. Meeks  
MICHAEL R. MEEKS  
Owner Lot 9

CANNONBILT HOMES, LLC  
By: Willis P. Conner, Jr.  
Willis P. Conner, Jr. Partner  
Owner Lots 65, 66, 75, 76 & #2 Green

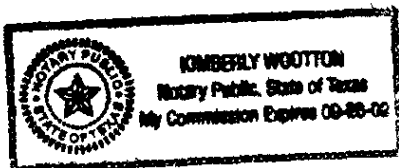
P. Kay Eshbach  
P. KAY ESHBACH  
Owner Lot 19

Ruth Meeks  
RUTH MEEKS  
Owner Lots 79, 80

OCEAN RESORT PROPERTIES, LTD.  
By: Terri L. Varner  
Terri L. Varner, Manager  
Owner Lots 18, 23, 26, 45, 46

STATE OF TEXAS §  
COUNTY OF GALVESTON §

This instrument was acknowledged before me on this the 6th day of MAY, 2000 by Scott Hamilton, Everette Talbot, and P. Kay Eshbach.



Kimberly Wootton  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS  
My Commission Expires: 9/26/02

STATE OF TEXAS §  
COUNTY OF GALVESTON §

This instrument was acknowledged before me on this the 6th day of May, 2000 by Michael R. Meeks, Ruth Meeks, Terri L. Varner, Manager for and on behalf of Ocean Resort Properties, a Texas limited partnership, and Willis P. Conner, Jr., for and on behalf of Cannonbilt Homes, a Texas limited liability company.



Kimberly Wootton  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS  
My Commission Expires: 9/26/02

PROPERTY OWNERS:

David Sneed  
DAVID SNEED  
Owner Lots 47,48

Darby Wayne Mouton  
DARBY WAYNE MOUTON  
Owner Lots 43,44

Al Whaley  
AL WHALEY  
Owner Lots 55,56

Mary F. Bradford  
MARY F. BRADFORD  
Owner Lots 57,58

Vickie Mouton  
VICKIE MOUTON  
Owner Lots 43,44

M. Carolyn Whaley  
M. CAROLYN WHALEY  
Owner Lots 55,56

STATE OF TEXAS

§  
§  
§

COUNTY OF GALVESTON

This instrument was acknowledged before me on this the 6th day of May, 2000 by David Sneed, Darby Wayne Mouton and wife, Vickie Mouton.



Kimberly Wootton  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 9/26/02

STATE OF TEXAS

§  
§  
§

COUNTY OF JEFFERSON

This instrument was acknowledged before me on this the 12th day of May, 2000 by Mary F. Bradford.



Kendra Gradney  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires. 2-8-04

STATE OF TEXAS

§  
§  
§

COUNTY OF

This instrument was acknowledged before me on this the 6th day of May, 2000 Al Whaley and wife, M. Carolyn Whaley.



Kimberly Wootton  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 9/26/02

014-66-0321

PROPERTY OWNERS:

James Veirs  
JAMES C. VEIRS  
Owner Lot 4

Barbara Veirs  
BARBARA VEIRS  
Owner Lot 4

STATE OF TEXAS

§  
§  
§

COUNTY OF

This instrument was acknowledged before me on this the 10  
day of March, 2000 by James C. Veirs and wife, Barbara  
Veirs.

September Grange  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



My Commission Expires: 9-18-2000

014-66-0322

PROPERTY OWNER:

*Lucy S. Roy*  
LUCY S. ROY  
Owner Lot 6

STATE OF TEXAS

§  
§  
§

COUNTY OF GALVESTON

This instrument was acknowledged before me on this the 19th  
day of May, 2000 by Lucy S. Roy.

*Kimberly Wootton*  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 9/26/02

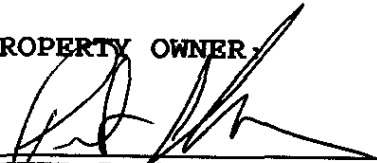






014-66-0324

PROPERTY OWNER:


---

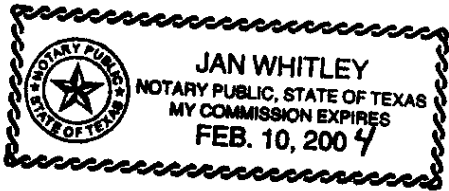
PETER J. SAPIO, as Custodian for  
COURTNEY MARIE SAPIO  
Owner Lot 15

STATE OF TEXAS

§  
§  
§

COUNTY OF GALVESTON

This instrument was acknowledged before me on this the 5<sup>th</sup>  
day of May, 2000 by Peter J. Sapio, as Custodian for  
Courtney Marie Sapio




---

NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: \_\_\_\_\_

014-66-0325

PROPERTY OWNERS:

MCNEILL FAMILY PARTNERSHIP

TAM LIMITED PARTNERSHIP

By: Jack McNeill  
Jack McNeill, Partner  
Owner Lot 17

By: Thomas M. Smith  
Thomas M. Smith, Partner  
Owner Lots 33, 34, 35, 36 & 37 1/2

STATE OF TEXAS

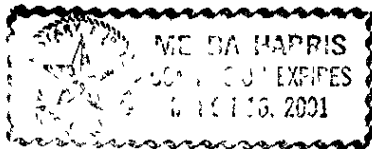
§

COUNTY OF JEFFERSON

§

§

This instrument was acknowledged before me on this the 19<sup>th</sup> day of May, 2000, by Jack McNeill, for and on behalf of McNeill Family Partnership, a Texas limited partnership, and by Thomas M. Smith, for and on behalf of TAM Limited Partnership, a Texas limited partnership.



Melba Harris  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 3-16-01

014-66-0326

PROPERTY OWNERS:

*Pat Rogers*  
PAT ROGERS  
Owner Lots 20, 21

*Maryanne Rogers*  
MARYANNE ROGERS  
Owner Lots 20, 21

STATE OF TEXAS

§  
§  
§

COUNTY OF GALVESTON

This instrument was acknowledged before me on this the 6<sup>th</sup>  
day of May, 2000 by Pat Rogers and wife, Maryanne  
Rogers.

*Diana Dungan*  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 6-11-2001



PROPERTY OWNERS:

Doug Mason  
DOUG MASON  
Owner Lots 32,31,30,29 & 1/2 28

Judy Kellaway Mason  
JUDY KELLAWAY MASON  
Owner Lots 32,31,30,29 & 1/2 28

James T. Konen  
JAMES T. KONEN  
Owner Lots 67,68

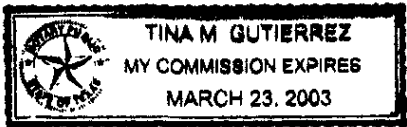
Diane L. Konen  
DIANE L. KONEN  
Owner Lots 67,68

STATE OF TEXAS

§  
§  
§

COUNTY OF

This instrument was acknowledged before me on this the 8th day of May, 2000 by Doug Mason and wife, Judy Kellaway Mason



Tina M Gutierrez  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

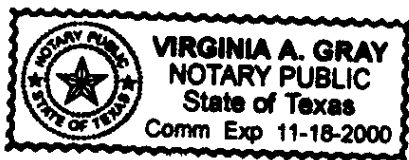
My Commission Expires: 3-23-03

STATE OF TEXAS

§  
§  
§

COUNTY OF

This instrument was acknowledged before me on this the 8th day of May, 2000 by James T. Konen and wife, Diane L. Konen.



Virginia A. Gray  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

My Commission Expires: 11/18/00

PROPERTY OWNER:

Sandy Cheer Sandy Cheer  
SANDY ~~SINER~~ CHEER  
Owner Lots 73,74

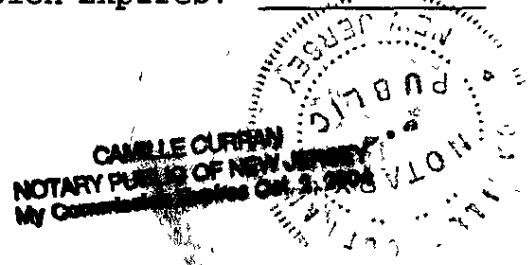
STATE OF NEW ~~HAMPSHIRE~~ NEW JERSEY  
COUNTY OF Ocean

§  
§  
§

This instrument was acknowledged before me on this the 9<sup>th</sup>  
day of May, 2000 by Sandy Cheer.

Camille Curran  
NOTARY PUBLIC IN AND FOR  
THE STATE OF NEW ~~HAMPSHIRE~~ Jersey

My Commission Expires: \_\_\_\_\_



PROPERTY OWNERS:

*[Signature]*  
DIRK W. BLANKENSHIP  
Owner Lot 88

*[Signature]*  
SHARON K. BLANKENSHIP  
Owner Lot 88

STATE OF TEXAS

§  
§  
§

COUNTY OF HARRIS

This instrument was acknowledged before me on this the 19<sup>th</sup> day of May, 2000 by Dirk W. Blankenship and wife, Sharon K. Blankenship.

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

My Commission Expires: 9/26/02



FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

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

*[Signature]*

2000 JUN 22 09:14 AM 2000030801  
HOOD\_P \$35.00  
Patricia Ritchie, COUNTY CLERK  
GALVESTON, TEXAS

Rancho Carribe Property Owners Assn  
PO Box 2044  
Crystal Beach, Tx. 77650  
PAID