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AMENDMENT TO DEDICATION AND RESTRICTIONS
COPACABANA BY THE SEA
IN THE BURRELL FRANKS SURVEY
IN GALVESTON COUNTY, TEXAS

THE STATE OF TEXAS
COUNTY OF GALVESTON

WHEREAS, on March 6, 1982, COPACABANA DEVELOPMENT, INC., by and through its president, Jeremy Haar, did adopt the Final plat of COPACABANA BY THE SEA, an addition out of the Burrell Franks Survey in Galveston County, Texas, together with basic restrictions, conditions and limitations set out at File Number 8300216, Film Code Number 002-04-1198 through 002-04-1205, filed January 3, 1983 in the official public records of Galveston County, Texas; and

WHEREAS, the said COPACABANA DEVELOPMENT, INC., acting by and through its president, Jeremy Haar, currently is the majority owner of lots in COPACABANA BY THE SEA, an addition out of the Burrell Franks Survey, in Galveston, Texas, hereinafter referred to as "the Addition", pursuant to paragraph twenty-two (22) of the Dedication and Restrictions described hereinabove, has agreed to amend paragraph six (6) of the Dedication and Restrictions, described hereinabove, for the following specific purposes, to wit: To permit construction of a dock to extend twenty (20) feet across the front and side setback line of Lot Nine (9) in Block One of COPACABANA BY THE SEA;

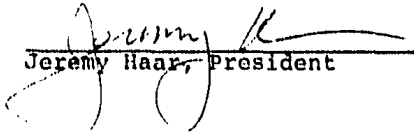
To permit the construction of one single family residence across the front and side setback lines of Lot Five (5) and Lot Six (6) in Block Two of COPACABANA BY THE SEA;

To amend the restrictions described in Paragraph Six (6) as follows:
No building shall be located nearer to the front lot line, nor nearer to a side street line, than the building line or building setback line shown on the Final Plat of the Addition. No building shall be located nearer than five feet (5') to an exterior lot

line or an interior lot line, nor nearer than fifteen feet (15') to the rear lot line of the following lots:


Lot One (1) and Lot Seven (7) and Lot Twelve (12) in Block Two of COPACABANA BY THE SEA; Lot One (1) and Lot Twelve (12) in Block Three of COPACABANA BY THE SEA, the Dedication and Restrictions, described hereinabove, which shall remain in full force and effect for the rest of the Addition.

IN WITNESS WHEREOF the parties have subscribed their names hercon this the 1st day of NOVEMBER, 1984, A.D.


Jeremy Haar, President

STATE OF TEXAS
COUNTY OF HARRIS

This instrument was acknowledged before me on the 1st day of November, 1984, by Jeremy Haar, President of Copacabana Development, Inc., a Texas Corporation, on behalf of said corporation.


Notary Public, State of Texas
Notary's Name (printed): REBECCA ZINN
Notary's commission expires:
9-28-85



RETURN TO: Brad L. Smith
Chicago Title Insurance Company
P. O. Box 987
Houston, Texas 77001

DELIVER TO: The
HOUSTON TITLE COMPANY
15000. Jackson Place Suite 400
Houston, Texas 77056
GF# 2420000

FEB 11 3 20 PM '85

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

FEB 11 1985




COUNTY CLERK, Galveston County, Texas

AMENDMENT TO DEDICATION AND RESTRICTIONS
COPACABANA BY THE SEA
IN THE BURRELL FRANKS SURVEY
IN GALVESTON COUNTY, TEXAS

THE STATE OF TEXAS

COUNTY OF GALVESTON

WHEREAS, on March 6, 1982, COPACABANA DEVELOPMENT INC., by and through its president, Jeremy Haar, did adopt the Final plat of COPACABANA BY THE SEA, an addition out of the Burrell Franks Survey in Galveston County, Texas, together with basic restrictions, conditions and limitations set out at File Number 8300216, Film Code Number 002-04-1198 through 002-04-1205, filed January 3, 1983 in the official public records of Galveston County, Texas; and

WHEREAS, the said COPACABANA DEVELOPMENT, INC., acting by and through its president, Jeremy Haar, currently is the majority owner of lots in COPACABANA BY THE SEA, an addition out of the Burrell Franks Survey, in Galveston, Texas, hereinafter referred to as "the Addition", pursuant to paragraph twenty-two (22) of the Dedication and Restrictions described hereinabove, has agreed to amend the Dedication and Restrictions, described hereinabove, as follows:

To amend the restrictions described in paragraph three (3) as follows:

No dwelling shall be permitted on any lot in the Addition in which the enclosed living floor area (exclusive of open porches, sun decks, and balconies) of the second story (i.e., the first floor minimum piling height) shall be less than one thousand two hundred fifty (1,250) square feet;

To amend the restrictions described in paragraph four (4) as follows:

No dwelling in excess of two and one half (2 ½) stories in height shall be permitted on any lot in the Addition, nor shall any dwelling have a garage or storage area below the base flood elevation other than specified by Galveston County Building Specifications;

To amend the restrictions described in paragraph eight (8) as follows:

No platted lot may be subdivided in such a manner as to permit more dwellings or buildings to be

AMENDMENT TO DEDICATION AND RESTRICTIONS
COPACABANA BY THE SEA
IN THE BURRELL FRANKS SURVEY
IN GALVESTON COUNTY, TEXAS

THE STATE OF TEXAS

COUNTY OF GALVESTON

Whereas, on March 6, 1982, COPACABANA DEVELOPMENT, INC., by and through its president, Jeremy Haar, did adopt the final plat of COPACABANA BY THE SEA, an addition out of the Burrell Franks Survey in Galveston County, Texas, together with basic restrictions, conditions and limitations and limitations set out at File Number 8300216, Film Code Number 002-04-1205. Filed January 3, 1983 in the official public records of Galveston County, Texas, and

Whereas, the said COPACABANA DEVELOPMENT, INC., acting by and through its president, Jeremy Haar, currently is the majority owner of lots in COPACABANA BY THE SEA, an addition out of the Burrell Franks Survey, in Galveston, Texas, hereinafter referred to as "the addition", pursuant to paragraph twenty-two (22) of the Dedication and Restrictions described hereinabove, has agreed to amend the Dedication and Restrictions, described hereinabove, as follows:

To amend the restrictions described in paragraph fifteen (15) as follows:

Easements are reserved as shown on the final plat for streets and for installation and maintenance of utilities. No building of a permanent nature shall be placed, constructed or permitted over or above the easements. Additionally, there is reserved as shown on the Final Plat of the Addition an easement between Lots Numbers twelve (12) and thirteen (13) in Block Number One (1) of the Addition extending across Dune Reserve to the Public Beach designated as "walkway Easement" for the purpose of providing a means of pedestrian access from the Addition to the beach. This easement is for pedestrian traffic only, and same shall not be used for any type of vehicular traffic (including motorcycles, motor bikes, gasoline or electric carts or the like). Additionally, there is reserved an "Entrance Sign and Lights" easement in the Addition. The "Walkway" and "Entrance Sign and Lights" designated easements are forever dedicated to be only used by Addition homeowners and are further legally described in Exhibits "A" and "B".

AMENDMENT TO DEDICATION AND RESTRICTIONS
OF COPACABANA BY THE SEA
IN THE BURRELL FRANKS SURVEY
IN GALVESTON COUNTY, TEXAS

THE STATE OF TEXAS
COUNTY OF GALVESTON

WHEREAS, on March 6, 1982, COPACABANA DEVELOPMENT INC. by and through its president, Jeremy Haar, did adopt the Final plat of COPACABANA BY THE SEA, an addition out of the Burrell Franks Survey in Galveston County, Texas, together with basic restrictions, conditions and limitations set out at File Number 8300216, Film Code Number 002-04-1198 through 002-04-1205, filed January 3, 1983, in the official public records of Galveston County, Texas; and

WHEREAS, the said COPACABANA DEVELOPMENT, INC. acting by and through its president, Jeremy Haar, currently is the majority owner of lots in COPACABANA BY THE SEA, an addition out of the Burrell Franks Survey, in Galveston Texas, hereinafter referred to as "the addition" pursuant to paragraph twenty-two (22) of the Dedication and Restrictions described hereinabove has agreed to amend the Dedication and Restrictions, described hereinabove and all amendments, as follows:

To amend the restrictions described in paragraph six (6) as to Lot Ten (10) Block one (1), only to read as follows:

6.

No building shall be located nearer to the front lot line, nor nearer to a side street line, than the building line or building set back line shown on the Final Plat of the Addition. No building shall be located nearer than five feet (5) to an interior or side lot line, nor nearer than ten (10) feet to the rear lot line, except as hereinafter provided. No building shall be located nearer than three (3) feet of the East or Easterly side lot line (common line with lot eleven (11), Block one (1).

Cont.

6.

Beginning at a point South 26° 18 minutes, 15 seconds East. 44 feet from the Northeast corner and extending South 26° 18 minutes, 15 seconds East a distance of 25 feet.

Any provision of the original restrictions or any amendments thereto, in conflict herewith are hereby amended.

Executed this the 4th day of June, 2004.

COPACABANA DEVELOPMENT, INC.

Jeremy Haar, President
JEREMY HAAR, PRESIDENT

STATE OF ~~TEXAS~~ CALIFORNIA

COUNTY OF ~~CALVESTON~~ Alameda

This instrument was acknowledged before me on the ^{18th day} ~~4th~~ day of June, 2004 by Jeremy Haar, President of Copacabana Development, Inc. a Texas Corporation, on behalf of said Corporation.

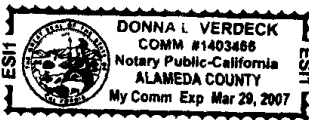
Donna L. Verdeck
NOTARY PUBLIC, STATE OF ~~TEXAS~~ CALIFORNIA

Notary's Name (printed)

Donna L. Verdeck

Notary's commission expires:

3-29-2007.



RETURN TO: B.E. Wharton
P.O. Box 2642 **PAID**
Crystal Beach, TX 77650

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Mary Ann Daigle

2004 JUN 24 01:04 PM 2004041799
ZAUN_M \$11.00
Mary Ann Daigle, COUNTY CLERK
GALVESTON, TEXAS

IN WITNESS WHEREOF the parties have subscribed their names hereon this the
24^m Day of July, 2000, AD.

Jeremy Haar, President
COPACABANA DEVELOPMENT, INC
Jeremy Haar, President

STATE OF TEXAS
COUNTY OF GALVESTON

July This instrument was acknowledged before me on the 24 day of
July, 2000, by Jeremy Haar, President of Copacabana, on behalf of said
Corporation.

Eleanor Mae Greer
Notary Public, State of Texas



Notary's commission expires

Please return filed original copies to:

PAID
Piedmont

COPACABANA DEVELOPMENT, INC.
Jeremy Haar, President
1800 Trestle Glen Road
California, 94610

Jerry Parker
P.O. Box 1838
Crystal Beach, Tx. 77650

EXHIBIT "A"

Being a 0.06 acre tract or parcel of land out of and a part of Commercial Reserve "B" as shown on COPACABANA BY THE SEA, Section 1, a subdivision out of the Burrell Franks Survey, Galveston County, Texas, as recorded in Volume 17, Page 70 of the Map Records in the office of the County Clerk, Galveston County, Texas, and being more particularly described by metes and bounds as follows,

BEGINNING at the Northwest corner of said Commercial Reserve "B";
THENCE N 67-12-30 E, a long the Northwest line of said Reserve "B", a distance of 50.0 feet;
THENCE S 33-04-56 E, a distance of 50.0 feet;
THENCE S 67-12-30 W, a distance of 50.0 feet to the Easterly line of Copacabana Drive;
THENCE Northwesterly along the said Easterly line of Copacabana Drive, a curve to the right having a Radius of 340.0 feet a Chord bearing of N 33-04-56 W for a distance of 50.0 feet, an Arc Distance of 50.04 feet to the PLACE OF BEGINNING, and containing 2490 square feet or 0.06 acres more or less.

EXHIBIT "B"

Being a 0.19 acre tract or parcel of land shown as 20' PUBLIC WALKWAY on COPACABANA BY THE SEA, Section 1, a subdivision out of the Burrell Franks Survey, Galveston County, Texas, as recorded in Volume 17, Page 70 of the Map Records in the office of the County Clerk, Galveston County, Texas, and being more particularly described by metes and bounds as follows;

BEGINNING at the Northwest corner of said 20' PUBLIC WALKWAY and the Northeast corner of Lot 12 in Block 1 of said Copacabana By The Sea, Section 1;

THENCE N 63-41-45 E, a long the Northwest line of said 20' PUBLIC WALKWAY, a distance of 20 feet to the Northwest corner of Lot 13 in Block 1 of said Copacabana By The Sea, Section 1; THENCE S 26-18-15 E, along the Westerly line of said Lot 13 and continuing along the Southerly projection of said Lot 13, a distance of 412 feet more or less to the Water's edge of the Gulf of Mexico;

THENCE S 63-41-45 W, along the said Waters edge, a distance of 20.0 feet to the Southerly projection of the Easterly line of said Lot 12;

THENCE Northerly along the said Easterly line of said Lot 12, a distance of 412 feet more or less to the PLACE OF BEGINNING, and containing 0.19 acres more or less.

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Patricia Ritchie, COUNTY CLERK
GALVESTON, TEXAS

motorcycles, motor bikes, gasoline or electric carts or the like);

To amend the restrictions described in paragraph twenty (20) as follows:

The areas of Lots Numbers nine (9) through and including seventeen (17), in Block Number One (1) of the Addition, extending seaward from the southern (seaward) building line reflected upon the Final Plat of the Addition shall be left in their natural state. No natural vegetation lying seaward of such building line shall be removed, mowed, burned or otherwise disturbed, nor shall such area be plowed, graded or otherwise disturbed. There shall be no vehicular traffic (including motorcycles, motor bikes, gasoline or electric carts or the like) on or across any part of such area, except over and along that portion of such area lying seaward of the natural vegetation line;

To amend the restrictions described in paragraph twenty-one (21) as follows:

No building shall be erected, placed, altered or permitted on any lot in the Addition until the plans and specifications therefor have been approved by the Architectural Control Committee as to the quality of workmanship and materials, harmony of external design with existing structures, and compliance with the covenants herein contained, and a plot plan showing the location of all structures and improvements (including culverts, crossings and driveways and all septic tank systems) has also been approved by said Committee. Approval shall be as hereinafter provided.

The Architectural Control Committee shall give or withhold approval (as in the opinion of the Committee is proper) of all matters set forth in the preceding paragraph or elsewhere herein. Said Architectural Control Committee shall be composed of Jeremy Haar, Gerald W. Parker, and Robert L. Zinn, Trustee. A majority of the Committee may designate a representative to act for it. In the event of the death or resignation of any member of the Committee, the remaining members shall have full authority to designate a successor, such designation to be by recorded instrument filed in the office of the County Clerk of Galveston County, Texas. Neither the members of the Committee, nor its designated representative, shall be entitled to any compensation for services performed pursuant to this covenant.

constructed on any particular street in the Addition, than there are platted lots fronting on such street. Further, the subdivision of a lot or lots shall be subject, in all respects, to the requirements, limitations, and prohibitions of any applicable ordinance or statute of any governmental authority. Any owner of one or more platted lots or portions thereof may consolidate and combine the same into one (1) building site, subject again to the applicable requirements, ordinances, and statutes of any governmental authority. Any such composite building site must have a minimum frontage (at the building setback line) of not less than the minimum frontage of the other lots fronting on the same street. any such composite building site, if same meets all the foregoing requirements, shall be deemed to constitute a "lot" under the terms and provisions of this Amendment;

To amend the restrictions described in paragraph ten (10) as follows:

All dwellings and deck areas shall be built on pilings according to Galveston County building code and regulations. Construction shall proceed with reasonable diligence once pilings have been installed, all construction must be completed within six months of obtaining original building permit;

To amend the restrictions described in paragraph fourteen (14) as follows:

No lot shall be used or maintained as a dumping ground for garbage, refuse, or trash. Trash, garbage, and refuse shall be kept only in sanitary containers designed for such purpose. Burning of trash, garbage, or refuse or any other substance is expressly prohibited. Presentable wooden trash containers are mandatory for trash pickup at each structure;

To amend the restrictions described in paragraph fifteen (15) as follows:

Easements are reserved as shown on the Final Plat for streets and for installation and maintenance of utilities. No building of a permanent nature shall be placed, constructed or permitted over or above the easements. Additionally, there is reserved as shown on the Final Plat of the Addition an easement over and across Lots Numbers twelve (12) and thirteen (13) in Block Number One (1) of the Addition (and designated as "Walkway Easement") for the purpose of providing a means of pedestrian access from the Addition to the beach. This easement is for pedestrian traffic only, and same shall not be used for any type of vehicular traffic (including

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The approval or disapproval of the Committee, as required in these covenants, shall be in writing. In the event the committee or its designated representative fails to approve or disapprove the plans and specifications or plot plan within thirty (30) days after same have been submitted to the Committee, or in any event of no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required, and the related covenants shall be deemed to have been fully complied with.

IN WITNESS WHEREOF the parties have subscribed their names hereon this the

15th day of January, 1997, A.D.

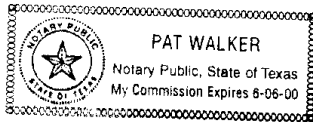
COPACABANA DEVELOPMENT, INC.

Jeremy Haar, President

Jeremy Haar, President

STATE OF TEXAS
COUNTY OF GALVESTON

This instrument was acknowledged before me on the 15th day of January, 1997, by Jeremy Haar, President of Copacabana Development, Inc., a Texas Corporation, on behalf of said Corporation.



Pat Walker

Notary Public, State of Texas
Notary's Name (printed):

Notary's commission expires:

6-6-2000

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

Patricia Ritchie

1-15-97 12:45 PM 9701562
DEBNER \$15.00
Patricia Ritchie, County Clerk
GALVESTON COUNTY, TEXAS

return to:

Jeremy HAAR
1800 Trestle Glen RD
Piedmont, CA 94610