



Stephanie Wurtz

Matagorda County Clerk
1700 7th Street, Room 202
Bay City, TX 77414

Main: (979) 244-7680 **Fax:** (979) 244-7688

Receipt: 20230817000016
Date: 08/17/2023
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By: Gloria G
Station: Gloria Gonzalez
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| <u>Seq</u> | <u>Item</u> | <u>Document Description</u> | <u>Number</u> | <u>Number Of</u> | <u>Amount</u> | <u>Serial Number</u> |
|------------|--------------------------|-----------------------------|---------------|--------------------|---------------|----------------------|
| 1 | Real Property Recordings | MISC | 4768 | 5 | \$38.00 | |
| | | | | Order Total | (1) | \$38.00 |

| <u>Seq</u> | <u>Payment Method</u> | <u>Transaction Id</u> | <u>Comment</u> | <u>Total</u> |
|-----------------------|-----------------------|-----------------------|----------------|--------------|
| 1 | Cash | | | \$100.00 |
| Total Payments | | | | (1) \$100.00 |
| Change Due | | | | \$-62.00 |

JAMES QUIMBY
2220 CR 243
BAY CITY, TX 77414

For more information about the County Clerk's office and to search property records online, please visit http://www.co.matagorda.tx.us/default.aspx?Matagorda_County/County.Clerk

**SECOND AMENDMENT BY DECLARANT TO THE
DECLARATION OF COVENANTS, CONDITIONS,
AND RESTRICTIONS OF
MATAGORDA INTRACOASTAL ESTATES SUBDIVISION**

THE STATE OF TEXAS §

COUNTY OF MATAGORDA §

RECITALS

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions for the Matagorda Intracoastal Estates Subdivision, recorded in the Official Public Records of Real Property of Matagorda County, Texas on August 7, 2020 under Document Number 2020-4385 in the Official Records of Matagorda County, Texas and as amended in that certain First Amendment dated 14 July 2023 and recorded under Document Number 2023-3913 in the Official Records of Matagorda County, Texas (“Original Restrictions”), imposes various covenants, conditions, restrictions, liens and charges upon the following property (the “Property”):

Matagorda Intracoastal Estates Subdivision more particularly described in the attached Exhibit A and incorporated herein for all purposes.

WHEREAS, the Original Restrictions provided, under Article 8, Section 8.03, the right to amend the restrictions and a procedure to amend the restrictions, as follows:

Duration and Amendment

8.03 The covenants, conditions and restrictions of this Declaration shall run with and bind the Property, and shall inure to the benefit of the Declarant, the Developer or the Owner of any Lot subject to this Declaration, and their respective legal representatives, heirs, successors and assigns, and, unless amended as provided herein, shall be effective for a term of forty (40) years from the date this Declaration is recorded, after which time said covenants, conditions, and restrictions shall be automatically extended for successive periods of ten (10) years. The covenants, conditions and restrictions of this Declaration may be amended by an instrument signed by not less than sixty-six percent (66%) of the Owners. Each Owner shall have one (1) vote for each Lot owned, except for the Developer, which shall have two (2) votes for each Lot owned. No amendment shall be effective until recorded in the Official Records of Matagorda County, Texas.

and;

WHEREAS, Declarant/Developer is the owner of twenty-two (22) of the forty-four (44) of the tracts making up the Property at the time this Amendment is made.

NOW, THEREFORE, Declarant hereby adopts, establishes and imposes upon the Property the following amendments to the reservations, easements, restrictions, covenants, and conditions and declares same applicable thereto, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the land, which reservations, easements, covenants, restrictions and conditions shall run with the land and shall be binding upon all parties having or acquiring any right, title or interest, therein, or any part thereof, and shall inure to the benefit of each owner thereof.

FIRST AMENDMENT:

1. The Original Restrictions applicable to Matagorda Intracoastal Estates Subdivision Article 6, Section 6.02 which reads:

Shared Water Wells:

6.02 The Developer shall be responsible for drilling four (4) shared water wells that will serve the Lot Owners as follows (each individually a "Shared Water Well" and collectively the "Shared Water Wells"):

- a) A Shared Water Well will be drilled on Lot 1 and shared with Lots 1-12
- b) Two (2) Shared Water Wells will be drilled on Lot 44 with One (1) Shared Water Well to be shared with Lots 13-24 and One (1) Shared Water Well to be shared with Lots 36-44
- c) A Shared Water Well will be drilled on Lot 35 and shared with Lots 25-35

Is hereby amended to read as follows:

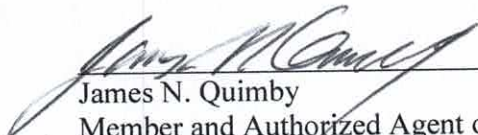
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6.02 The Developer shall be responsible for drilling four (4) shared water wells that will serve the Lot Owners as follows (each individually a "Shared Water Well" and collectively the "Shared Water Wells"):

- a) A Shared Water Well will be drilled on Lot 1 and shared with Lots 1-12
- b) A Shared Water Well will be drilled on Lot 35 and shared with Lots 25-35
- c) A Shared Water Well will be drilled on Lot 36 and shared with Lots 36-44
- d) A Shared Water Well will be drilled on Lot 44 (south corner) and shared with Lots 13-24

IN WITNESS WHEREOF, THE Declarant, CROSSTIMBERS LAND DEVELOPMENT LLC, hereby executes this instrument to certify the approval of the Amendment set forth in this instrument. The Amendment will be effective upon recording in the Official Public Records of Real Property of Matagorda County, Texas.

EXECUTED this 17th day of August, 2023

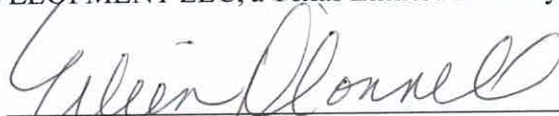

James N. Quimby
Member and Authorized Agent of
Crosstimbers Land Development, LLC

STATE OF TEXAS

§
§
§

COUNTY OF MATAGORDA

The foregoing *Second Amendment by Declarant to the Declaration of Covenants, Conditions and Restrictions of Matagorda Intercoastal Estates Subdivision* was acknowledged before me on the 17th day of August, 2023, by JAMES N. QUIMBY, Member and Authorized Agent of CROSSTIMBERS LAND DEVELOPMENT LLC, a Texas Limited Liability Company.


Notary Public, State of Texas

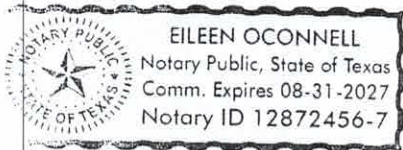


EXHIBIT A

MATAGORDA INTRACOASTAL ESTATES SUBDIVISION LEGAL DESCRIPTION:

All that certain Matagorda Intracoastal Estates as recorded in Plat File No. 601B, 602A & 602B and all that certain replat of Lots 10-13 of Matagorda Intracoastal Estates as recorded in Plat File No. 610A and all that certain replat of Matagorda Intracoastal Estates as recorded in Plat File No. 613B, 614A & 614B of the Matagorda County Plat Records in the IRA Ingram League, Abstract 49 & Elias R. Wightman League, Abstract 101 Matagorda County, Texas.