

AFTER RECORDING RETURN TO:

Jerry Alexander
2561 South Main Street
Building B
Lindale, Texas 75771

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**AMENDMENT TO DECLARATION OF
PROTECTIVE COVENANTS, CONDITIONS
AND RESTRICTION AND NOTICE OF
WITHDRAWAL OF LAND**

CORRIGAN TRAILS

Cross reference to that certain Declaration of Protective Covenants, Conditions and Restrictions for Corrigan Trails, recorded under Volume 6506, Page 34 in the Official Public Records of Smith County, Texas.

**AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS
AND RESTRICTION AND NOTICE OF WITHDRAWAL OF LAND**

CORRIGAN TRAILS

This Amendment to Declaration of Protective Covenants, Conditions and Restrictions and Notice of Withdrawal of Land ("**Amendment and Notice of Withdrawal of Land**") is made and executed by **CORRIGAN TRAILS HOMEOWNERS ASSOCIATION**, a Texas non-profit corporation ("**Association**"), and is as follows:

1. **Identification of Land Withdrawn from the Properties.** This withdrawal of land is filed with respect to the real property described on **Exhibit "A"**, attached hereto and incorporated herein by reference (the "**Land**"). Corrigan Developments, LLP, filed that certain **Declaration of Protective Covenants, Conditions and Restrictions for Corrigan Trails**, recorded under Volume 6506, Page 34 in the Official Public Records of Smith County, Texas (the "**Declaration**") which subjected the Land to the terms and provisions of the Declaration.

2. **Authority.** Pursuant to Section 12.1 of the Declaration and Texas law, the Declaration may be modified or amended by the vote of at least sixty-seven percent (67%) of the owners of all Lots subject to the Declaration. The Secretary of the Association executes this Amendment and Notice of Withdrawal to attest to the fact that this Amendment and Notice of Withdrawal was approved by the vote of at least sixty-seven percent (67%) of the owners of all Lots subject to the Declaration.

3. **Withdrawal of Land and Amendment to Declaration.** This Amendment and Notice of Withdrawal of Land is filed with respect to the Land. The Land is hereby withdrawn from the terms and provisions of the Declaration and the Declaration is amended to delete the description of the Land.

4. **Defined Terms.** Capitalized terms used but not defined in this Amendment and Notice of Withdrawal of Land will have the meaning subscribed to such terms in the Declaration.

Executed to be effective on the 1st day of May, 2013.

EXECUTED TO ATTEST THIS AMENDMENT
AND NOTICE OF WITHDRAWAL OF LAND
WAS APPROVED BY THE VOTE OF AT LEAST
SIXTY-SEVEN PERCENT (67%) OF THE
OWNERS OF ALL LOTS SUBJECT TO THE
DECLARATION:

**CORRIGAN TRAILS HOMEOWNERS
ASSOCIATION**, a Texas non-profit corporation

By: *Mikel Massey*

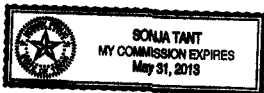
Printed Name: Mikel Massey
Title: President

and By: *Dan Wilson*

Printed Name: Dan Wilson
Title: Secretary

STATE OF TEXAS §
 §
COUNTY OF SMITH §

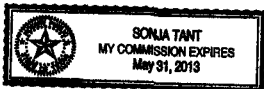
This instrument was acknowledged before me on the 16 day of May, 2013, by Mikel Massey, President of the Corrigan Trails Homeowners Association, a Texas non-profit corporation, on behalf of such non-profit corporation.



Sonja Tant
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF SMITH §

This instrument was acknowledged before me on the 16 day of May, 2013, by Dan Wilson, Secretary of the Corrigan Trails Homeowners Association, a Texas non-profit corporation, on behalf of such non-profit corporation.



Sonja Tant
Notary Public, State of Texas

EXHIBIT 'A'

Metes and Bounds Description 15.9836 Acre Tract

All that certain tract or parcel of land situated in the John C. White Survey, A - 1034, Smith County, Texas, being a part of Corrigan Trails, Unit 4, as shown on the plat recorded in Cabinet D, Slide 341-A, Plat Records, Smith County, Texas, being that same tract of land described in a deed to Capital One National Association Recorded in document number 2008-R00036597, Official Public Records, Smith County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod set for the southeast corner of said Corrigan Trails Unit 4, the same being the Southwest corner of Corrigan Trails Unit 2, as shown on the plat recorded in Cabinet D, Slide 232-A, Plat Records, Smith County, Texas, and being in the north line of the Grace Community of Tyler called 6.844 acre tract recorded under Clerk's File Number 2008-R00048305, of said Official Public Records;

THENCE, South 87°42'43" West, with the north line of said Grace Community of Tyler tract, at 113.45 feet passing the northwest corner of said Grace Community tract, same being the northwest corner of the Capital One National Association called 16.669 Ac. tract as described in Clerk's File Number 2008-R00036602, of said Official Public Records, continuing for a total distance of 809.13 feet to a 1/2" iron rod found for the southwest corner of said Corrigan Trails Unit 4, the same being the southeast corner of the Scott Brown called 16.426 acre tract recorded in document number 2007-R00061023, of said Official Public Records;

THENCE, North 02°17'49" West, with said Scott Brown 16.426 acre tract east line, same being the west line of said Corrigan Trails Unit 4, a distance of 224.96 feet to a 1/2" iron rod found for corner;

THENCE, North 87°42'11" East, continuing with said west line, a distance of 30.05 feet to a 1/2" iron rod found for corner;

THENCE, North 02°17'49" West, continuing with said west line, a distance of 140.00 feet to a corner from which a bent 1/2" iron rod found bears South 34°42'29" West, a distance of 0.23 feet, for reference;

THENCE, North 87°42'11" East, continuing with said west line, a distance of 75.35 feet to a 1/2" iron rod found for corner;

THENCE, North 02°15'13" West, continuing with said west line, a distance of 31.49 feet to a 1/2" iron rod found for corner;

THENCE, North 01°54'11" East, continuing with said west line, a distance of 81.71 feet to a 1/2" iron rod found for corner;

THENCE, North 07°29'36" West, continuing with said west line, a distance of 101.59 feet to a 1/2" iron rod found for corner;

THENCE, North 11°45'00" West, continuing with said west line, a distance of 96.14 feet to a 1/2" iron rod found for corner;

THENCE, North 21°52'32" West, continuing with said west line, a distance of 169.19 feet to a 1/2" iron rod found for corner;

THENCE, South 87°05'40" West, continuing with said west line, a distance of 27.40 feet to a 1/2" iron rod found for corner;

THENCE, North 02°54'18" West, continuing with said west line, a distance of 225.00 feet to a 1/2" iron rod found for the northeast corner of said Scott Brown tract, being the northwest corner of said Corrigan Trails Unit 4, and being in the south line of the Willis Preston called 90.099 acre tract recorded in Volume 3373, Page 676, of the Land Records, Smith County;

THENCE, North 87°05'42" East, with the south line of said Preston tract, and the north line of Corrigan Trails Unit 4, a distance of 774.93 feet to a 1/2" iron rod found in the south line of said Preston tract, same being the northwest corner of Corrigan Trails Unit 1, as shown on the Plat recorded in Cabinet D, Slide 163-B, of said Plat Records, and same being the northeast corner of said Corrigan Trails Unit 4;

THENCE, South 02°17'54" East, with the east line of said Corrigan Trails Unit 4, a distance of 125.09 feet to a 1/2" iron rod found the northwest corner of Lot 9, Block 1, of said Corrigan Trails Unit 1;

THENCE, South 10°42'48" West, continuing with said east line, a distance of 110.00 feet to a 1/2" iron rod found for the southwest corner of said Lot 9, Block 1, same being the northwest corner of Lot 10, Block 1 of said Corrigan Trails Unit 1;

THENCE, South 52°52'47" West, continuing with said east line, a distance of 75.00 feet to a 1/2" iron rod found for the west most corner of Lot 10, Block 1, of said Corrigan Trails Unit 1;

THENCE, South 56°41'28" East, a distance of 80.00 feet to a 1/2" iron rod found for the north most corner of Corrigan Trails Unit 3, recorded in Cabinet D, Slide 300-B, of said Plat Records;

THENCE, South 60°58'12" West, a distance of 46.90 feet to a 1/2" iron rod found for a corner in the west line of said Corrigan Trails Unit 3;

THENCE, South 31°26'41" West, a distance of 140.00 feet to a 1/2" iron rod found for the southwest corner of said Corrigan Trails Unit 3;

THENCE, South 24°55'14" West, a distance of 60.39 feet to a 1/2" iron rod found for a corner in the north line of Lot 1-B, Block 4, of Corrigan Trails Unit 2-A, recorded in Cabinet E, Slide 238-C, of said Plat Records, same being in a curve to the left having a radius of 20.00 feet;

THENCE, continuing with said curve to the left having a radius of 20.00 feet, a central angle of 90°00'00", and a chord bearing and distance of South 76°26'41" West, 28.28 feet, an arc length of 31.42 feet to a 1/2" iron rod found at the end of said curve to the left, same being a corner of the herein described tract;

Exhibit 'A'
16.1313 Acres
Page 3

THENCE, South $31^{\circ}28'41''$ West, a distance of 136.33 feet to a $1/2''$ iron rod found for the southwest corner of said Lot 1-B, Block 4, of said Corrigan Trails Unit 2-A;

THENCE, South $58^{\circ}33'04''$ East, a distance of 232.26 feet to a $1/2''$ iron rod found for the southeast corner of said Corrigan Trails Unit 2-A;

THENCE, South $84^{\circ}41'41''$ East, a distance of 89.04 feet to a $1/2''$ iron rod found for the northwest corner of Lot 8, Block 3 of said Corrigan Trails Unit 2;

THENCE, South $07^{\circ}31'45''$ West, a distance of 100.03 feet to a $1/2''$ iron rod found for the southwest corner of said Lot 8;

THENCE, South $16^{\circ}24'35''$ East, a distance of 172.21 feet to a $1/2''$ iron rod found for the southeast corner of Lot 8, Block 3 of said Corrigan Trails Unit 2;

THENCE, South $02^{\circ}21'21''$ East, a distance of 28.26 feet to the POINT OF BEGINNING and containing 16.1313 acres of land.

Bearings based on NAD 83 State Plane Coordinates, Texas North Central Zone 4202.

I hereby certify that the above description was prepared from an actual survey made on the ground under my direction and supervision during the Months of January thru April 2013.
GIVEN UNDER MY HAND AND SEAL this date, 23 April 2013.

(Reference is hereby made to the plat of survey, Job No. 12-288)

Wesley D. Turley
Registered Professional Land Surveyor
Texas Registration No. 2114



Filed For Record in:

Smith County, Texas

On May 06, 2013

at 01:30P

Receipt #: 652212

Recordings: 36.00

Doc/Num : 00020347

Doc/Type: Recordings - Land

Deputy - Claudia Amario

I hereby certify that this
instrument was filed and duly
recorded in the Official
Records of Smith County, Texas

Karen Phillips

County Clerk