

AMENDMENT TO DEDICATION AND RESTRICTIONS

THE STATE OF TEXAS |
 | KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HOOD |

WHEREAS, on the 1st day of September, 1971, a Dedication and Restrictions covering Unit XXIV of DeCordova Bend Estates, George W. Lang Survey, Abstract No. 328, Hood County, Texas, were filed and recorded in Volume 173, Page 223, Deed Records of Hood County, Texas, and the plat attached thereto and made a part thereof was filed and recorded in Volume 1, Page 89, Plat Records of Hood County, Texas; and,

WHEREAS, Texlan, Inc., d/b/a DeCordova Bend Estates, herein after called Dedicator, is desirous of amending said Dedication and Restrictions, as well as revising the map or plat thereof, for the purpose of revising Unit XXIV, DeCordova Bend Estates, George W. Lang Survey, Abstract No. 328, Hood County, Texas, said real property being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes; and,

WHEREAS, Dedicator or its successors desires to subdivide and plat said real property as shown by the revised plat attached hereto designated Revision One of DeCordova Bend Estates, Unit XXIV, so as to orderly develop the same with areas for multi-family dwellings, areas for condominiums, areas for marinas and areas for recreational use with their allied facilities; and,

WHEREAS, Dedicator desires to create and carry out an orderly plan for development, improvement and use of said real property in DeCordova Bend Estates, Unit XXIV, as revised hereby, so as to provide for the preservation of the values and amenities in said development and the maintenance of the facilities thereof for the benefit of the present and future owners of any part of said property and the owners of multi-family dwellings or units situated on said property;

3951

THUNDERBIRD
COVE HOMES

BOOK 339 PAGE 767

THE STATE OF TEXAS)
COUNTY OF HOOD)

This DECLARATION made this the 14th day of February, 1981, by the Owners of units located in THUNDERBIRD COVE (hereinafter called Dedicators), pursuant to and in accordance with the provisions of the Condominium Act of the State of Texas (hereinafter referred to as the "Act"),
~~WITNESSETH:~~

WHEREAS, in pursuance of a plan for the development of a condominium project to be known and designated as THUNDERBIRD COVE HOMES, the Dedicators, being the owners in fee simple of the separate tracts of land described on Appendix "A", attached hereto and made part hereof, which land is hereinafter referred to as the "project land", will improve and develop said project, hereinafter more particularly described, together with certain other improvements, structures and facilities and appurtenances thereto; and

WHEREAS, the Dedicators intend by this Declaration to submit said project land and all improvements thereon to the provisions of the condominium regime established by the Condominium Act of the State of Texas, so as to thereby establish a condominium regime under said Act in respect to the project as hereinafter defined and described;

NOW, THEREFORE, the Dedicators hereby make the following Declarations: as to the definitions, divisions, descriptions, restrictions, covenants, limitations, conditions, rights, privileges, obligations and liabilities which shall apply to govern, control, and regulate the sale, re-sale, or other disposition, encumbrance, acquisition, ownership, use, occupancy, and enjoyment of the project property and all parts thereof and the separate freehold estates hereby established, hereby specifying and agreeing that the provisions and contents of this Declaration shall be and constitute covenants to run with the land and shall be binding on Dedicators, its successors and assigns, and grantees and subsequent owners of all or any part of said project.

COPIES COMPLIMENTS
PORTIONS OF THIS
DOCUMENT NOT
REPRODUCIBLE
WHEN RECORDED

DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS ON A PORTION OF UNIT XXIV OF DE CORDOVA BEND ESTATES,
AN ADDITION TO HOOD COUNTY, TEXAS

VOL 1208 PAGE 474

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HOOD §

01792

That, Richard J. Lane, Executor of the Estate of Clifford J. Lane, deceased (hereafter called the "Developer") being the owner and developer of that certain lot, tract or parcel of land lying and being situated in Hood County, Texas, and being a portion of Unit XXIV, DeCordova Bend Estates, a subdivision of Hood County, Texas, more fully described by metes and bounds in the attached Exhibit "A";

Do hereby adopt the following Declaration of Covenants, Conditions and Restrictions and Developer does by these presents, hereby establish a general plan for the improvements and development of such real property and DOES HEREBY ESTABLISH the covenants, conditions, reservations and restrictions upon which and subject to which all lots and portions of such lots out of the above described real property shall be improved or sold and conveyed by it as owner thereof. Each and every one of these covenants, conditions, reservations and restrictions is and are for the benefit of each future owner of such land and shall inure to and pass with each and every parcel of such land and shall bind the respective heirs, assigns, and personal representatives or other successors in interest of the present owner thereof. These covenants, conditions, reservations and restrictions are and each thereof is imposed upon the above described real estate, all of which are to be construed as respective covenants running with the land and with each and every parcel or future subdivision thereof.

1. Residential Use. The said real estate and any future tracts or lots within a Subdivision are to be used for residential purposes only. No building or structure intended for or adapted to business shall be erected, placed, permitted or maintained on such premises, or any part thereof. This covenant shall be construed as prohibiting the engaging in or practice of any commerce, industry, business, trade or profession on the said real property or any portion thereof.

2. Appurtenant Structures. Any area within the above described portion of Unit XXIV including common areas or private property that is used for parking or storage of equipment, trailers, portable buildings, campers, recreational vehicles, and/or boats will be properly screened and enclosed so as to conceal them from the view from Thunderbird Cove Road and the roadway providing access to Thunderbird Cove Homes, a condominium regime and shall be screened and enclosed from the adjacent areas located within the Thunderbird Cove Homes Condominium Regime.

3. Nuisances. No lot shall be used in whole or in part for the storage of any property or thing that will cause such lot to appear in an unclean or untidy condition or that will be obnoxious to the eye; nor shall any substance, thing or material be kept upon any lot that will emit foul or obnoxious odors, or that will cause any noise that will or might disturb the peace, quiet, comfort or serenity of the occupants of the surrounding property.

4. Signs. No sign of any character shall be displayed or placed upon any part of the property without the written permission of the DeCordova Bend Estates Owners Association having first been obtained.

5. Animals. No animals, bird, or fowl shall be kept or maintained on the above described Unit XXIV or part thereof, except dogs and cats, both a breed or breeds commonly recognized to be domesticated, and pet birds kept at all times in indoor cages, all of which may be kept in reasonable numbers as pets for the pleasure and use of the occupant but not for any commercial use or purpose. Nothing herein shall be construed as permitting the keeping of any animal, fish, or reptile, which, by its inherent nature or propensity, or which by its particular nature, is likely to be vicious, noxious, injurious or otherwise a nuisance.

6. Vegetation. No weeds, underbrush or other unsightly growth shall be permitted to grow or remain on any part of the property and no unsightly objects shall be allowed to be placed or suffered to remain anywhere thereon.

ROADWAY AGREEMENT

COUNTY CLERK'S MEMO:
 PORTIONS OF THIS
 DOCUMENT NOT
 REPRODUCIBLE
 WHEN RECORDED

STATE OF TEXAS

02420

COUNTY OF HOOD

This agreement is made this the 13th day of February, 1988 between the following owners of units within Thunderbird Cove Homes, a Condominium Regime located in Unit 24, DeCordova Bend Estates, Hood County, Texas, as established by the Declaration of said regime recorded at Volume 339, Page 767, Deed Records of Hood County, Texas and the Amendment and Supplemental Declaration recorded in Volume 1208, Page 474, Real Records, Hood County, Texas. Said owners and the unit owned by them are set out as follows:

- | | | |
|-----|---|----------|
| 1. | John Moore Nabers and wife,
Katherine P. Nabers | Unit 1 |
| 2. | Mason Beach and wife,
Rosemary S. Devereux Beach | Unit 1-A |
| 3. | Howard S. Scott and wife,
Mary Evelyn Scott | Unit 1-B |
| 4. | Charles B. Buchanan and wife,
Etta Jean Buchanan | Unit 1-C |
| 5. | Thomas N. Lawrence and
Anita Lawrence | Unit 1-D |
| 6. | Dr. Jim Nelson and wife,
Peggy Ezell Nelson | Unit 2-A |
| 7. | Warren A. Roberts and wife,
Margaret F. Roberts | Unit 2-B |
| 8. | R. D. Bickel and wife,
Louise Bickel | Unit 2-C |
| 9. | Kathryn J. Lane, Individually and
as Independent Executrix of the
Estate of Dan R. Lane, Deceased | Unit 2-D |
| 10. | Wallace R. Barker and wife,
Nell Barker | Unit 3 |
| 11. | James L. Johnson and
Marvin Gene Johnson | Unit 5 |
| 12. | Ronald D. Petersen and wife,
Aurora Petersen | Unit 6-A |
| 13. | Billy Brown Hoover and wife,
Ruth H. Hoover | Unit 6-B |
| 14. | Clarabel W. Gardner | Unit 6-C |
| 15. | C. V. Chenoweth, Individually and as
Executor and Trustee under the Last
Will and Testament of Barbara Ann
Chenoweth, deceased | Unit 6-D |
| 16. | Frankie W. Pace | Unit 8 |
| 17. | Richard J. Lane, Executor of the
Estate of Clifford J. Lane, deceased | Unit 10 |