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**FIRST AMENDMENT TO DECLARATION OF EASEMENTS, RESTRICTIONS,
COVENANTS AND CONDITIONS OF
MATAGORDA BAYVIEW, SECTION 1 SUBDIVISION**

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS THAT:
COUNTY OF CALHOUN §

This Amendment to the Declaration of Easements, Restrictions, Covenants and Conditions of Matagorda Bayview, Section 1 Subdivision ("Amendment") is made by Matagorda View, LLC, a Texas limited Liability company whose address is 1819 Saint James Place, Houston, Texas 77056-4110 ("Matagorda").

RECITALS

WHEREAS, Matagorda, as Declarant therein, executed and recorded that certain Declaration of Easements, Restrictions, Covenants and Conditions of Matagorda Bayview, Section 1 Subdivision (the "Declaration"), dated as of the 6th day of February 2020, filed under Calhoun County Clerk's File No. 2020-00446 in the Official Public Records of Calhoun County, Texas.

WHEREAS, Matagorda owns Lots 1 through 9, & 11, and Richard and Margaret Lonquist own Lot 10, which together constitute all of the Lots of Block 1 of Matagorda Bayview, Section 1 Subdivision, a subdivision in Port O'Connor, Calhoun County, Texas, which subdivision is recorded at instrument No. 2019-00081, Slide No. 596B, in the Deed records of Calhoun County, Texas ("Matagorda Bayview Section 1").

WHEREAS, Section 9.2 of the Declaration provides for the unilateral amendment of the Original Declaration by Declarant without approval by the Members or any Owners of Matagorda Bayview.

WHEREAS, Matagorda, as Declarant, desires to amend the Declaration to reflect a material change in the requirements set forth by the Declaration in accordance with the terms provided herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which consideration is hereby acknowledged and confessed, and in accordance with Section 9.2 of the Declaration, the Declaration is hereby amended as follows:

AMENDMENTS

1. Section 3.10 of the Declaration shall be deleted in its entirety and replaced with the following language:

“Lot owners shall regularly maintain the culverts at their respective driveway crossings in order to maintain positive drainage flow. The driveway culverts and driveway entrance off the Private Road shall be constructed as set forth in Schedule 3.10, attached hereto.”

2. Section 1.38 of the Declaration shall be deleted in its entirety and replaced with the following language:

“Outbuilding” means a detached garage, detached barn, detached storage structure, detached workshop, detached pool house, and/or detached view tower. An Outbuilding may include living quarters.

3. Section 1.46 of the Declaration shall be deleted in its entirety and replaced with the following language:

“Single Family Residential Use” means use of the Single Family Residence and any Outbuilding by either: (a) husband and wife, their dependent children and their dependent parents, grandparents, grandchildren, brothers and sisters who are maintaining a common household and who are members of a single family related by blood, marriage or adoption; or (b) one or more natural persons not so related but who are maintaining a common household in a Single Family Residence on a nonprofit, noncommercial basis with a common kitchen and dining area. Single Family Residential Use excludes any activity or use of the Property that is associated with use by the public generally for business or professional related purposes (other than a Home Business Use), commercial or manufacturing uses, or Industrial uses.”

4. Section 3.19 of the Declaration shall be deleted in its entirety and replaced with the following language:

“Rental.

(a) No Lot, nor portion thereof, may be leased, subleased or rented for any use other than Single Family Residential Use, and shall not be leased, subleased, or rented to persons who are not the Lot Owner, or principals of the Lot Owner (to the extent Owner is a Trust or legal entity) (herein a “Third Party”) for periods of less than thirty (30) consecutive days.

(b) Rental of a Single Family Residence and/or any Outbuilding containing living quarters on a Lot shall be limited to no more than eight (8) adults.

(c) To the extent that a Lot contains an Outbuilding which includes living quarters:

(i) the Outbuilding and the Single Family Residence cannot be leased, subleased or rented during the same time period to different Third Parties;

(ii) the Outbuilding may be leased, subleased or rented to a Third Party without also leasing the Single Family Residence; and

(iii) the Single Family Residence may be leased, subleased or rented to a Third Party without also leasing the Outbuilding and

(iv) the Outbuilding and Single Family Residence may be leased, subleased, or rented during the same time period to the same Third Party.

(d) Any rental agreement is subject to inspection by Association upon Association's 5 days written notice to Owner.

5. Except as expressly amended, the Declaration is not affected hereby and the same is ratified as being in full force and effect.

6. Capitalized terms which are not specifically defined herein, shall have the meaning ascribed to them in the Declaration.

[THIS SPACE INTENTIONALLY LEFT BLANK]

EXECUTED this 19th day of January, 2021 (the "Effective Date").

DECLARANT:

Matagorda View, LLC

By: Walter G. Mayfield
Name: Walter G. Mayfield
Title: Manager

Acknowledgment

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Before me, the undersigned, a Notary Public in and for said county and state, on this day personally appeared Walter G. Mayfield, in his capacity as Manager of Matagorda View, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in his stated capacity for the purposes and consideration therein expressed.

Given under my hand and seal of office this 19th day of January, 2021.

Vivian Salazar
Notary Public in and for the State of Texas

