

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER' S LICENSE NUMBER.

SECOND AMENDMENT TO DECLARATION OF EASEMENTS, RESTRICTIONS, COVENANTS AND CONDITIONS OF MATAGORDA BAYVIEW SUBDIVISION, SECTION 1 CALHOUN COUNTY, TEXAS

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

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

RECITALS

WHEREAS, Matagorda, as Declarant therein, executed and recorded that certain Declaration of Easements, Restrictions, Covenants and Conditions of Matagorda Bayview Subdivision, Section 1 (the "Original 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, and that certain First Amendment to Declaration of Easements, Restrictions, Covenants and Conditions of Matagorda Bayview Subdivision, Section 1, dated January 19, 2021, filed under Calhoun County Clerk's File No. 2021-00306 in the Official Public Record of Calhoun County, Texas (the "First Amendment to Declaration").

WHEREAS, the Original Declaration, together with the First Amendment to Declaration are collectively referred to herein as the "Declaration".

WHEREAS, Matagorda owns Lot 7, Block 1 of Matagorda Bayview Subdivision, Section 1, a subdivision in Port O'Connor, Calhoun County, Texas, which subdivision plat is recorded at instrument No. 2019-00081, Slide No. 596B, filed in the Deed Records of Calhoun County, Texas, as corrected by that certain Amending Plat of Matagorda Bayview Subdivision, Section 1, at Instrument No. 2023-03128, Slide No. 699B, filed in the filed in the Official Public Records of Calhoun County, Texas as (collectively, "Matagorda Bayview Section 1").

WHEREAS, because Matagorda is the owner of a lot within said subdivision, Matagorda remains the Declarant thereunder.

WHEREAS, Section 9.2 of the Declaration provides that during the Class B Control Period, the Declarant may make unilateral amendments of the Original Declaration by Declarant without approval by the Members or any Owners of Matagorda Bayview, for various reasons as set forth therein.

WHEREAS, Matagorda, as Declarant, desires to amend the Declaration to make a non-material change in the requirements set forth by the Declaration, as permitted under Section 9.2(d) thereof, as further set forth 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. Schedule 3.10 of the Declaration shall be deleted in its entirety and replaced with the following:

“Driveway culverts shall be properly sized to match the depth of the drainage ditch situated in the Private Roadway as shown on **Schedule 3.10**, attached hereto. Lot owners shall regularly maintain the culverts at their respective driveway crossings in order to maintain positive drainage flow.”

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

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

EXECUTED this 27 day of November, 2023 (the "Effective Date").

DECLARANT:

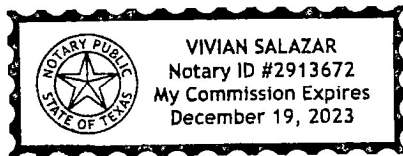
Matagorda View, LLC,
a Texas limited liability company

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

Acknowledgment

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 27th day of November, 2023, by Walter G. Mayfield.



Vivian Salazar
Notary Public, State of Texas

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2023-03877

AM Fee: \$30.00
11/30/2023 02:43 PM ksmith



Anna M. Goodman

Anna Goodman, County Clerk
Calhoun County, Texas