

AMENDMENT, CORRECTION AND RESTATEMENT OF RESTRICTIONS

STATE OF TEXAS |
 | KNOW ALL MEN BY THESE PRESENTS:
 COUNTIES OF HOOD |
 AND JOHNSON |
 AND

 THAT, WHEREAS, REPUBLIC LAND COMPANY, a Texas corporation,
 d/b/a PECAN PLANTATION (hereinafter referred to as Dedicator) has heretofore
 filed a Declaration of Restrictions recorded at Volume 253, page 88, Deed Records
 of Hood County, Texas, and Volume 700, page 611, Deed Records of Johnson County,
 Texas, covering certain lands located in Hood and Johnson Counties, Texas, and
 known by Dedicator and designated as Unit XIII of Pecan Plantation; and

 WHEREAS, the description of lots in said Declaration of Restrictions
 reflected and constituted Dedicator's preliminary plan for the subdivision of the
 lands covered thereby and none of said land has been sold by Dedicator and is still
 wholly owned by Dedicator; and

 WHEREAS, Dedicator has revised and replatted said Unit XIII and desires
 to file its final plan for the subdivision thereof and to correct, amend and restate
 the easements, definitions, restrictions, covenants, charges and liens applicable
 to said Unit XIII; and

 WHEREAS, Dedicator desires to subdivide and plat the lands described
 in Exhibit "A" attached hereto, a map or plat of which has been recorded in
 Volume 3, page 51, Plat Records of Hood County, Texas, and Volume 1, page 326,
 Plat Records of Johnson County, Texas, which plat is adopted by Dedicator as its
 revised plan for subdividing said lands into the lots as shown thereon, as PECAN
 PLANTATION, UNIT XIII, and being:

 Lots 2080 thru 2240, inclusive, of Pecan Plantation, Unit XIII,
 in the James W. Moore Survey, Abstracts Nos. 344 and 1260,
 Hood and Johnson Counties, Texas; and

 WHEREAS, Dedicator desires to subdivide and plat said land and other
 lands, in installments, from time to time, so as to orderly develop the same with
 areas for single family residences, areas for condominiums, areas for apartments,
 areas for commercial development, areas for marinas, and areas for recreational
 uses, with their allied facilities, and has caused the portion specifically described

in Exhibit "A" to be subdivided and platted as shown by the said plat; and

WHEREAS, Dedicator desires to create and carry out an orderly plan for development, improvement and use of all the lots in Pecan Plantation, Unit XIII, 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 said lots;

NOW, THEREFORE, REPUBLIC LAND COMPANY, d/b/a PECAN PLANTATION, declares that the above described Declaration of Restrictions recorded in Volume 253, page 88, Deed Records of Hood County, Texas, and Volume 700, page 611, Deed Records of Johnson County, Texas, is hereby withdrawn and canceled and that the property described in Exhibit "A" attached hereto and being Lots 2180 thru 2240, inclusive, of Pecan Plantation, Unit XIII, shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens hereinafter set forth, which shall be and are hereby made to run with the land.

EASEMENTS

A. Easements designated on the plat as streets or roads shall provide Dedicator, its successors and assigns, and the owners of the lots with the rights of ingress and egress to the area and facilities thereof and to adjoining land and are reserved as private ways, and no right of the public generally shall accrue in and to any of such ways. Dedicator reserves to itself the right to convey said easements or rights therein to the Pecan Plantation Owners Association, Inc. (hereinafter referred to as "the Association"), to be retained by said "Association" for the benefit of the properties, or, in the discretion of the Association, to be dedicated to the public as public ways and easements.

B. Dedicator reserves to itself an easement and right to construct and maintain in, over and across the easements and private ways shown on said plat, utilities of every kind, including but not limited to sewers, water mains, gas mains, irrigation systems, power and communication lines and all pipes, lines and other appurtenances in connection therewith. An easement 10 feet in width is hereby reserved along the front and an easement of 5 feet in width

is hereby reserved along each side and back boundary line of each lot as may be necessary for the installation and maintenance of said utilities and lines, except as to riverfront lots and no utility easement is reserved along the property line adjacent to the river.

RESTRICTIONS AND COVENANTS

The restrictions, covenants, charges and liens set out in the dedication of PECAN PLANTATION, UNIT XII, dated the 8th day of October, 1976, and filed for record in the office of the County Clerk of Johnson County, Texas, on October 12, 1976, at 8:00 A.M., under Clerk's File No. _____, Deed Records, Johnson County, Texas, and filed for record in the office of the County Clerk of Hood County, Texas, on October 12, 1976, at 8:30 A.M., under Clerk's File No. 5443, Deed Records of Hood County, Texas, are hereby adopted as restrictions, covenants, charges and liens, running with the land hereby dedicated, and such restrictions, charges, covenants, and liens and any amendments and additions made thereto are hereby incorporated as a part hereof, except:

- 1. That Paragraph III B 2 providing for the minimum floor area of dwellings for particular lots shall read as follows:

<u>Lots</u>	<u>Minimum Square Feet</u>
Lots 2180 thru 2208, inclusive	1200
Lots 2209 thru 2240, inclusive	1600

EXECUTED this the 8th day of October, 1976.

REPUBLIC LAND COMPANY,
d/b/a PECAN PLANTATION

ATTEST:

[Signature]
Secretary

By [Signature]
Vice-President

THE STATE OF TEXAS |

COUNTY OF TARRANT |

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Obie P. Leonard, Jr., Vice-President of Republic Land Company, d/b/a Pecan Plantation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same is the act of the said Republic Land Company, d/b/a Pecan Plantation, a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 11th day of October, 1976.



Notary Public, Tarrant County, Texas

EXHIBIT "A"

PECAN PLANTATION UNIT THIRTEEN
Johnson and Hood Counties, Texas

Boundary description of a tract of land in the JAMES W. MOORE SURVEY, Abstract 1200, Johnson County and Abstract 344, Hood County, Texas and being more particularly described by meter and bounds as follows:

BEGINNING at a steel rod at the most westerly corner of Proposed Lot 2179, Pecan Plantation Unit Twelve, said corner also being North 49 degrees 28 minutes East 2028-0/10 feet from the Northeast corner of Lot 2027, Pecan Plantation Unit Eleven, according to the plat recorded in Volume 2, Page 59, Plat Records of Hood County, Texas:

THENCE North 51 degrees 25 minutes West 1185-0/10 feet to a steel rod;

THENCE North 59 degrees 00 minutes West 279-5/10 feet to a steel rod;

THENCE North 57 degrees 08 minutes West 405-4/10 feet to a steel rod;

THENCE North 60 degrees 34 minutes West 392-0/10 feet to a steel rod;

THENCE North 63 degrees 27 minutes West crossing the line common to Johnson and Hood Counties, in all 700-0/10 feet to a steel rod;

THENCE North 26 degrees 33 minutes East 135-0/10 feet to a steel rod;

THENCE North 63 degrees 27 minutes West 127-1/10 feet to a steel rod;

THENCE North 26 degrees 33 minutes East at 50-0/10 feet passing a steel rod at the southwest corner of Lot 2240 of Pecan Plantation Unit Thirteen described herein, at 105-0/10 feet passing a steel rod, at 449-5/10 feet passing a steel rod, and continuing in all approximately 480 feet to a point on the south bank of the Brazos River;

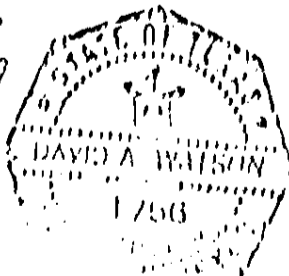
THENCE downstream and Southeasterly with said South bank, recognizing the line common to Hood and Johnson Counties, in all approximately 3280 feet to the Northwest corner of Proposed Lot 2134 Pecan Plantation Unit Twelve;

THENCE departing said South bank with the Northwest line of said Proposed Pecan Plantation Unit Twelve South 39 degrees 25 minutes West, at approximately 10 feet passing a steel rod and continuing South 39 degrees 35 minutes West from said steel rod 251-5/10 feet to a steel rod in the Northeast line of Ravenswood Road, making a total distance of approximately 262 feet from the bank to the road;

THENCE North 51 degrees 25 minutes West 54-0/10 feet to a point;

THENCE South 38 degrees 35 minutes West 185-0/10 feet to the place of beginning.

Filed 10/12/76 @ 8:30 AM



Prepared from surveys made on the ground in May, 1976.

David A. Watson
David A. Watson, R.P.S., No. 1756

FILED FOR RECORD THE 12 DAY OF October 1976 AT 11:00 A.M.

RECORDED THE 12 DAY OF October 1976 AT 11:00 A.M.

Doris Dyer
DEPUTY

DORIS DYER, COUNTY CLERK
HOOD COUNTY, TEXAS