

STATE OF TEXAS                   §  
  §  
COUNTY OF HOOD               §

AGREEMENT TO MODIFY RESTRICTIONS COVENANTS AND RESERVATIONS  
FOR PECAN ESTATES ADDITION NO.2

- A. This agreement is being circulated among owners of Property in Pecan Estates Addition No.2, a subdivision located in Hood County, Texas for the purpose of amending restrictions applicable to Pecan Estates Addition No. 2 pursuant to the provisions contained in paragraph 16 of the Dedication and Restrictions filed to record in volume 147 pp. 98-113 of the Real Records of Hood County, Texas.
- B. Paragraph 16 provides in part that: All of the restrictions and covenants herein set forth shall continue and be binding on the Dedicator, its successors and assigns, and all parties claiming by, through or under the Dedicator until January 1, 2002 at with time all restriction and covenants herein set forth shall be automatically extended from such date for successive periods of ten years each; provided that at any time after January 1, 2002 the Owners of the beneficial title of a majority of the lots herein dedicated (one vote for each lot) may, by written instrument duly executed, acknowledged and recorded in the Deed Records of Hood County, Texas release any lot or lots from any one or more of the restrictions and covenants herein set forth or agree to a change in said restrictions and covenants in whole or in part, except that no such change shall affect or impair the rights and privileges retained by Dedicator with respect to any other land. (i.e. land not included in the additions platted as a part of The Pecan Plantation Development) owned by Dedicator its successors and assigns, with specific reference to the pecan orchard operations, future development of the surrounding land, or change or modify any covenant or agreement of any lot Owner with respect to any such land. Selection by Dedicator of January 1, 2002, in this provision is intended for lot owners, and is not intended in any way to affect, or to be in conflict with, or to be construed in connection with the comparable original "duration" date of January 1, 1997 provided for in other Pecan Plantation Subdivision Restrictions, nor is this date intended to affect the ability of the Pecan Plantation Owners Association to amend it's by-laws or rules and regulations at any time it so wishes by the exercise of it's rights under the existing by-laws, or any future modified by-laws.
- C. The current restriction reads as follows: Animals. No animals, livestock, or poultry of any kind shall be raised, bred, boarded or kept on any lot excepting (a) dogs or cats, or other household pets not kept for commercial purposes, and which are confined to the Owner's lot

by a leash, fencing or otherwise, and (b) horses not kept for commercial purposes, and which are confined to the Owner's lot by adequate fencing. No other animals shall be kept on these lots unless approved by Pecan Plantation Owner's Association. Barbed wire fencing shall not be allowed. Owners may build separate facilities for housing and sheltering their animals according to the terms and conditions of Paragraph III.B.1 Approval of plans. However, such facilities may not be constructed before the construction of a residence, nor may animals be kept or pastured on the property until the Owner moves into his or her residence unless approved by the Association, and the Owner has a permanent residence within Pecan Plantation. The number of horses of breeding age allowed to be kept on the property shall not exceed 2 for lots that are less than 5 acres in area, and limited to 3 for lots of 5 acres or more. All facilities for horses and pets must be kept clean and neat, and accumulated waste materials must be disposed of regularly. Owners shall be solely responsible for protecting their horses and pets from predators. Owners shall be responsible for damage to other property caused by their horses or pets.

As modified, the restriction shall read as follows: Animals. No animals, livestock, or poultry of any kind shall be raised, bred, boarded or kept on any lot excepting (a) dogs or cats, or other household pets not kept for commercial purposes, and which are confined to the Owner's lot by a leash, fencing or otherwise, and (b) horses not kept for commercial purposes, and which are confined to the Owner's lot by adequate fencing. No other animals shall be kept on these lots unless approved by Pecan Plantation Owner's Association. Barbed wire fencing shall not be allowed. Owners may build separate facilities for housing and sheltering their animals according to the terms and conditions of Paragraph III.B.1 Approval of plans. However, such facilities may not be constructed before the construction of a residence, nor may animals be kept or pastured on the property until the Owner moves into his or her residence unless approved by the Association, and the Owner has a permanent residence within Pecan Plantation. The number of horses allowed on lots of less than five (5) acres in area, shall be four (4). The number of horses allowed on lots of five (5) acres or more in area, shall be seven (7). All facilities for horses and pets must be kept clean and neat, and accumulated waste materials must be disposed of regularly. Owners shall be solely responsible for protecting their horses and pets from predators. Owners shall be responsible for damage to other property caused by their horses or pets.

- D. There are twenty (20) lots in Pecan Estates Addition No. 2. We the undersigned owners, each own record title to property in Pecan Estates Addition No.2 as reflected herein and hereby agree to the modification of the Restrictions, Covenants and Reservations.

1. Owner: Bob & Paula Carroll

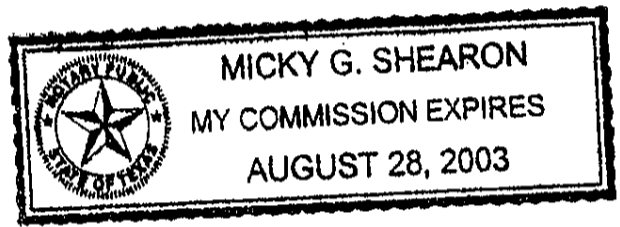
Owner's Signature: Paula Carroll

Lot 14 Block 2

COUNTY OF Hood §

STATE OF Texas §  
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**This Document** was acknowledged before me on this 01 day of October 2002, by Paula Carroll.



Micky G. Shearon  
Notary Public, State of Texas

10. Owner: KAREN DELYEA

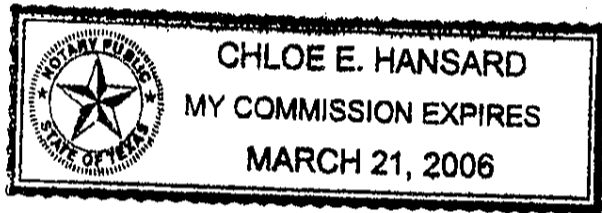
Owner's Signature: Karen Delyea

Lot 9 Block 2

COUNTY OF Hood §

STATE OF Texas §  
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This Document was acknowledged before me on this 18<sup>th</sup> day of June 2002, by Karen Delyea.



Chloe E. Hansard  
Notary Public, State of Texas

1. Owner: DOUGLAS L. CRUMRINE

VOL.

PG.

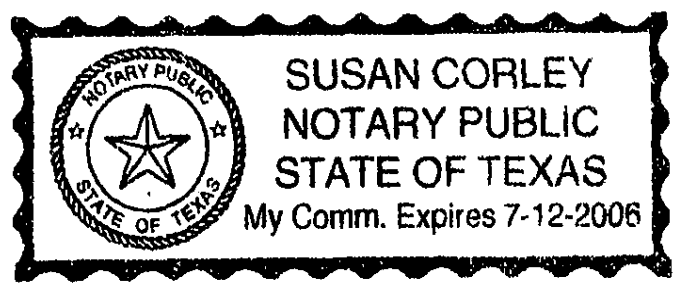
Owner's Signature: *Douglas L. Crumrine*

Lot 6 Block 2

COUNTY OF Hood §

STATE OF Texas §  
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This Document was acknowledged before me on this 5th day of September 2002., by Douglas Crumrine.



*Susan Corley*  
Notary Public, State of Texas

1. Owner: JOSEPH T. PYTLESKI

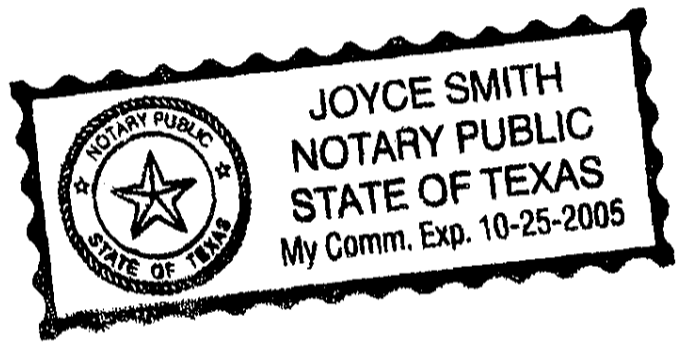
Owner's Signature: *[Handwritten Signature]*

Lot 10 Block 3

COUNTY OF Hood §  
STATE OF Texas §

This Document was acknowledged before me on this 5<sup>th</sup> day of Sept. 2002.

, by Joseph T. Pytleski.



*[Handwritten Signature]*  
Notary Public, State of Texas

1. Owner: Tony F. Lombard 1857 0051  
VOL. PG.

Owner's Signature: Tony Lombard

Lot 11 Block 3 Sect. 2

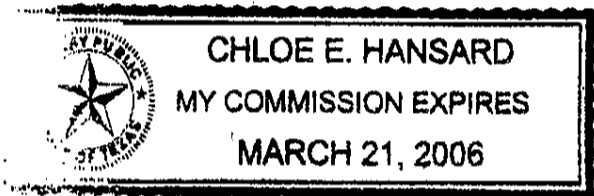
COUNTY OF Hood

STATE OF Texas

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This Document was acknowledged before me on this 31<sup>st</sup> day of July 2002.

, by Tony F. Lombard.



Chloe E. Hansard  
Notary Public, State of Texas

9. Owner: R. Johnson & Mary Jo Johnson

Owner's Signature: R. Johnson Mary Jo Johnson

Lot 3 Block 3

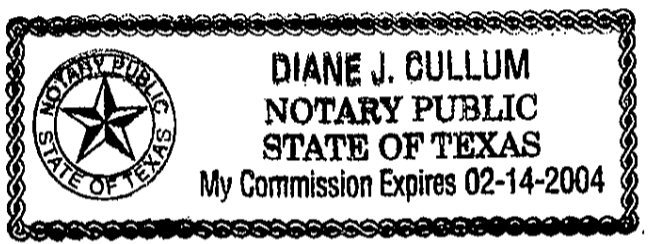
COUNTY OF Hood

STATE OF Texas

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This Document was acknowledged before me on this 1 day of July 2002.

, by R. Dale Johnson Mary Jo Johnson



Diane J. Cullum  
Notary Public, State of Texas



13. Owner: CHARLES K HARDING

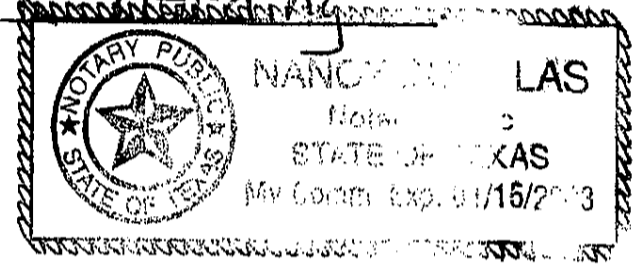
Owner's Signature: Charles K. Harding

Lot 12 Block 3

COUNTY OF Hood §  
STATE OF Texas §  
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This Document was acknowledged before me on this 27<sup>th</sup> day of June 2002.

, by Charles K. Harding



Nancy Douglas  
Notary Public, State of Texas

1857 0054  
VOL. PG.

1. Owner: Sheri Hammond

Owner's Signature: [Handwritten Signature]

Lot 8 Block 2

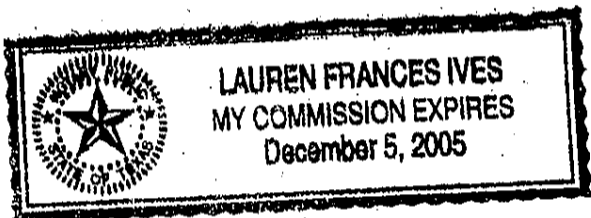
COUNTY OF Hood

STATE OF Texas

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This Document was acknowledged before me on this 23 day of August 2002.

by Sheri Hammond



[Handwritten Signature]  
Notary Public, State of Texas

1. Owner: Keith J. Hibbett

1857

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VOL.

PG.

Owner's Signature: Keith J. Hibbett

Lot 13 Block 2

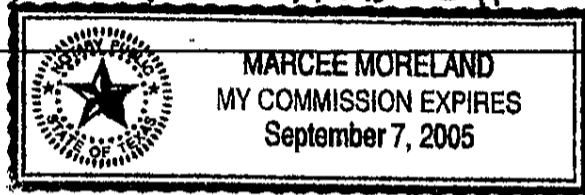
COUNTY OF Hood

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STATE OF Texas

**This Document** was acknowledged before me on this 19 day of July 2002.

, by Keith J. Hibbett



Marcee Moreland  
Notary Public, State of Texas

3. Owner: Ken Landers

Owner's Signature: Ken Landers

Lot 8 Block 3

COUNTY OF Hood

STATE OF Texas

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This Document was acknowledged before me on this 14<sup>th</sup> day of June 2002.

, by Ken Landers



Terisa Wines  
Notary Public, State of Texas

1. Owner: SALLY JO PERKINS

Owner's Signature: *Sally Jo Perkins*

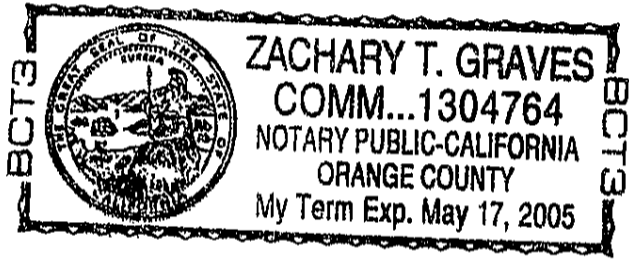
Lot 11 Block 2

COUNTY OF Orange §

STATE OF California §

This Document was acknowledged before me on this 26<sup>th</sup> day of SEPTEMBER 2002.

, by Sally Jo Perkins.



*Zachary T. Graves*  
Notary Public, State of Texas  
California

1. Owner: SALLY JO PERKINS

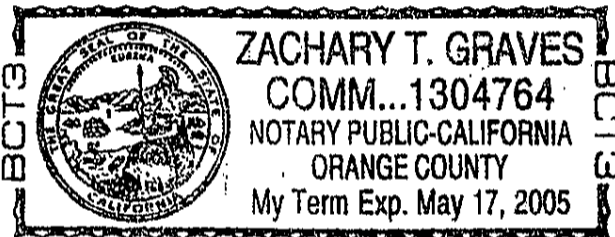
1857 0058  
VOL. PG.

Owner's Signature: Sally Jo Perkins

Lot 12 Block 2

COUNTY OF Orange §  
STATE OF California §  
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This Document was acknowledged before me on this 26<sup>th</sup> day of SEPTEMBER 2002, by Sally Jo Perkins.



Zachary T. Graves  
Notary Public, State of Texas  
California

Ret: Paula Carroll  
6405 Citation Ct.  
Granbury, Tx 76049

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under Federal law.  
STATE OF TEXAS COUNTY OF HOOD  
I hereby certify that this instrument was filed on the date and at the time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF HOOD COUNTY TEXAS, in the Volume and Page as shown hereon.



Sally Oubre  
SALLY OUBRE, County Clerk  
Hood County, Texas

FILED FOR RECORD  
AT 2:45 P.M.

OCT 01 2002

Sally Oubre  
County Clerk, Hood County, TX