

AMENDED DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
COUNTRY CLUB ESTATES
AND
COUNTRY CLUB ESTATES UNITS II AND III

THE STATE OF TEXAS

COUNTY OF GUADALUPE

This Third Amended Deceleration of Covenants, Conditions and Restrictions for Country Club Estates and First Amended Declaration of Covenants, Conditions and Restrictions for Country Club Estates, Units II and III is made on the date hereinafter set forth by L.R. Elsik, (hereinafter referred to as the "Declarant").

WHEREAS, Seguin Country Club Estates, L.L.C. executed and caused to be filed with the County Clerk of Guadalupe County, a Deceleration of Covenants, Conditions and Restrictions for Country Club Estates, same being recorded in Volume 1176, Page 963 of the Official Records and L.R. Elsik executed and caused to be filed with the County Clerk of Guadalupe County, a Declaration of Covenants, Conditions and Restrictions for Country Club Estates Units II and III, same being recorded in Volume 2157, Page 193 of the Official Records of Guadalupe County, Texas (hereinafter referred to as "Declarations") covering the property described as follows:

Country Club Estates, a subdivision in Guadalupe County, Texas, according to the Map and plat thereof recorded in Volume 5, Pages 268 A & B of the Map and Plat Records of Guadalupe County, Texas, and

Tract One: Country Club Estates, Unit II, a subdivision located in the City of Seguin, Guadalupe County, Texas according to the map or plat thereof recorded in Volume 6, Pages 354-357, of the Plat Records of Guadalupe County, Texas.

Tract Two: 19.76 acres of land Described in Exhibit "A" attached hereto; LESS AND EXCEPT:

COUNTRY CLUB ESTATES, a subdivision located in the City Of Seguin, Guadalupe County Texas, according to the map or plat thereof recorded in Volume 5, Pages 268 A&B and 269 A&B of the Map and Plat Records of Guadalupe County, Texas; and

COUNTRY CLUB ESTATES, UNIT II, a subdivision located in the City of Seguin, Guadalupe County, Texas, according to the map or plat thereof recorded in Volume 6, Pages 354-357, of the Plat Records Of Guadalupe County, Texas.

Country Club Estates and Tract One are platted subdivisions. Declarant anticipates that Tract Two will be platted as Country Club Estates, Unit III. The above described property is hereinafter sometimes referred to as the "Property" or "Country Club Estates or Country Club Estates Units II and III".

(hereinafter referred to as the "Subdivision").

WHEREAS, Seguin Country Club Estates, L.L.C. and L.R. Elsik have executed and filed with the County Clerk of Guadalupe County a Designation of Successor Declarant, same being recorded in Volume 2155, Page 51 of the Official Records of Guadalupe County, Texas, wherein L.R. Elsik was designated as the Declarant in the Declaration, any amendments or modifications to the Declaration and any annexation of additional property to the Declaration.

WHEREAS, Article XV, Section B of the original Declaration filed in Volume 1176, Page 963 entitled "Duration and Amendment", provided in part:

In addition, Declarant shall have the right at any time and from time to time, Without the joinder or consent of any other party, to amend this Declaration of Covenants, Conditions and restrictions by any instrument in writing duly signed, acknowledged and filed for record in the Official Public Records of Guadalupe county, Texas, for the purpose of correcting any typographical or grammatical error, ambiguity, or inconsistency appearing herein, or for the purpose of complying with any statue, regulation, ordinance, resolution, or any federal, state, county, or municipal governing body, or any agency or department thereof; provided that any such amendment shall be consistent with and in furtherance of the general plan and scheme of development as evidenced by this Declaration of Covenants, Conditions and Restrictions and any supplemental declarations taken collectively, and shall not impair or affect the vested property rights of any owner or his mortgagee.

WHEREAS, it is deemed to be in the best interest of Declarant and any other person who may purchase lots in the Subdivision, that the Declaration be amended as set forth in this amended Declaration in order to correct typographical errors and mistakes in the Declaration and the amendments herein do not impair or affect the vested property rights of any owner or his mortgagee.

NOW, THEREFORE, Declarant hereby declares that all the lots in Country Club Estates, and Country Club Estates Units II and III, shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the Subdivision. These easements, covenants, restrictions, and conditions shall run with the Subdivision and be binding upon all parties having or acquiring any right, title or interest in a lot located in the Subdivision, their heirs, successors and assigns, and shall inure to the benefit of each owner hereof.

1. Article V, Section D, entitled "Facing of Residences" is amended to read as follows:

D. Facing of Residences.

The front of the residence located on Lot 35 shall face west (the same as Lots 36 and 37) toward Arvin. The front of the residence placed on Lot 42 shall face east towards Club View East.

2. Article XIV, Section A.5 is deleted in its entirety as its inclusion in the Declaration was not intended.

3. All other easements, restrictions, covenants, and conditions and other items described in the Declaration shall remain in full force and effect as stated therein and are incorporated herein by reference for all purposes as if fully set forth at length.

EXECUTED to be effective as of September 21, 2009.

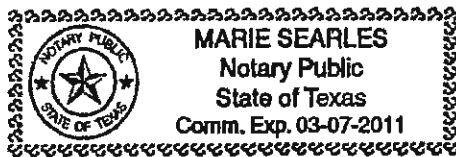
Declarant:


L.R. Elsik


State of Texas)

County of Guadalupe)

This instrument was acknowledged before me on 9/21, 2009 by L.R. Elsik.




Notary Public, State of Texas

Return to: L.R. Elsik
→ 1202 W. Court Street
Seguin, Texas 78155

FILED FOR RECORD
2009 SEP 21 PM 12:12

TERESA KIEL
COUNTY CLERK GUADALUPE COUNTY

BY 

