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AMENDMENT TO RESTRICTIONS, COVENANTS AND CONDITIONS
INDIAN BEACH, SECTION THREE (3)
GALVESTON, TEXAS

THE STATE OF TEXAS
COUNTY OF GALVESTON

§
§ KNOW ALL MEN BY THESE PRESENTS:
§

MITCHELL DEVELOPMENT CORPORATION OF THE SOUTHWEST ("Subdivider"), a Delaware corporation, sole owner of a majority of the Lots and Reserves of INDIAN BEACH, SECTION THREE (3), a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 17, Page 151, of the Plat Records of Galveston County, Texas ("the Subdivision"), acting herein by and through its duly authorized officers does hereby ADOPT, ESTABLISH, and IMPOSE the following AMENDMENT to the restrictions, reservations, covenants and conditions contained in RESTRICTIONS, COVENANTS and CONDITIONS, INDIAN BEACH, SECTION THREE (3) ("Restrictions") dated 7th of January, 1985, and filed January 15, 1985, under Clerk's File No. 8502035 (Film code No. 003-59-1201) in the Real Property Records of Galveston County, Texas, to-wit:

1) Section entitled LAND USE AND BUILDING TYPE is hereby deleted and shall be replaced by the following section:

RESTRICTIONS, COVENANTS AND CONDITIONS

1. Land Use and Building Type. The property shall be used for residential purposes only, and only one detached, single-family dwelling shall be erected on any one lot. No commercial activity shall be conducted on or from any of Said Lots, except (a) Lot 1, Block 3, on which Developer may conduct sales of lots in the subdivision so long as Developer owns said lot, and (b) that a lot owner may from time to time rent his home to another for residential purposes.

Except as otherwise expressly provided herein, all provisions, restrictions, reservations, covenants and conditions contained in the original Restrictions shall be and remain in full force and effect.

IN WITNESS WHEREOF, MITCHELL DEVELOPMENT CORPORATION OF THE SOUTHWEST has caused these presents to be executed by its duly authorized officer on this 5 day of ~~SEPTEMBER~~, 1985.

MITCHELL DEVELOPMENT CORPORATION OF THE SOUTHWEST

By: [Signature]
Name: ALFRED LEHTONEN
Title: VICE PRESIDENT

mka

STATE OF TEXAS
COUNTY OF MONTGOMERY

§
§

This instrument was acknowledged before me on Sept. 9, 1985, by Alfred Lehtonen, Vice President of Mitchell Development Corporation of the Southwest, a Delaware corporation, on behalf of said corporation.

[Signature: Kathleen Davidson]
Notary Public - State of Texas
Printed Name: KATHLEEN DAVIDSON
My Commission Expires: 10-11-87

KATHLEEN DAVIDSON
Notary Public in and for State of Texas
My Commission Expires 10/11/87

Return to:

Monis Smith
Mitchell Development Corporation
of the Southwest
P.O. Box 4000
2201 Timberloch Place
The Woodlands, Texas 77380

FILED FOR RECORD
SEP 13 10 31 AM '85

[Signature: Mary Jane Christman]
COUNTY CLERK, GALVESTON COUNTY, TEXAS

STATE OF TEXAS COUNTY OF GALVESTON
I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the Official Public Records of Real Property of Galveston County, Texas, on

SEP 13 1985



[Signature: Mary Jane Christman]
COUNTY CLERK, Galveston County, Texas