

## **SECOND SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR COFFEE LAKE ESTATES, SECTION I**

WHEREAS, on the first day of February, 2007, Coffee Lake Estates, Inc., a Texas Corporation, hereinafter referred to as "CLE", executed and filed for record in Brazoria County, Texas, Declaration of Covenants, Conditions and Restrictions for Coffee Lake Estates, Section I, pertaining to that certain property in Brazoria County, Texas, more particularly described in Property Exhibit A attached hereto and made a part hereof, being 88.84 acres of land, and further described on that certain Plat recorded at Document # 2006-047168 of the Official Records of Brazoria County, Texas; and

WHEREAS, said Declaration was recorded on February 14, 2007, as Document number 2007-008999 of the Official Records of Brazoria County, Texas; and

WHEREAS, CLE amended said Declaration of Restrictions as is provided for in Article IX, Section 5 of said Declaration; and recorded said Supplemental Restrictions by instrument recorded on October 30, 2009 at Clerk's File Number 2009-048448;

WHEREAS, CLE again wishes to amend said Restrictions and has obtained approval of the Board of Directors of the Association; and

WHEREAS, CLE is currently the owner of nine lots or twenty-seven possible votes as provided in Article III of said Restrictions which votes represent Seventy-one and one-tenth percent (71.1%) of the eligible votes (20 lots total are in Section 1); and

WHEREAS said Restrictions in Article IX, Section 5 require Seventy-five percent (75%) of the eligible votes to amend the Restrictions;

Whereas CLE at a stockholders meeting, voted unanimously to amend said restrictions further; and whereas Charles Kiser, owner of Lots Ten, Eleven and Twelve (10, 11 & 12) of Coffee Lake Estates, Section 1, and representing three (3) votes, also wishes to amend said Restrictions, which votes total to Seventy-eight and nine-tenths percent (78.9%) of the eligible votes; and

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS: that CLE and Charles Kiser hereby amend said Declaration by **deleting in its entirety Article VI, Section 26**, as recorded in Supplemental Declaration of Covenants, Conditions and Restrictions for Coffee Lake Estates, Section I, recorded on October 30, 2009, at Clerk's File Number 2009-048448 of the Official Records of Brazoria County, Texas, to wit:

"Temporary Structures, Section 26. Temporary Structures. No structures of a temporary character, recreational vehicles, camper trailers, trailers or trailers built as a modular home, manufactured home, mobile home, basement, tent, shack, playhouse or other outbuildings of any character shall be used on any lot at any time as a residence; except that a mobile home, barn with living quarters, or garage with living quarters may be used as a temporary dwelling for a period of 18 months from the date construction



starts on a permanent residence, provided that the mobile home is properly anchored, skirted, neatly kept and it has an attractive appearance, is not older than ten (10) years, and provided said barn or garage complies with the Architectural Control and Protective Covenants of the original Declaration of Covenants dated February 1, 2007.

The owner must notify CLE and the adjoining lot owners when a mobile home is being moved to the premises and must permanently remove said mobile home from his property within 18 months from the date of such request. Failure to remove said mobile home shall result in a lease payment equal to \$50 per day, payable to CLE for each day that the mobile home is kept on the tract past the 18 months. CLE may in its discretion remove said mobile home and have it transported offsite and bill the owner of said lot for this expense. CLE is held harmless from any damages to said mobile home should it have to remove it in order to comply with this covenant. A vendor's lien to enforce such payment is hereby retained in favor of CLE or its successors and assigns. Said vendor's lien shall be inferior to purchase money liens or mortgages."

If the provisions of this Second Supplemental Declaration contradict any provisions of the original Declaration dated February 1, 2007, the provisions of this Second Supplemental Declaration shall prevail.

Executed this 19th day of February, 2010.

COFFEE LAKE ESTATES, INC.

\_\_\_\_\_  
By: Melba Beken, Vice President

\_\_\_\_\_  
Charles Kiser

THE STATE OF TEXAS  
COUNTY OF BRAZORIA

This instrument was acknowledged before me on \_\_\_\_\_, 2011, by Melba Beken, Vice President, Coffee Lake Estates, Inc., on behalf of said corporation.

\_\_\_\_\_  
Notary Public, State of Texas

THE STATE OF TEXAS  
COUNTY OF HARRIS

This instrument was acknowledged before me on \_\_\_\_\_, 2011, by Charles Kiser.

\_\_\_\_\_  
Notary Public, State of Texas