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BRAZOS COUNTY COURTHOUSE
BRYAN, TEXAS

BY Jo Keller
DEPUTY

AMENDMENT TWO TO SUPPLEMENTARY DECLARATION OF EASEMENTS,
RESTRICTIONS AND COVENANTS FOR PHASE TWO SECTION A
OF THE PEBBLE CREEK DEVELOPMENT

ADMENDENT TWO TO SUPPLEMENTARY DECLARATION OF EASEMENTS, RESTRICTIONS AND COVENANTS FOR PHASE TWO SECTION A OF THE PEBBLE CREEK DEVELOPMENT	§ § §	UNITED STATES OF AMERICA COUNTY OF BRAZOS STATE OF TEXAS
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(Patio Home Section)

This amendment (“Amendment”) is made effective the 19th day of November, 1997, by Pebble Creek Development Company, a Texas Corporation (the “Declarant”) represented by Vice President, Davis M. Young, whose address is 4500 Pebble Creek Parkway, College Station, Texas 77845.

WHEREAS, on or about the 28th day of March, 1994, Declarant executed an instrument entitled Supplementary Declaration of Easements, Restrictions and Covenants for Phase Two Section A of the Pebble Creek Development (“Supplementary Declaration”), and such instrument was filed of record in Volume 2068, Page 325, Official Records of Brazos County, Texas; and

WHEREAS, in December, 1994, Amendment One to the Supplementary Declaration of Easements, Restrictions and Covenants for Phase Two Section A of the Pebble Creek Development was made (“Amendment One”); and

WHEREAS, Declarant desires to amend the Supplementary Declaration, Amendment One for Phase Two Section A of the Pebble Creek Subdivision, a subdivision located in College Station, Brazos County, Texas as per the plat recorded in Volume 2067, page 85, Official Records of Brazos County, Texas; and

WHEREAS, certain third parties (“Third Parties”) have acquired certain lots in said Phase Two Section A, and the Third Parties have consented to this addition, amendment and/or change to the Supplementary Declaration as same is recorded in Volume 2068, Page 325, Official Records of Brazos County, Texas, together with Amendment One to the Supplementary Declaration executed in December, 1994;

NOW, THEREFORE, the Supplementary Declaration referred to above, and Amendment One to the Declaration is hereby amended, altered or changed as follows:

1. Section 4 of the Supplementary Declaration entitled “Use Restrictions” is hereby amended by adding a Section 4.12A which shall read as follows:

Prohibition of Offensive Activities in Maintained Common Areas: "No noxious or offensive activity of any sort shall be permitted, nor anything be done on or in the maintained common areas of Pebble Creek Development. Activities expressly

prohibited include, without limitation, the use of these areas as playgrounds or picnic facilities. Any equipment that corresponds with the above is strictly prohibited. Activities that may be offensive due to odors, fumes, dust, smoke, noise, vibration or pollution, or which are hazardous by reason of excessive danger, fire or explosion is prohibited. No permanent buildings or equipment shall be emplaced in these areas".

2. Section 8 of the Supplementary Declaration entitled "Assessments" is further amended by adding Section 8.3D which shall read as follows:

"Notwithstanding any of the language contained in these Supplementary Declarations of Easements, Restrictions and Covenants for Phase Two Section A of the Pebble Creek Development, it is hereby noted that undeveloped lots will be assessed fifty percent (50%) of the monthly maintenance dues that are assessed against a ("Developed Lot"). A lot is considered to be a Developed Lot on the first day of the first full calendar month after ninety (90) days have expired from the date a foundation for improvements to be located on such lot is commenced". This amendment does not change or alter the maintenance fees or dues assessed by Pebble Creek Homeowners Association for all lots in the Pebble Creek Subdivision.

3. All other provisions, terms and conditions of the Supplementary Declaration as recorded in Volume 2068, Page 325, Official Records of Brazos County, Texas and Amendment One & Amendment Two not expressly modified or changed herein, shall remain in full force and effect.

Witness our hands this 19th day of November, 1997.

PEBBLE CREEK DEVELOPMENT COMPANY

BY: 

DAVIS M. YOUNG, Vice President

BY: 

MOLLY M. YOUNG, Secretary

STATE OF TEXAS §
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COUNTY OF BRAZOS §

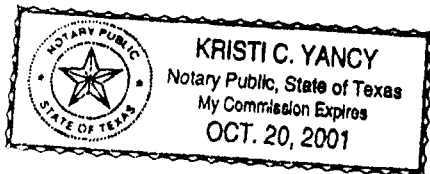
This instrument was acknowledged before me on this the 19th day of November, 1997 by DAVIS M. YOUNG, Vice President of Pebble Creek Development Company, a Texas corporation, on behalf of said corporation.



Kristi C. Yancy
Notary Public, State of Texas
My Commission Expires: Oct. 20, 2001

STATE OF TEXAS §
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COUNTY OF BRAZOS §

This instrument was acknowledged before me on this the 19th day of November, 1997 by MOLLY M. YOUNG, Secretary of Pebble Creek Development Company, a Texas corporation, on behalf of said corporation.



Kristi C. Yancy
Notary Public, State of Texas
My Commission Expires: 10-20-01