

AMENDMENTS TO DEDICATION AND RESTRICTION

Amendment #1

322 ME 36 AMENDMENT TO DEDICATION AND RESTRICTIONS
FOR KALITA POINT, SUB-DIVISION.

THE STATE OF TEXAS : 5787
: KNOW ALL MEN BY THESE PRESENTS:
THE COUNTY OF POLK :

THAT, WHEREAS, under date of October 1, 1971, I, THERON L. MOORE, developer and owner of KALITA POINT, a Subdivision in Polk County, Texas, did execute and place of record in the Office of the County Clerk of Polk County, Texas, an instrument entitled DEDICATION AND RESTRICTIONS FOR KALITA POINT, SUB-DIVISION, covering the following land and premises, to-wit:

TRACT ONE: That certain 3.15 acres of land described in that certain Partition Deed by and between J. D. Coogler and Theron L. Moore, as described in Volume 232, Pages 343 et seq. of the Deed Records of Polk County, Texas, and being the tract partitioned to Theron L. Moore; and,

TRACT TWO: That certain 8.936 acres of land conveyed by Southland Paper Mills, Inc. to Theron L. Moore as the same is shown of record in Volume 253, Pages 431 et seq. of the Deed Records of Polk County, Texas;

said instrument appearing of record in Volume 260, Pages 92 et seq. of the Deed Records of Polk County, Texas, to which instrument and its recording therein reference is here made for all of its terms and provisions and all other pertinent purposes;

AND, WHEREAS, in said instrument there appears, among other provisions therein, the following provision:

(11). "No residential structure shall be placed on a residential tract unless its living area meets the minimum of square feet of floor area as designated by the Architectural Committee for the lot and in no event to be less than 850 square feet in floor area; excluding porches and garages."

AND, WHEREAS, it being the desire of the said THERON L. MOORE, to amend said DEDICATION AND RESTRICTIONS FOR KALITA POINT, SUB-DIVISION, as to SECTIONS TWO (2) and THREE (3), as to the aforesaid provision; KNOW ALL MEN BY THESE PRESENTS: That, from and after the date hereof, it is hereby provided that Provision Eleven (11) be, and the same is hereby amended to read as follows:

(11). "No residential structure shall be placed on a residential tract unless its living area meets the minimum of square feet of floor area as designated by the Architectural Committee for the lot and in no event to be less than 1000 feet in floor area; excluding porches and garages."

and, that the same shall apply to the said KALITA POINT, SUBDIVISION, SECTIONS TWO (2) and THREE (3) hereafter, as fully and to all intents and purposes as if the same had been originally provided; and, all of the balance and remaining provisions therein shall remain in full force and effect as originally provided.


IN TESTIMONY WHEREOF, witness my hand at Livingston, Texas, this the First Day of October, 1976.

Theron L. Moore
Theron L. Moore

THE STATE OF TEXAS }
THE COUNTY OF POLK }

BEFORE ME, the undersigned authority, a Notary Public in and for said State and County, on this day personally appeared THERON L. MOORE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the First Day of October, 1976.



Alan H. Hightower
NOTARY PUBLIC, in and for Polk County, Texas.

THE STATE OF TEXAS
County of Polk

I hereby certify that the foregoing instrument with its certificate of authentication was filed for record in my office on the 18th day of October, 1976, at 2:30 P.M. and was this day duly recorded at 9:05 A.M. in Vol. 322, Page 36 of sec. Deed Records of said County.

Witness my hand and official seal of office in Livingston this 26th day of October, 1976.



ALICE STEPHENSON
Clerk County Court, Polk County, Texas
By *June L. Hines* Deputy