

# AMENDMENTS TO DEDICATION AND RESTRICTION

## Amendment #4

JAN. 21, 2009

AMENDMENT TO DEDICATION AND RESTRICTIONS  
FOR KALITA POINT, SUB-DIVISION

THE STATE OF TEXAS

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 provisions:

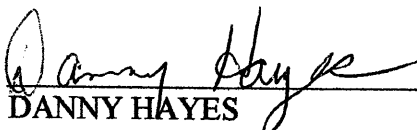
(20) "Each lot owner agrees and obligates himself to pay Kalita Point Property Owners Association the sum of \$30.00 per year (as approved by property owners meeting Saturday, February 18, 1995) which said sum shall be due and payable on the 10<sup>th</sup> day of March each year and the Kalita Point Property Owners Directors shall accept such payment and use same for the upkeep and maintenance of boat ramp for public use by lot owners only, streets, and street lights of the sub-division. This said assessment shall be a covenant running with the land and shall be collected each year."

And, WHEREAS, it being the desire of the said Danny Hayes (President of Kalita Point Property Owners Association) and the Kalita Point Property Owners (which was Incorporated on June 19<sup>th</sup>, 1995) : to amend said DEDICATION AND RESTRICTIONS FOR KALITA POINT SUB-DIVISION, as to the aforesaid provisions; KNOWN ALL MEN BY THESE PRESENTS:

That, from and after the date thereof, it is provided that Provision 20 be, and the same is hereby amended to read as follows:

(20) "Each lot owner agrees and obligates himself to pay the Kalita point Property Owners Association the sum of \$50.00 per lot/per year (as approved by the Kalita Point Property Owners meeting on Saturday, April 19, 2008) which said sum shall be due and payable on the 10<sup>th</sup> day of March each year. The Kalita Point Property Owners Directors shall accept such payment and use same for the upkeep and maintenance of boat ramp for public use by lot owners only, streets, and street lights and other general maintenance of the sub-division. This said assessment shall be a covenant running with the land and shall be collected each year."

Witness my hand this the 21 day of JAN, 2009.

By:   
DANNY HAYES

By:   
FRANK MATHISEN

By:   
PATRICIA JEMISON

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 Danny Hayes, Frank Mathisen, and Patricia Jemison, known to be the persons whose names are subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 21<sup>st</sup> day of

Sept., 2009.

Irene Goins  
NOTARY PUBLIC, in and for Polk County, Texas

