

INSTRUMENT PUBLIC RECORDS NAME PAGE(S)

BAY POINT, PORT LAVACA, TEXAS
CORRECTION
TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS

This Declaration, made on the date hereinafter set forth by SOUTHEAST LAND PARTNERS, LLC, a Texas limited liability company, hereinafter referred to as "Developer,"

WITNESETH:

WHEREAS, Developer recorded on May 9, 2006, in the Real Property Records of Calhoun County, Texas under file number 98631 a Declaration of Covenants, Conditions and Restrictions, and recorded on July 26, 2006, in the Real Property Records of Calhoun County, Texas under file number 99545 a Corrected and Restated Declaration of Covenants, Conditions and Restrictions (collectively the "Covenants") with regard to the that certain tract of land known as "BAY POINT" being a Subdivision of 274.25 acres of land situated in the Pacsual Guajardo Survey, Abstract 20, Calhoun County, Texas, as described in the plat (the "Plat") recorded in the office of the County Clerk of Calhoun County, Texas on the 5th day of June, 2006, after having been approved as provided by law, and being recorded at Volume 2, Page 708 Slide 459 A-D of the Map Records of Calhoun County, Texas (hereinafter referred to as the "Property" or the "Subdivision");

WHEREAS, pursuant to Section D.4. of the Covenants, the Developer reserved the right at any time and from time to time prior to the Control Transfer Date, without the joinder or consent of any Owner or other party, to amend this Declaration by an instrument in writing duly signed, acknowledged, and filed for record for the purpose of correcting any typographical or grammatical error, oversight, ambiguity or inconsistency appearing herein, provided that any such amendment shall be consistent with and in furtherance of the general plan and scheme of development as evidenced by this Declaration and shall not impair or adversely affect the vested property or other rights of any Owner or his mortgagee, and

WHEREAS, it is the desire of Developer to so correct the restrictions, easements, covenants, conditions, stipulations and reservations (herein sometimes referred to as the "Restrictions") upon and against such Property pursuant to said Section D.4.;

NOW, THEREFORE, the following correction is heretofore made to the Covenants and the Related Restrictions.

B. CONSTRUCTION AND ARCHITECTURAL CONTROL

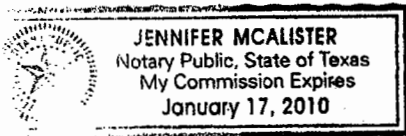
Section B.4. of the Covenants is hereby deleted in its entirety and replaced with the following:

- 4. Every building constructed on a Lot shall be set back: (a) with regard to any boundary line of a subject Lot adjacent to any street shown on the Plat: the greater distance of (i) twenty-five (25) feet from said boundary line

of the subject Lot adjacent to the street; or (ii) outside the boundaries of any Easement along said boundary line; and (b) with regard to any boundary line other than a boundary adjacent to any street shown on the Plat: the greater distance of (i) ten (10) feet from any such boundary line not adjacent to any street shown on the Plat; or (ii) outside the boundary lines of any Easement along said boundary line. If a contiguous tract (or tracts) is later consolidated with the tract conveyed hereby, these set back provisions shall be applied not to this original tract but to the Consolidated Tract (as herein defined).

All other terms and conditions of the Covenants not altered hereby shall otherwise remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, being the Developer herein, has hereunto set its hand as of this 25th day of Oct, 2006.



SOUTHEAST LAND PARTNERS, LLC
a Texas limited liability company

By: [Signature]
Name: Rick Gaul
Title: Authorized Agent

STATE OF TEXAS §
COUNTY OF Calhoun §

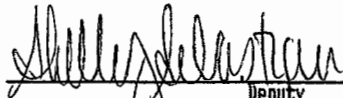
This instrument was acknowledged before me on the 25 day of October, 2006, by Rick Gaul, authorized agent of SOUTHEAST LAND PARTNERS, LLC, a Texas limited liability company, in the capacity therein stated on behalf of said company.

[Signature]
Notary Public, State of Texas

10/27/2006 12:33 PM

This Document has been received by this Office for Recording into the Official Public Records. We do hereby swear that we do not discriminate due to Race, Creed, Color, Sex or National Origin.

Filed for Record in:
Calhoun County
Honorable Anita Fricke
County Clerk


Deputy

Instr.: 101339
Stamps: 3 Page(s)