

16069

AN AMENDMENT  
to the  
THIRD AMENDMENT OF GENERAL PLAN OF DEVELOPMENT  
AND SUPPLEMENTARY DECLARATION - MEADOWPARK

Recitations

WHEREAS, Home Savings Association (the "Developer") is the owner of the real property described by instrument entitled "Meadowpark Declaration of Covenants and Restrictions and Provisions for the Care and Maintenance of Common Areas and Facilities" (the "Declaration"), dated April 12, 1979, and recorded by Citizens Savings & Loan Association (the "Previous Developer") in Volume 666, Page 55, of the Deed Records of Midland County, Texas, causing certain covenants and restrictions to be executed and imposed upon Meadowpark, First Section, an addition to the City of Midland, Midland County, Texas and adjacent lands subject to the General Plan of Development illustrated on Exhibit B of the Declaration; and

Article 11, Section 3 (b) of such Declaration provided for amendment to the General Plan of Development for land not subject to the original declaration; and

WHEREAS, on the 11th day of March 1983, by instrument entitled "Third Amendment of General Plan of Development and Supplemental Declaration - Meadowpark" by instrument recorded in Volume 720, Page 509 of the Deed Plat Records of Midland County, Texas, Developer did cause certain covenants and restrictions to be executed and imposed upon Lots 1 through 55, (and Common Area as designated K,L,M,N,O,P and Q), Block 3, Section 4 (Area I), Meadowpark Addition (as shown on the Amended General Plan of Development attached thereto as Exhibit A) and subjecting said lots to certain terms, conditions and easements differing from those set out in the Declaration, said terms, conditions and easements being recited under paragraph entitled Amendment, subparagraphs (a) through (d) of said "Third Amendment of General Plan of Development and Supplemental Declaration Meadowpark"; and

Developer now desires to amend subparagraphs (a) through (d) of paragraph entitled Amendment, contained in the "Third Amendment of General Plan of Development and Supplemental Declaration - Meadowpark" and recorded by the Developer in Volume 720, Page 509 of the Deed Plat Records of Midland County, Texas, and to subject Lots 1 through 54, Block 3, Section 4 (Area I) and any replats thereof, as shown on the Amended General Plan of Development attached hereto as Exhibit A on Lots 1 through 54, to the following terms, conditions and easements:

Amendment

- (a) The provision of Article III (Protective Covenants), Section 5, (Set Back Requirements) and Section 6 (Zero Side Lot Line) of the

Declaration shall have no application to Lots 1 through 54, Block 3, Section 4, (Area I), Meadowpark Addition, which property shall be subject only to the front yard set back as shown on the final plats for said Lots and any replats thereof, if any, as approved by the City of Midland, and to the general side yard set back requirements and lot line regulations, relative to single family detached developments, and to rear yard set back requirements relative to townhouse developments, except that garages shall be set back a distance of 10' from the rear property line, as are imposed by the City Code of the City of Midland, Texas.

(b) With respect to Lots 1 and 3-15, 20 through 37 and 42 through 54, Block 3, Section 4 (Area I) of Meadowpark Addition, and any replats thereof, as approved by the City of Midland, all garages shall be accessed from the public alley adjacent to said lots.

(c) With respect to Lot 2, Lots 16 through 19 and 38 through 41, Block 3, Section 4 (Area I) of Meadowpark Addition, and any replats thereof, if any, as approved by the City of Midland, all garages shall be entered from the private street adjacent to said lots. Circular driveways are prohibited on any of these lots, except Lot 2. All garage openings shall be set back a minimum of 20' from the front property line.

*Where can we have circular driveways*

(d) The minimum lot coverage for each lot in Block 3, Section 4 (Area I) shall be 2,500 square feet inclusive of the garage area of each residence. The maximum lot coverage shall be 55% for those lots containing less than 6,000 square feet in gross lot area, and 50% for those lots containing 6,000 square feet or more in gross lot area.

Neither the Developer or the Association shall be liable for damages to any landscaping features resulting from causes beyond their control.

WITNESS THE EXECUTION HEREOF this 18 day of July, 1984.

HOME SAVINGS ASSOCIATION  
THE DEVELOPER

BY: [Signature]  
Don Sisco, Vice President

THE STATE OF TEXAS    ◊  
COUNTY OF MIDLAND    ◊

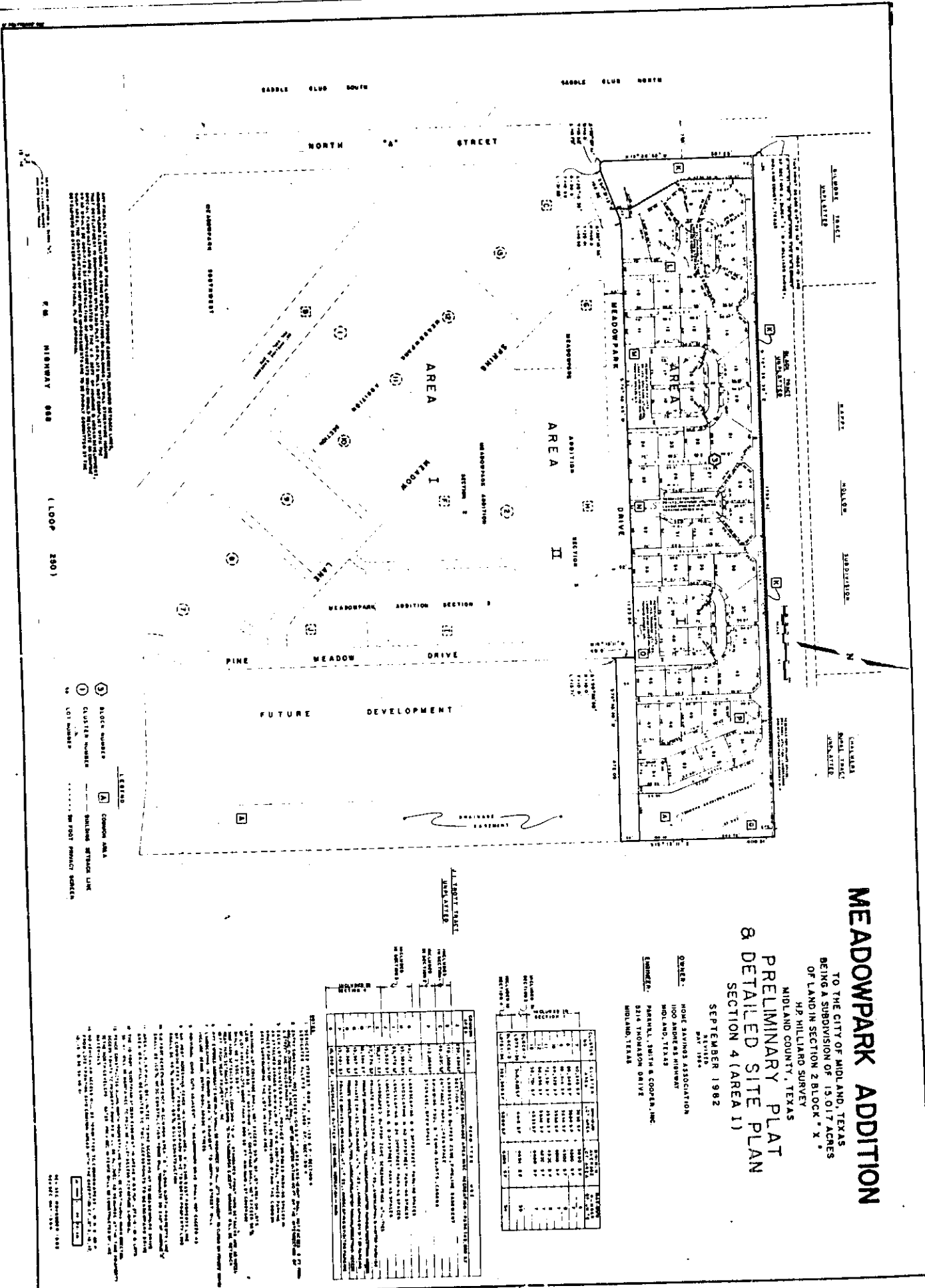
BEFORE ME, the undersigned, a Notary Public in and for said County and State,  
on this day personally appeared Don Sisco, Vice President,  
known to me to be the person and officer whose name is subscribed to the foregoing  
instrument and acknowledged to me that the same was the act of the said HOME SAVINGS  
ASSOCIATION, a corporation, and that he executed the same as the act of such corporation  
for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 18th day of July,  
1984.



Linda Russell  
Notary Public in and for  
Midland County, Texas    Linda Russell

My Commission Expires: 6-13-87



Filed for Record on the 8 day of August A.D. 1984, at 2:18 o'clock P. M.  
 Duly Recorded this the 8 day of August A.D. 1984, at 2:15 o'clock P. M.

ROSENELE CHERRY, COUNTY CLERK  
 MIDLAND COUNTY, TEXAS  
 By Virginia Carter, Deputy

INSTRUMENT NO. 16069