

148726

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SECOND AMENDED  
DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS

PLANTATION SOUTH SUBDIVISION - UNITS NO. 3, 4, 5 & 6

THE STATE OF TEXAS :  
COUNTY OF HIDALGO :

That certain Declaration of Covenants, Conditions and Restrictions, dated June 22, 1984, covering Plantation South Subdivision, Units No. 3, 4, 5 and 6, Hidalgo County, Texas, and recorded in Volume 1998, Pages 782, 783 and 784, and amended as recorded in Volume 2088, pages 505, 506, and 507 of the Deed of Records of Hidalgo County Texas, is hereby amended so that same shall henceforth read as follows, to-wit:

THIS DECLARATION, made on the date hereinafter set forth by Cummings & Perry, Inc., a Texas Corporation, hereinafter referred to as "DECLARANT"

W I T N E S S E T H :

DECLARANT is the owner of certain property situated in Hidalgo County, Texas, which is described as follows:

PLANTATION SOUTH SUBDIVISION - UNITS NO. 3, 4, 5 and 6 as amended, as recorded in the Map Records of Hidalgo County, Texas, in Volume 23, Page 129B; Volume 24, Pages 55B, 20B, 56A and 56B.

DECLARANT hereby declares that all of the properties described above shall be held, sold and conveyed subject to the same Declaration of Covenants, Conditions and Restrictions governing Plantation South Subdivision, Unit #1 recorded in the records of Hidalgo County, Texas in Volume 1823, Pages 600-611. Said easements, restrictions, covenants and conditions are for the purpose of protecting the value and desirability of, and shall run with, the said real property and shall be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

WHEREAS, said DECLARATION of covenants, conditions and restrictions provide that DECLARANT shall have the right to designate the use of any new lots in the subdivision,

NOW, THEREFORE, DECLARANT, as part of Article VI of such Declaration as same affects Units 3, 4, 5 and 6 of Plantation South Subdivision, designates the use of the lots in said Units as follows:

The following lots are designated as "Patio Home" or "Townhouse" lots: In Unit No. 3: lots 1 and 2. In Unit No. 4: lots 1 through 21 inclusive in Block 6 and lots 1 through 18 inclusive in Block 8. In Unit No. 6: lots 1 through 7 inclusive in Block 22; lots 1 through 8 inclusive in Block 23; lots 1, 2 and 3 in Block 40.

The following lots are designated as "Detached Dwelling Lots": In Unit No. 6: lots 1 through 18 in Block 14, lots 36 through 46 in Block 42.

The following lots are designated as "Apartment or Condominium lots": in Unit No. 6: lots 1 through 5 in Block 5, lots 1 through 35 in Block 42 and lots 1 through 15 in Block 13.

For the purpose of clarification, it is hereby provided that in Section 2.1 of the Declaration where one or more Apartment or Condominium Units exist on a lot, "Owner" (unless context absolutely indicates otherwise) shall mean and refer to the record owner of each Apartment or Condominium Unit; and further that in Section 2.4 of the Declaration where one or more Apartment or Condominium Units exist on a Lot, "Lot" (unless context absolutely indicates otherwise) shall mean and refer to each Apartment or Condominium Unit.

The fourth paragraph of Section 6.2 is amended to read as follows: No apartment or condominium unit, exclusive of open porches, garages, carports and patios, shall be permitted which contains less than 600 square feet of living area.

The following lots are designated as "Large Mobile Home Lots": In Unit No. 5: lots 6 through 27 inclusive in block 26; lots 2 through 13 inclusive in block 25.

DECLARANT designates the "zero (0) lot lines" as follows: In Unit No. 3: lot No. 1, the "zero (0) lot line" shall be the north property line; lot No. 2 "The zero (0) lot line" shall be the south property line.

In Unit No. 4: lots 1 through 21 in block 6, the "zero (0) lot line" shall be the west property line, lots 2 through 18 in block 8, the "zero (0) lot line" shall be the west property line. Lot 1 in block 8, the "zero (0) lot line" shall be the east property line.

In Unit No. 6: Lot 7 in block 22, lot 8 in block 23 and lot 1 in block 40, the "zero (0) lot line" shall be the south property line.

Lots 1 through 6 inclusive in block 22, lots 1 through 7 in block 23, lots 2 and 3 in block 40, the "zero (0) lot line" shall be the north property line.

IN WITNESS WHEREOF, the undersigned, being the DECLARANT here, has hereunto set its hand and seal the 24<sup>th</sup> day of January, 1986.

CUMMINGS & PERRY, INC.

By [Signature]  
Charles Cummings, Jr., President

ATTEST:

[Signature]  
Robert A. Perry, Secretary

THE STATE OF TEXAS ( )  
COUNTY OF HIDALGO ( )

THIS INSTRUMENT was acknowledged before me on the 24<sup>th</sup> day of January, A. D., 1986, by CHARLES CUMMINGS, JR., President of CUMMINGS & PERRY, INC. a Texas corporation, on behalf of said corporation.

[Signature]  
Kathleen W. Perry  
Notary Public, State of Texas

My Commission Expires: 9-3-86

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FILED FOR RECORD

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J. EDGAR RUIZ  
COUNTY CLERK  
HIDALGO COUNTY, TEXAS



Mail to:  
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