

WHEREAS, the election canvassing committee chairperson, **EARL McVAY**, has previously certified to the President of the Association, the result of the Chapter 211 election of the Waterwood Subdivision; and

WHEREAS, the Association has executed and filed in the real property records of San Jacinto County, Texas, a 'Certification of Chapter 211 Election Results for the Waterwood Improvement Association, Inc.' ("Certification") executed on May 15, 2017 and filed at Vol. 20173221, pages 15902, et seq., Official Public Records of San Jacinto County, Texas on June 7, 2017, that certified that the following amendment procedure was adopted for the General Warranty Deed and Declaration of Covenants filed at Vol. 141, page 802, et seq., of the Official Records of San Jacinto County, Texas and said procedure adopted and effective upon filing of the Certification, to-wit:

The members of the Waterwood Improvement Association, Inc. shall have the right, at anytime hereafter, to amend the Protective Covenants, all on file with the County Clerk of San Jacinto County, and the General Warranty Deed filed at Vol. 141 , pages 802, et seq., Deed Records of San Jacinto County, Texas, by a majority vote of the members of Waterwood Improvement Association, Inc. who vote in the election, at a special or annual meeting at which a quorum is had, voting in favor of such amendment to any or all of the restrictions, conditions, and protective covenants applicable to the Waterwood Subdivision, with each member who is eligible to vote being entitled to one (1) vote regardless of the number of lots owned in the Waterwood Subdivision.

and

WHEREAS, on October 13, 2018, the Association, pursuant to the Chapter 211 amendment procedure, adopted certain amendments to the Protective Covenants of Bay Hill, pursuant to the election results.

The Waterwood Improvement Association, Inc., by and through its duly Elected and Qualified Officers and Board of Directors, and after approval of the 2018 Amended Protective Covenants of Bay Hill, by a majority vote of the members of the Association, recorded an instrument on January 25, 2019 under San Jacinto County Clerk's File No. 20190504, Pages 2647, et. seq. in the Official Public Records of San Jacinto County, Texas titled "2018 Amended Protective Covenants for Bay Hill" ("2018 Amended Restrictions for Bay Hill") pursuant to the amendment procedure adopted by the Chapter 211 election, did thereby amend the Protective Covenants identified and set forth herein, with the rest of the original Protective Covenants remaining unchanged.

and

WHEREAS, on May 6, 2023, the Association, pursuant to the Chapter 211 amendment procedure, adopted certain amendments to the Protective Covenants of Bay Hill, pursuant to the election results.

The Waterwood Improvement Association, Inc., by and through its duly Elected and Qualified Officers and Board of Directors, and after approval of the 2019, 2022, and 2023 Amended Protective Covenants of Bay Hill, by a majority vote of the members of the Association, recorded an instrument on January 11, 2024 under San Jacinto County Clerk's File No. 20240172, Pages 38383, et seq. in the Official Public Records of San Jacinto County, Texas titled "2019, 2022, and 2023 Amended Protective Covenants for Bay Hill" ("2019, 2022, and 2023 Amended Restrictions for Bay Hill") pursuant to the amendment procedure adopted by the Chapter 211 election, did thereby amend the Protective Covenants identified and set forth herein, with the rest of the original Protective Covenants remaining unchanged.

**2023 Amended Protective Covenants For
Bay Hill**

WHEREAS, on October 14, 2023, the Association, pursuant to the Chapter 211 amendment procedure, adopted certain amendments to the Protective Covenants of Bay Hill pursuant to the election results.

NOW, THEREFORE, the Waterwood Improvement Association, Inc., by and through its duly elected and qualified officers and Board of Directors, and after approval of these 2023 Amendments to the Protective Covenants of Bay Hill by a majority vote of the Members of the Association who voted in the election at the Association meeting held on October 14, 2023 at which a quorum was present, and by this instrument signed and filed for record, pursuant to the amendment procedure adopted by the Chapter 211 election, hereby amend the Protective Covenants identified and set forth herein, with the rest of the Protective Covenants, as previously amended, remaining unchanged, which 2023 Amended Protective Covenants shall read as follows:

Protective Covenant 1

Current Covenant

1. The lots described in Schedule A shall only be used for single family purposes. Not more than one single family dwelling shall be erected, altered, placed or permitted to remain on any lot except as otherwise provided herein. In addition to such single family dwelling there shall be permitted guest houses, maid's quarters, garages, carports and other accessory buildings that are necessary and contributory to the overall improvement of said lot. All such accessory structures shall conform to every provision of these covenants and shall be constructed simultaneously with or subsequent to the construction of the principal dwelling located on the same lot.

2023 Amendments to Protective Covenant 1

(The balance of Protective Covenant 1 being unchanged and remaining in full force and effect):

- 1. The lots described in Schedule A shall only be used for single-family purposes. Not more than one single-family dwelling shall be erected, altered, placed, or permitted to remain on any lot except as otherwise provided therein. In addition to such single-family dwelling there shall be permitted guest houses, maid's quarters and a garage that are necessary and contributory to the overall improvement of said lot. (Item No. 2 on Ballot #1 in 2023 Chapter 211 Election)

Protective Covenant 2

Current Covenant

- 2. For lots described in Schedule B, no building shall be erected, altered, placed or permitted to remain on any lot other than apartments, multiple family dwellings, duplexes, single family dwellings, corporate executive retreat complexes and other buildings, such as garages, carports and accessory buildings, that are necessary and contributory to the overall development of the subject property. The maximum number of living units which may be built on any part of the property described in Schedule B attached hereto shall be as set forth in paragraph 5 of these covenants. No structure on any lot, other than a fully completed apartment, multiple family dwelling, duplex, single family dwelling or a corporate executive retreat residential unit shall be used as a residence.

2023 Amendments to Protective Covenant 2

(The balance of Protective Covenant 2 being unchanged and remaining in full force and effect):

- 2. For lots described in Schedule B, no building shall be erected, altered, placed, or permitted to remain on any lot other than apartments, multiple-family dwellings, duplexes, single-family dwellings, corporate executive retreat complexes and other buildings such as an attached or detached garage that are necessary and contributory to any part of the property described in Schedule B attached hereto shall be as set forth in paragraph 5 of these covenants. No structure on any lot, other than a fully completed apartment, multiple-family dwelling, duplex, single-family dwelling or a corporate executive retreat residential unit shall be used as a residence. (Item No. 3 on Ballot #1 in 2023 Chapter 211 Election)

Protective Covenant 23

Current Covenant

- 23. No building, structure, wall, fence, garage, carport, accessory building or landscaping shall be maintained on any lot in such a manner as in the opinion of the Board may obstruct traffic sight lines and/or create traffic hazards.

2023 Amendments to Protective Covenant 23

(The balance of Protective Covenant 23 being unchanged and remaining in full force and effect):

- 23. No building, structure, wall, fence, garage or landscaping shall be maintained on any lot in such a manner as in the opinion of the Board may obstruct traffic sight lines and/or create traffic hazards. (Item No. 4 on Ballot #1 in 2023 Chapter 211 Election)

Protective Covenant 26

Current Covenant

- 26. No mobile home, trailer of any kind, truck, camper or boat shall be kept, placed or maintained on a residential lot except in a carport, garage or in an outside storage area screened from view from streets. No mobile home, trailer or temporary structure of any nature whatsoever shall be used for occupancy either temporarily or permanently. Boats may be parked on a driveway or side/back yard from May 1 through September 30.

2023 Amendments to Protective Covenant 26

(The balance of Protective Covenant 26 being unchanged and remaining in full force and effect):

- 26. No mobile home, motor home, trailer of any kind, truck, camper, or boat shall be kept, placed, or maintained on a residential lot except in a carport (only in carports built prior to October 2023), garage, or behind a fence in an outside storage area screened from view from streets. (Item No. 5 on Ballot #1 in 2023 Chapter 211 Election)

Protective Covenant 36

Current Covenant

- 36. Each developed single family residential lot shall contain sufficient parking space for at least one (1) automobile by one of the following means: (a) a garage or carport either attached to or detached from the main structure or (b) an exterior parking area screened from view of adjacent lots, golf course or the lake.

2023 Amendments to Protective Covenant 36

(The balance of Protective Covenant 32 being unchanged and remaining in full force and effect):

36. Each developed single-family residential lot in Schedule A shall contain sufficient parking space for at least two automobiles by the following means: a garage either attached or detached from the main structure. (Item No. 6 on Ballot #1 in 2023 Chapter 211 Election)

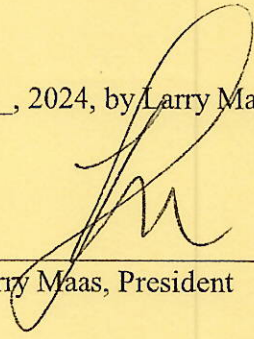
Proposed Protective Covenant 45**2023 Addition to Protective Covenants for Bay Hill**

45. No modular, manufactured, kit, metal or barn-dominium structure shall be erected, altered, placed, or permitted to be constructed on any Lot. (Item No. 3 on Ballot #2 in 2023 Chapter 211 Election)

Proposed Protective Covenant 46**2023 Addition to Protective Covenants for Bay Hill**

46. Accessory buildings detached from the main dwelling such as, but not limited to, storage sheds, additional garages, workshops, etc., must be approved by the ACB and shall be constructed of the same exterior materials as the main dwelling. (Item No. 3 on Ballot #2 in 2023 Chapter 211 Election)

Executed this 9th day of February, 2024, by Larry Maas, President of Waterwood Improvement Association, Inc.

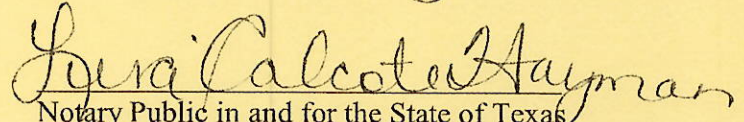


Larry Maas, President

STATE OF TEXAS
COUNTY OF SAN JACINTO

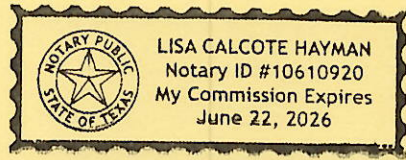
BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this day personally came and appeared Larry Maas, President of Waterwood Improvement Association, Inc., a Texas non-profit corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office, this 9th day of February, 2024.



Notary Public in and for the State of Texas

After filing return to:
Mitchell Katine
Katine Nechman McLaurin LLP
2000 Bering Drive, Suite 700
Houston, Texas 77057



Filed for Record in
San Jacinto County

On: Feb 12, 2024 at 11:29

As a
Recording

Document Number: 20240710

Amount 44.00

Receipt Number - 64773

By
via Willner

STATE OF TEXAS
COUNTY OF SAN JACINTO
I, Dawn Wright, hereby certify that this
instrument was filed in number sequence on the date
and time herein by me and was duly recorded in the
OFFICIAL PUBLIC RECORDS of San Jacinto County, Texas
as stated herein by me on

Feb 12, 2024

Dawn Wright, County Clerk
San Jacinto County, Texas