

015-53-0823

SUPPLEMENTAL DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
BAY COLONY POINTE, SECTION FOUR

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

This Supplemental Declaration is made on the date hereinafter set forth by BAY COLONY POINTE, L P , a Texas Limited Partnership (hereinafter "Declarant") and BAY COLONY POINTE SECTION FOUR, L P , (hereinafter "Owner")

Whereas, the Declaration of Covenants, Conditions and Restrictions for Bay Colony Pointe, Section Two and the Declaration of Covenants, Conditions and Restrictions for Bay Colony Pointe, Section Three were recorded on April 22, 1999, under County Clerk's file numbers 9919022 and 9919023 respectively, of the Real Property Records of Galveston County, Texas (hereinafter collectively "Declarations"), and,

Whereas, the Declarations of Bay Colony Pointe, Section Two and Bay Colony Pointe, Section Three were subsequently amended by instruments recorded on March 23, 2000, under County Clerk's file numbers 2000013534 and 2000013535, respectively (hereinafter collectively "Amendments"), and

Whereas, Owner is the owner of the real property in Galveston County, Texas, described as follows (hereinafter "Property")

All of **BAY COLONY POINTE, SECTION FOUR**, as shown on the map or plat recorded in Plat Record 18, Maps 1097 and 1098, of the Map Records of Galveston County, Texas

as such map or plat hereafter be amended, and

Whereas, the Property is further subject to the Bay Colony Declaration of Covenants, Conditions and Restrictions, recorded on December 3, 1985, under County Clerk's file number 8548877 of the Real Property Records of Galveston County, Texas, and

Whereas, pursuant to the Declarations, the Bay Colony Pointe Homeowners' Association, Inc , a Texas non-profit corporation, (hereinafter "Association") was formed to promote the health, safety and welfare of the residents within the above described property and any additions thereto as may be brought within the jurisdiction of the Association, and

Whereas, Article IX, Section 6 of the Declarations provides for the annexation of additional property into the Association by the Declarant, its successors or assigns, without the consent of other owners or their mortgagees, upon the execution and recording of a Supplemental Declaration by the Owner of the Property being annexed, and

Whereas, the Declaration provides that so long as there is a Class B membership in the Association, the annexation of the additional properties requires the approval of the U S

Department of Housing and Urban Development ("HUD"), which approval is evidenced by letter attached hereto, and

Whereas, Declarant, with the approval of HUD, makes and executes this Supplemental Declaration in accordance with the provisions of the Declarations described in the preceding paragraphs and all Amendments thereto and as hereafter may be amended, and

Whereas, BAY COLONY POINTE SECTION FOUR, L P , the Owner of the Property, joins in the execution of this instrument for all purposes,

Now therefore, Declarant, acting under the power granted in the Declarations, hereby annexes the Property to the Association and declares the Property to be subject to all provisions of the Declaration and all Amendments thereto and as hereafter may be amended

All of the provisions of the Declaration and Amendments thereto and as hereafter may be amended, shall apply to the Property with the same force and effect as if the Property was originally included therein as part of the original development

The Property is submitted to the jurisdiction of the Association with the same force and effect as if it were originally included in the Declarations, and will be developed, held, used, sold and conveyed in accordance with and subject to the provisions of the Declarations

The annexation of the Property has been approved by HUD, as evidenced by Exhibit "A" attached hereto and made a part hereof for all purposes

Executed this 8th day of MARCH, 2001

DECLARANT

BAY COLONY POINTE, L P

By BAY COLONY POINTE DEVELOPMENT
COMPANY, LLC

By 
Tyler D. Todd, Manager

By 
Myles G. Sherman, Manager

015-53-0825

JOINED BY.

BAY COLONY POINTE SECTION FOUR, L P

By BAY COLONY POINTE DEVELOPMENT COMPANY, LLC

By [Signature]
Tyler D Todd, Manager

By [Signature]
Myles G Sherman, Manager

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 8th day of March, 2001, by Tyler D Todd, Manager of Bay Colony Pointe Development Company, LLC, a Texas limited liability company, in its capacity as general partner of Bay Colony Pointe, L P , a Texas limited partnership, on behalf of said company and limited partnership



[Signature]
Notary Public in and for the State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

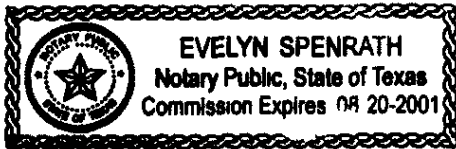
This instrument was acknowledged before me on the 8th day of March, 2001, by Myles G Sherman, Manager of Bay Colony Pointe Development Company, LLC, a Texas limited liability company, in its capacity as general partner of Bay Colony Pointe, L P , a Texas limited partnership, on behalf of said company and limited partnership



[Signature]
Notary Public in and for the State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

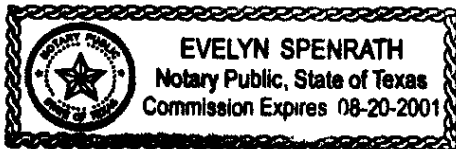
This instrument was acknowledged before me on the 8th day of March, 2001, by Tyler D Todd, Manager of Bay Colony Pointe Development Company, LLC, a Texas limited liability company, in its capacity as general partner of Bay Colony Pointe Section Four, L P , a Texas limited partnership, on behalf of said company and limited partnership



Evelyn Spenrath
Notary Public in and for the State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 8th day of March, 2001, by Myles G Sherman, manager of Bay Colony Pointe Development Company, LLC, a Texas limited liability company, in its capacity as general partner of Bay Colony Pointe Section Four L P , a Texas limited partnership, on behalf of said company and limited partnership



Evelyn Spenrath
Notary Public in and for the State of Texas

CERTIFICATION

BAY COLONY POINTE HOMEOWNERS' ASSOCIATION, INC.

The undersigned, W Michael Schaffer and Michael Ross, as President and Secretary, respectively, of the Board of Directors of Bay Colony Pointe Homeowners' Association, Inc , a Texas non-profit corporation, hereby certify that

The Supplemental Declaration for the annexation of BAY COLONY POINTE, SECTION FOUR to Bay Colony Pointe Homeowners' Association, Inc dated March 8, 2001, executed by Bay Colony Pointe, L P as Declarant, is proper under and adopted in accordance with the Association's governing documents

Executed this the 8th day of MARCH, 2001

BAY COLONY POINTE
HOMEOWNERS' ASSOCIATION, INC

By W. Michael Schaffer
W Michael Schaffer, President

By Michael Ross
Michael Ross, Secretary

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

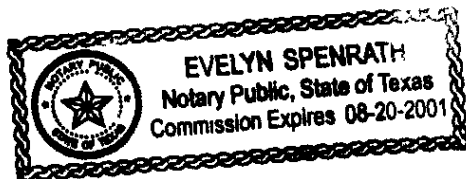
This instrument was acknowledged before me on the 8th day of March, 2001, by W Michael Schaffer, President of Bay Colony Pointe Homeowners' Association, Inc , a Texas non-profit corporation, on behalf of said corporation



Evelyn Spenrath
Notary Public in and for the State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 8th day of March, 2001, by Michael Ross, Secretary of Bay Colony Pointe Homeowners' Association, Inc , a Texas non-profit corporation, on behalf of said corporation



Evelyn Spenrath
Notary Public in and for the State of Texas



015-53-0828

U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
HOMEOWNERSHIP CENTER
HUD BOX - PUD
2211 NORFOLK, SUITE 200
HOUSTON, TEXAS 77098

April 19, 2001

R. Charles Stiles
Eikenburg & Stiles, P.C.
1021 Main Street
Houston, TX 77002-6603

RECEIVED

APR 20 2001

EIKENBURG & STILES

Re. Bay Colony Pointe, Section 4

Dear Mr Stiles:

The annexation documents relating to Bay Colony Pointe, Section 4, League City, Galveston County, TX 77573, (all lots and blocks) have been reviewed by this office. The documents have been found to meet the requirements for an existing Planned Unit Development (PUD) Requests for FHA insurance endorsements will now be accepted by this office.

The approved HUD File No. is: HO-P01451

If we may be of further assistance, please contact Mrs Esther Richardson, Housing Program Specialist, Program Support Branch at (713) 313-2274, extension 7053.

Sincerely,

Herbert W. Green
Single Family Coordinator
Program Support Branch

PAID

AFTER RECORDING, RETURN TO.

EIKENBURG & STILES, PC
1021 MAIN STREET, SUITE 1000
HOUSTON, TX 77002-6603

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY

2001 APR 24 09:29 AM 2001019479
LONG.D. \$19.00
Patricia Ritchie, COUNTY CLERK
GALVESTON, TEXAS

JTR