

**CORRECTION
AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR LA BUENA VIDA**

LBV Development LLC filed a Declaration of Covenants, Conditions and Restrictions for La Buena Vida dated May 26, 2004 filed as document number 264992 in the Official Public Records of Aransas County, Texas, which has been amended by an Amendments to the Declaration filed as document numbers 280222 and 310086 in the Official Public records of Aransas County, Texas (as amended, the "Declaration"). Words which are capitalized herein which are Defined in the Declaration shall have the same meanings given in the Declaration, except as otherwise provided herein.

Section 8.2 of said Declaration provides that the Declaration may be amended by recording an instrument in the Official Records of Aransas County, Texas, signed by the president and secretary of LBV Property Owners' Association, Inc. (the "Association") setting forth the amendment and certifying that such amendments have been approved by the requisite number of Members of the Association.

NOW, THEREFORE, we, the undersigned President and Secretary of the Association, do hereby certify that the following amendments to the Declaration have been approved by the requisite number of Members of the Association, and are effective as amendments to the Declaration:

1. Article 2.13. Article 2.13 of the Declaration is amended to read as follows:

Unightly Articles; Vehicles. No article deemed to be unsightly by the Architectural Committee or the Board shall be permitted to remain on any Lot so as to be visible from adjoining property or from public or private thoroughfares. No boats or trailers shall be permitted to remain on any Lot or driveway in the Property for more than thirty (30) days in each calendar year. As an exception, any such vehicle may be kept on the premises provided it is concealed within the residence garage, or located on the Lot and is not visible (refer to Article 1.31). Automobiles and pickup trucks may be parked in the driveway without time limit. Overnight parking of campers, motor homes, and commercial vehicles - except for pickup trucks is prohibited. No vehicles shall be parked in the street overnight.

2. Article 2.19. Article 2.19 of the Declaration is amended to read as follows:

Hunting and Fishing. No hunting or discharge of firearms shall be allowed on the Property. Fishing is allowed in the Lake or Channels, but must adhere to the requirements, restrictions and regulations of the Texas Parks and Wildlife Department (TPWD). No one may, at any time, conduct any fixed line or fixed net fishing in the canals within the Subdivision, which could in any way interfere with the free navigability of the canals.

3. Article 3.4. Article 3.4 of the Declaration is amended to read as follows:

Building Height. No Improvement greater than 35 feet in height may be constructed on Lots 1 through 10, and no Improvement greater than 35 feet in height may be constructed on any other Lot without the prior written approval of the Architectural Committee. For purposes of this paragraph, height shall be measured from the top of the foundation slab or floor of the first floor living area to the highest ridge line of the roof.

4. Article 3.6. Article 3.6 of the Declaration is amended to read as follows:

Fences. No fence shall be constructed on any portion of such Beach adjacent to an Owner's Lot. All fences shall be constructed of brick, stucco, wrought iron, aluminum, masonry, PVC (vinyl), or

composite material, except that wood may be used for gates only. No fence on a Lot shall be higher than 6.0' from the front building line to the rear building line, or higher than 4.0' from the rear building line to the adjacent Beach or Channel. As an exception, if a combination of wrought iron (or aluminum material of wrought iron design) and solid fence is used, the total height limit shall be 6.0', with no more than 4.0' of the total as solid or walled construction. Additional fence requirements may be established by the Architectural Committee.

5. Article 3.16. Article 3.16 of the Declaration is amended to read as follows:

Identification of Lots. Each Owner shall post the street address number for his or her residence.

6. Article 3.18. Article 3.18 of the Declaration is amended to read as follows:

Docks and Boats. Owners of Lots 10 through 45 shall be entitled to construct docks and boat lifts on the Lake or Channel sides of the Beach or Channel areas adjacent to their Lots, provided that no dock shall be permitted to protrude more than 19 feet into any Channel or 19 feet into the channel (deeper) portion of the Lake. Owners of Lots 1 through 9 shall be entitled to construct docks and boat lifts on the Channel areas adjacent to their Lots, provided that prior approvals are obtained by appropriate local, State and Federal agencies. For all Lots, (i) docks may only be constructed during or after construction of the home, (ii) no dock or boat lift may be covered, (iii) all docks within a given area shall be constructed substantially alike in size, material and design, and (iv) docks shall only be constructed in accordance with plans and specifications and at locations as are approved by the Architectural Committee. No boat which is used for commercial fishing purposes shall ever be moored at any such dock. Each Owner shall insure (a) that no jet-ski or motor boat is used in any portion of the Lake which is not designated as a channel (deeper) to the Intercoastal Canal, (b) that no boat exceeds a speed of 5 miles per hour while in said channel or Channel and (c) that such boats comply with all navigational signs and any rules promulgated by the Board. No water skiing or kite boarding shall be permitted on the Lake or Channels, although sail boards, sunfish, canoes, kayaks and similar shallow non-motor powered craft shall be permitted.

7. Article 5.12. Article 5.12 of the Declaration is amended to read as follows:

Address. Plans and Specifications shall be submitted to the Registered Agent at Johnson & Cate, 2602 Hwy 35 N, Rockport, Texas 78382, to the attention of Michael Johnson, or such other address as may be designated from time to time.

8. Article 6.3. Article 6.3 of the Declaration is amended to delete the first sentence, and to substitute in its place the following:

The Owner of each Lot shall pay to the Association a regular annual Assessment, as shown in Exhibit C.

This Correction Amendment to Declaration is made in place of, and to correct that Amendment to Declaration of Covenants, Conditions and Restrictions for La Buena Vida filed as document number 310086 in the Official Public Records of Aransas County, Texas. By mistake, the amendment to Article 3.18 referred to owners of Lots 10 through 44, when the actual amendment was for owners of Lots 10 through 45. This Correction Amendment to Declaration is made to correct that mistake, is effective as of November 14, 2009, and in all other respects confirms the former Amendment to Declaration.

Dated and effective the 14th day of November, 2009.

[Signatures are on the next page]

318836

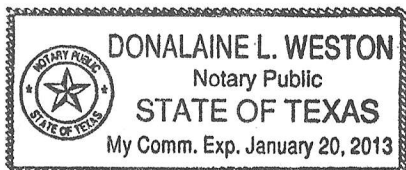
File No. _____
County Clerk, Aransas County, Texas

Michael Zotzky
Michael Zotzky, President of LBV Property Owners' Association, Inc.

Jeanne Hunter
Jeanne Hunter, Secretary of LBV Property Owners' Association, Inc.

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

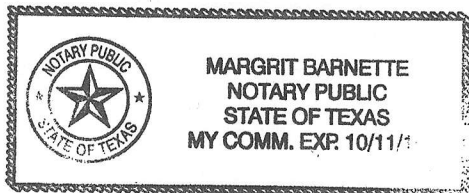
This instrument was acknowledged before me on the 22nd day of July, 2011, by Michael Zotzky, President of LBV Property Owners' Association, Inc., on behalf of said association.



Donalaine Weston
Notary Public, State of Texas
My Commission expires: 1-20-2013

THE STATE OF TEXAS §
 §
COUNTY OF ARANSAS §

This instrument was acknowledged before me on the 28th day of July, 2011, by Jeanne Hunter, Secretary of LBV Property Owners' Association, Inc., on behalf of said association.



Margrit Barnette
Notary Public, State of Texas
My Commission expires: 10-11-14

AFTER FILING, RETURN TO:

✓
Jeanne Hunter
Secretary, LBV Property Owners' Association, Inc.
2207 HWY 35 N, Suite C#286
Rockport, Texas 78382

318836

File No. _____
County Clerk, Aransas County, Texas

**EXHIBIT C
TO AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR LA BUENA VIDA**

The amount of the annual Assessment for 2010 shall be \$1,600 per lot. Changes in the annual Assessment amount for subsequent years shall be announced by the Board (subject to approval of the Members, if necessary, as provided herein) and posted on the Association's web site.

FILED FOR RECORD

INDEXED

AT 4:30 P. M. 4/28

JUL 28 2011

SCANNED

Peggy L. Friebele
PEGGY L. FRIEBELE
COUNTY CLERK, ARANSAS CO., TEXAS

Filed by \$ Return to