



WHEREAS, there is set out and described in said Original Declaration a certain 22.787 acre tract of land lying and situate in Jefferson County, Texas; and

WHEREAS, accompanying the Original Declaration, and filed for record in Volume 13, Page 4 of the Map Records of Jefferson County, Texas, is a Map or Plat depicting the aforementioned 22.787 acre tract and designating the same as THE PARK ON THOMAS ROAD, SECTION ONE; and

WHEREAS, the Original Declaration defines "Addition" as being the subdivided 27.787 acre tract referenced above (and described in said ~~Original Declaration~~) "and such additions thereto as may hereafter be brought within the jurisdiction of the Association..."; and

WHEREAS, the Original Declaration provides that Declarant, at its sole election, may bring within the scheme of the Original Declaration all or part of the additional properties, consisting of 17.41 acres, more or less, designated upon the above referenced Map or Plat of THE PARK ON THOMAS ROAD, SECTION ONE, for "Future Development", by filing of record a supplementary declaration of covenants, conditions and restrictions with respect to such additional property, extending the scheme of the covenants contained in the Original Declaration to such additional property; and

WHEREAS, the Original Declaration further provides that the supplementary declaration may contain complimentary additions to and modifications of the Original Declaration as may be necessary to reflect the different character of the added properties or as are not inconsistent with the scheme of the Original Declaration; provided, however, that the supplementary declaration shall not revoke, modify or add to the covenants established by the Original Declaration for the property expressly described therein; and

WHEREAS, by Deed dated November 30, 1976, of record in Volume 1969, Page 23 of the Deed Records of Jefferson County, Texas, the Original Declarant granted and conveyed unto THE PARK ON THOMAS ROAD HOME OWNERS ASSOCIATION (the "Association", as defined and authorized by the Original Declaration) a certain .50 acre tract of land out of and part of the 17.41 acres designated for "Future Development" as aforesaid, said .50 acre tract lying adjacent to and immediately North of THE PARK ON THOMAS ROAD, SECTION ONE, and having been conveyed by the Original Declarant to the Association as an addition to and part of the "Common Area" (as the term "Common Area" is defined in the

Original Declaration) of the Addition, for the uses, purposes and benefits and subject to the restrictions, limitations and obligations as established by the Original Declaration for the Common Area of the Addition; and

WHEREAS, by instrument entitled SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS - THE PARK ON THOMAS ROAD, SECTION TWO, BEAUMONT, TEXAS (the "Supplementary Declaration - Section

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Two"), of record in Volume 2117, Page 80 of the Deed Records of Jefferson County, Texas, the Original Declarant brought into the Addition and within the jurisdiction of the Association and the integrated scheme of development and ownership, as provided in and contemplated by the Original Declaration, an additional tract containing 8.30 acres, as described in said Supplementary Declaration - Section Two, out of and part of the aforementioned 17.41 acres, more or less, designated for "Future Development" upon the above referenced Map or Plat of THE PARK ON THOMAS ROAD, SECTION ONE; and

WHEREAS, accompanying the Supplementary Declaration - Section Two, and filed for record in Volume 14, Page 1 of the Map Records of Jefferson County, Texas, is a Map or Plat depicting the aforementioned additional 8.30 acre tract and designating the same as THE PARK ON THOMAS ROAD, SECTION TWO; and

WHEREAS, the Addition, as same presently exists, consists of the 22.787 acre tract described in the Original Declaration (and designated as THE PARK ON THOMAS ROAD, SECTION ONE, upon the aforementioned Map or Plat thereof), the .50 acre tract of land conveyed by Original Declarant to the Association by the aforementioned Deed of record in Volume 1969, Page 23 of the Deed Records of Jefferson County, Texas, and the 8.30 acre tract described in the Supplementary Declaration - Section Two (and designated as THE PARK ON THOMAS ROAD, SECTION TWO, upon the aforementioned Map or Plat thereof); and

WHEREAS, in addition to bringing into the Addition and within the jurisdiction of the Association said 8.30 acre tract by the said Supplementary Declaration - Section Two, the Original Declarant therein amended and modified Section 1 of ARTICLE VII of the Original Declara-

THE PARK ON THOMAS ROAD, SECTION TWO and any

other properties thereafter brought within the scheme of the Original Declaration) and supplemented ARTICLE X of said Original Declaration by the addition of a new Section 18 thereto, all as more fully set out and contained in said Supplementary Declaration - Section Two; and

WHEREAS, the Original Declaration defines "Declarant" as NEW LAND DEVELOPMENT COMPANY "or its successors..."; and

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WHEREAS, the said ANDERSON CONSTRUCTION COMPANY (the "Successor Declarant") has, by a series of Deeds (which are listed below herein), acquired and succeeded to the interest of the Original Declarant in a certain 8.601 acre tract hereinafter described, being all of the aforementioned 17.41 acres, more or less, designated for "Future Development" upon the said Map or Plat of THE PARK ON THOMAS ROAD, SECTION ONE, not heretofore brought into the Addition and within the jurisdiction of the Association; said Deeds being as follows:

(a) Special Warranty Deed from NEW LAND DEVELOPMENT COMPANY to ANDERSON CONSTRUCTION COMPANY, of record in Volume 2214, Page 333 of the Deed Records of Jefferson County, Texas;

(b) Special Warranty Deed from ROBERT H. PARK to ANDERSON CONSTRUCTION COMPANY, of record in Volume 2214, Page 352 of the Deed Records of Jefferson County, Texas;

(c) Special Warranty Deed from JACK S. JOSEY to ANDERSON CONSTRUCTION COMPANY, of record in Volume 2214, Page 359 of the Deed Records of Jefferson County, Texas; and

(d) Special Warranty Deed from AMERICAN REAL ESTATE CORPORATION to ANDERSON CONSTRUCTION COMPANY, of record in Volume 2214, Page 356 of the Deed Records of Jefferson County, Texas;

and

WHEREAS, the Successor Declarant now desires to bring into the Addition and within the jurisdiction of the Association and the integrated scheme of development and ownership, as provided in the Original Declaration (as amended, modified or supplemented by the provisions of the Supplementary Declaration - Section Two), the aforementioned 8.601 acre tract or parcel out of and part of said 17.41 acres, more or less,

referred to above, such additional 8.601 acre tract of land being set out and described in Exhibit "A" attached hereto and made a part hereof for all purposes (and designated on such Exhibit as THE PARK ON THOMAS ROAD, SECTION THREE).

NOW, THEREFORE, ANDERSON CONSTRUCTION COMPANY (the "Successor Declarant" as aforesaid) hereby makes and publishes the following Supplementary Declaration - Section Three in accordance with the provisions of the Original Declaration:

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1.

The 8.601 acre tract of land set out and described in Exhibit "A" attached hereto (and designated thereon as THE PARK ON THOMAS ROAD, SECTION THREE), being out of and part of the 17.41 acres, more or less, designated for "Future Development" upon the above referenced Map or Plat of THE PARK ON THOMAS ROAD, SECTION ONE, and referred to in said Original Declaration, is hereby and herewith designated as THE PARK ON THOMAS ROAD, SECTION THREE, an Addition to the City of Beaumont, Jefferson County, Texas, and a Map or Plat of said 8.601 acre tract of land showing Lots, Streets, Easements and Common Area, and designating such 8.601 acre tract as THE PARK ON THOMAS ROAD, SECTION THREE, is filed for record contemporaneously with the filing of this Supplementary Declaration - Section Three; and in accordance with the provisions of Section 2 of ARTICLE II of the Original Declaration, Successor Declarant hereby and herewith brings within the scheme of development and ownership provided in the Original Declaration (as amended, modified or supplemented by the provisions of the Supplementary Declaration - Section Two) and within the jurisdiction of the Association the said 8.601 acre tract or parcel of land described in Exhibit "A" attached hereto and shown and designated upon the accompanying Map or Plat as THE PARK ON THOMAS ROAD, SECTION THREE.

2.

All of the covenants, conditions, restrictions and limitations set out and contained in the Original Declaration (as amended, modified or supplemented by the provisions of the Supplementary Declaration - Section Two) are hereby expressly made applicable to the said 8.601 acre tract of land described in said Exhibit "A" and shown upon the accompanying Map or Plat of THE PARK ON THOMAS ROAD, SECTION THREE, and

all of such property shall be held, sold and conveyed subject to the covenants, conditions, restrictions and limitations and for the uses and purposes set forth in the Original Declaration (as amended, modified or supplemented by the provisions of the Supplementary Declaration - Section Two) and to the easements reflected upon the accompanying

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Map or Plat of THE PARK ON THOMAS ROAD, SECTION THREE.

3.

Successor Declarant hereby and herewith dedicates to public use all those certain easements for public street and utility purposes shown and reflected and specifically identified or designated as such upon the accompanying Map or Plat of THE PARK ON THOMAS ROAD, SECTION THREE, upon and subject to the same terms, conditions, restrictions and limitations as contained in the Original Declaration.

4.

In addition to the easements (both public and private) shown and reflected and specifically identified or designated as such upon the accompanying Map or Plat of THE PARK ON THOMAS ROAD, SECTION THREE, Successor Declarant expressly reserves in favor of the Association, its successors and assigns, the following easements upon and over the following Lots in THE PARK ON THOMAS ROAD, SECTION THREE, to-wit:

(a) An easement four feet (4') in width on, over and along the East four feet (E. 4') of Lots Numbers Eight (8) and Nine (9), in Block Number Ten (10), of THE PARK ON THOMAS ROAD, SECTION THREE; and

(b) An easement four feet (4') in width on, over and along the West four feet (W. 4') of Lots Numbers Five (5) and Six (6), in Block Number Nine (9), of THE PARK ON THOMAS ROAD, SECTION THREE;

together with an uninterrupted right of passage over, on and along said easements for the purpose of installing, erecting, replacing, relocating, removing, repairing and maintaining a fence along and adjacent to the perimeter East and West boundaries of THE PARK ON THOMAS ROAD, SECTION THREE; and it shall be as if Successor Declarant had expressly re-

served said easements, together with the uninterrupted right of passage over, on and along the same, in favor of itself and had assigned and transferred said easements and right of passage to the Association, its successors and assigns, by proper written and recorded instrument of conveyance.

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5.

~~THE PARK ON THOMAS ROAD HOME OWNERS ASSOCIATION (L.I.C.)~~

"Association"), a Texas Non-Profit Corporation acting herein by and through its duly authorized Officers, joins with the Successor Declarant in the execution of this Supplementary Declaration - Section Three for the purpose of evidencing its acknowledgment that the additional 8.601 acre tract of land described in Exhibit "A" hereof has been, by this Supplementary Declaration - Section Three, brought within the jurisdiction of the Association in accordance with the terms and provisions of the Original Declaration and that said tract of land now constitutes part of the Addition and is and shall be held, sold and conveyed subject to the covenants, conditions, restrictions and limitations and for the uses and purposes set forth in the Original Declaration (as amended, modified or supplemented by the provisions of the Supplementary Declaration - Section Two).

6.

At the request of Successor Declarant, THE AMERICAN NATIONAL BANK OF BEAUMONT (the "Lienholder"), a National Banking Corporation of Beaumont, Texas, acting herein by and through its duly authorized Officers, being the owner and holder of a certain lien upon the real property described in Exhibit "A" attached hereto, joins with Successor Declarant in the dedication to public use of the public street and utility easements upon said real property, as shown and reflected and specifically identified and designated as such upon the accompanying Map or Plat of THE PARK ON THOMAS ROAD, SECTION THREE, and in the imposition of the covenants, conditions, restrictions and limitations set forth in the Original Declaration (as amended, modified or supplemented by the Supplementary Declaration - Section Two); and by its joinder herein, Lienholder expressly subordinates its lien to the easements herein dedicated and to the covenants, conditions, restrictions

holder assumes none of the liabilities, duties, covenants or obligations of Successor Declarant, its successors or assigns, nor does Lienholder make any representations, guaranties or warranties as to any undertaking,

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covenant, warranty or representation of Successor Declarant, its successors or assigns, the sole purpose of Lienholder's joinder herein being to consent and agree to the dedication of said easements and the imposition of said covenants, conditions, restrictions and limitations and to subordinate its lien to said easements and to said covenants, conditions, restrictions and limitations.

EXECUTED at Beaumont, Texas, on this the 1st day of December, 1980, A.D.

SUCCESSOR DECLARANT:

ANDERSON CONSTRUCTION COMPANY

By: [Signature]  
JIMMIE ANDERSON President

ATTEST

By: [Signature]  
M. B. ANDERSON Secretary

ASSOCIATION:

THE PARK ON THOMAS ROAD HOME OWNERS ASSOCIATION

By: [Signature]  
WILLIAM CHRISTIAN, President

ATTEST

By: [Signature]  
DON DE CORDOVA, Secretary

LIENHOLDER:

THE AMERICAN NATIONAL BANK OF BEAUMONT

By: [Signature]  
ROBERT M. ALTHOFF Vice President

ATTEST

By: [Signature]  
RUSSELL K. WILLIAMS, Asst - Cashier



THE STATE OF TEXAS §  
COUNTY OF JEFFERSON §

Before me, the undersigned authority, on this day personally appeared Jimmie Anderson, President of ANDERSON CONSTRUCTION COMPANY, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated as the act and deed of said Corporation.

Given under my hand and seal of office, this the 1st day of November, 1980, A.D.



Pat McNeel  
Notary Public, Jefferson County, Texas  
PAT McNEEL

THE STATE OF TEXAS §  
COUNTY OF JEFFERSON §

Before me, the undersigned authority, on this day personally appeared WILLIAM CHRISTIAN, President of THE PARK ON THOMAS ROAD HOME OWNERS ASSOCIATION, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated as the act and deed of said Non-Profit Corporation.

Given under my hand and seal of office; this the 1st day of December, 1980, A.D.



Laqueta M. Domingue  
Notary Public, Jefferson County, Texas  
Laqueta M. Domingue

THE STATE OF TEXAS §  
COUNTY OF JEFFERSON §

Before me, the undersigned authority, on this day personally appeared Robert M. Rothoff, Senior Vice President of THE AMERICAN NATIONAL BANK OF BEAUMONT, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated as the act and deed of said Bank.

Given under my hand and seal of office, this the 2nd day of December, 1980, A.D.



Mary T. Stahl  
Notary Public, Jefferson County, Texas  
MARY T. STAHL

## THE PARK ON THOMAS ROAD, SECTION THREE

BEING an 8.601 acre tract of land out of the J. B. and H. A. Hooks 202 acre tract of land in the H. Williams League, Abstract No. 56 in Beaumont, Jefferson County, Texas and being a part of that certain 27.75 acre tract of land that was conveyed by the Amoco Production Company to the New Land Development Company, by Deed dated January 19, 1976, of record in Vol. 1919, Page 264 of the Deed Records of Jefferson County, Texas, and being a part of that certain 12.442 acre tract of land conveyed by Jack S. Josey to the New Land Development Company, by Deed dated January 30, 1976, of record in Vol. 1919, Page 302 of the Deed Records of Jefferson County, Texas, and said 8.601 acre tract of land being more particularly described by metes and bounds as follows:

FOR LOCATING CORNER ~~begin~~ ~~at~~ ~~a~~ ~~concrete~~ ~~monument~~ ~~in~~ ~~the~~ ~~North~~ right of way line of Delaware Street and in the West line of Calder Highlands Addition, said concrete monument locates the Southeast corner of said 12.442 acre tract of land and the Southeast corner of The Park on Thomas Road, Section One, an Addition to the City of Beaumont, Jefferson County, Texas, according to the plat thereof recorded in Vol. 13, Page 4 of the Map Records of Jefferson County, Texas;

THENCE North 0 degrees 47 minutes West with the West line of Calder Highlands Addition and with the East line of The Park on Thomas Road, Section One and at 1,026.0 feet pass an iron stake locating the Northeast corner of said Section One and continue a total distance of 1,427.0 feet to an iron stake locating the Northeast corner of The Park on Thomas Road, Section Two, an Addition to the City of Beaumont, Jefferson County, Texas, according to the plat thereof recorded in Vol. 14, Page 1 of the Map Records of Jefferson County, Texas and locating the Southeast and the beginning corner of the tract of land herein described;

THENCE North 0 degrees 47 minutes West with the West line of Calder Highlands Addition and with the East line of said 12.442 acre tract of land a distance of 401.60 feet to an iron stake locating the Northeast corner of said 12.442 acre tract and the Northeast corner of the herein described tract;

THENCE South 88 degrees 43 minutes 04 seconds West with the North line of said 12.442 acre tract a distance of 231.55 feet to an iron stake locating the Southeast corner of a 75 foot wide drainage easement and the Northeast corner of said 27.75 acre tract of land;

THENCE South 88 degrees 38 minutes 29 seconds West with the North line of said 27.75 acre tract and with the South line of said 75 foot wide drainage easement, described as Parcel B in that certain easement dated July 1, 1972 from the Amoco Production Company to Jefferson County Drainage District No. 6 and recorded in Vol. 1746, Page 84 of the Deed Records of Jefferson County, Texas, a distance of 718.50 feet to an iron stake for corner; said iron stake also locates the Northwest corner of said 27.75 acre tract and the Northeast corner of Delaware Place, Section Three, a subdivision in the City of Beaumont, Jefferson County, Texas, according to the map or plat thereof recorded in Vol. 14, Page 29 of the Map Records of Jefferson County, Texas;

THENCE South 0 degrees 47 minutes East with the East line of said Delaware Place, Section Three a distance of 392.37 feet to a concrete monument locating the Northwest corner of The Park on Thomas Road, Section Two;

THENCE North 89 degrees 13 minutes East with the North line of The Park on Thomas Road, Section Two, a distance of 295.0 feet to an iron stake for corner;

THENCE North 0 degrees 47 minutes West a distance of 12.0 feet to an iron stake for corner;

THENCE North 89 degrees 13 minutes East with the North line of The Park on Thomas Road, Section Two, a distance of 200.0 feet to an iron stake for corner;

THENCE South 0 degrees 47 minutes East a distance of 12.0 feet to an iron stake for corner;

THENCE North 89 degrees 13 minutes East with the North line of The Park on Thomas Road, Section Two, a distance of 455.0 feet to the PLACE OF BEGINNING, containing 8.601 acres of land.

EXHIBIT "A"

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Clerk's Note: Map recorded in Volume 14, Page  
70 of the Map Records, Jefferson County, Texas.

FILED FOR RECORD  
*R. X. Bandy*  
COUNTY CLERK  
JEFFERSON COUNTY, TEXAS  
1068636  
DEC 10 8 00 AM '80