

**Hood County Clerk
201 W Bridge Street
PO BOX 339
Granbury, Texas 76048
Phone: 817-579-3222**

Document Number: 2023-0012529 -
Filed and Recorded - Real Records

RESTRICTION

Grantor: GRANBURY WATERS EDGE HOA INC

Pages: 3

Recorded On: 09/22/2023 03:41 PM

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Recorded On:	09/22/2023 03:41 PM
Document Number:	2023-0012529
Receipt Number:	R2313930
Amount:	\$25.00
Recorded By:	Becky Coslett

Notes:

Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

I hereby certify that this instrument was filed and duly recorded in the Official Records of Hood County, Texas



Katie Lang
County Clerk
Hood County, Texas

**Return To: In Office
PAUL PARKER**



**NOTICE OF RESCISSION OF THE [SECOND] AMENDMENT TO THE
AMENDED AND RESTATED DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
GRANBURY WATER'S EDGE HOMEOWNERS' ASSOCIATION, INC.
Phases 1, 2, 2a, 3**

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

§

**THIS NOTICE OF RESCISSION OF THE [SECOND] AMENDMENT TO THE
AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, AND
RESTRICTIONS FOR GRANBURY WATER'S EDGE HOMEOWNERS' ASSOCIATION,
INC. Phases 1, 2, 2a, 3 (this "Notice of Rescission") is made this 22 day of September,
2023, by Granbury Water's Edge Homeowners Association (the "Association").**

WITNESSETH:

WHEREAS, on or about June 5, 1986, Brown & Hinds Enterprises, Inc. ("Declarant"), recorded an instrument entitled Restrictive Covenants for Water's Edge—An Addition to the City of Granbury, Hood County, Texas at Volume 1138, Page 717 *et seq.* of the Real Property Records of Hood County, Texas, as amended by the Amendment to Restrictive Covenants for Water's Edge—An Addition to the City of Granbury, Hood County, Texas, recorded on or about January 19, 1993, at Volume 1379, Page 104 *et seq.* of the Real Property Records of Hood County, Texas (the "Phase 1 Declaration"); and

WHEREAS, on or about February 3, 1994, Ken W. Hackett and A.M.J. Development, L.C. d.b.a Water's Edge (collectively "Declarant"), recorded an instrument entitled Restrictive Covenants for Water's Edge—An Addition to the City of Granbury, Hood County, Texas at Volume 1417, Page 311 *et seq.* of the Real Property Records of Hood County, Texas, as amended by the First Amendment to Restrictive Covenants for Water's Edge—An Addition to the City of Granbury, Hood County, Texas, recorded on or about April 23, 1998, at Volume 1581, Page 143 *et seq.* of the Real Property Records of Hood County, Texas (the "Phase 2 Declaration"); and

WHEREAS, on or about October 22, 1996, Ken W. Hackett d.b.a Water's Edge and A.M.J. Development, L.C. (collectively "Declarant"), recorded an instrument entitled Restrictive Covenants for Water's Edge—An Addition to the City of Granbury, Hood County, Texas at Volume 1516, Page 535 *et seq.* of the Real Property Records of Hood County, Texas (the "Phase 2a Declaration"); and

WHEREAS, on or about November 5, 1997, Ken W. Hackett d.b.a Water's Edge and A.M.J. Development, L.C. (collectively "Declarant"), recorded an instrument entitled Restrictive Covenants for Water's Edge—An Addition to the City of Granbury, Hood County, Texas at Volume 1560, Page 458 *et seq.* of the Real Property Records of Hood County, Texas (the "Phase 3 Declaration"); and

WHEREAS, on or about June 23, 2022, the Association recorded a document entitled "Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Granbury Water's Edge Homeowners' Association Phases 1, 2, 2a, 3" as Document No. 2022-0010436 of the Real Property Records of Hood County, Texas (the "Amendment"); and

WHEREAS, the Association subsequently discovered that the Amendment purported to

amend an "Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Granbury Water's Edge Homeowners' Association Phases 1, 2, 2a, 3" which presumably consolidated the Phase 1 Declaration, Phase 2 Declaration, Phase 2a Declaration, and Phase 3 Declaration, but such document never existed, and thus the Amendment should have been recorded as individual amendments to the Phase 1 Declaration, Phase 2 Declaration, Phase 2a Declaration, and Phase 3 Declaration; and

NOW, THEREFORE, the Association hereby **RESCINDS** the Amendment in its entirety and declares the Amendment to be unenforceable, void, and of no effect.

IN WITNESS WHEREOF, the undersigned has executed this Notice of Rescission as of the date first written above.

**GRANBURY WATER'S EDGE
HOMEOWNERS ASSOCIATION,
a Texas non-profit corporation**

By: Paul Parker Paul Parker
Name: Paul Parker Fred Ray
Title: President SECRETARY

ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF HOOD §

Paul Parker, President BEFORE ME, the undersigned authority, on this day personally appeared Paul Parker, President of Granbury Water's Edge Homeowners Association, a Texas non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed on behalf of said corporation.

SUBSCRIBED AND SWORN TO BEFORE ME on this 20th day of September, 2023

Diana P. Thorn
Notary Public

My Commission Expires: 1/26/24

