

1. Unless otherwise provided herein, all capitalized terms used herein shall have the same meaning as those terms are used and defined in the Restrictions and Covenants; provided however, in recognition of the prohibition in Section 209.0059(a) of the Texas Property Code, for purposes of this Amendment, all references herein to "ELIGIBLE OWNER" or "ELIGIBLE OWNERS" shall include all OWNER(S), as defined in the Restrictions and Covenants, and such references are not limited to just those MEMBERS of the Cape Malibu Property Owners Association, Inc. who have paid all assessments and fees to the ASSOCIATION.

2. The following paragraph 2A is added under the section of the Restrictions and Covenants entitled "RESTRICTIONS", to-wit:

2A. Renting or leasing of LOTS on a daily, weekly, monthly, or other temporary basis is strictly prohibited. OWNERS may only rent or lease their property to parties who will occupy the property as their primary residence. All leases and rental agreements shall be for periods not less than 12 months and renewable in not less than 12 month increments. All leases and rental agreements shall clearly prohibit all forms of subleasing, and shall firmly and clearly bind the tenants to abide by these Restrictions, the Bylaws, and the Rules and Regulations of the ASSOCIATION. OWNERS must notify the ASSOCIATION when their properties are leased or rented, to include providing the name of the tenant, a copy of the lease or rental agreement, and current mailing address of the OWNER.

3. The third grammatical paragraph of paragraph 24 under the section of the Restrictions and Covenants entitled "RESTRICTIONS" is deleted in its entirety and following paragraph substituted therefor:

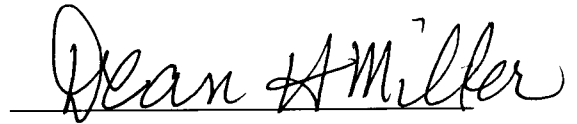
Notwithstanding the foregoing, in situations where the same OWNER or OWNERS own more than two (2) LOTS that are part of a COMPOSITE BUILDING SITE or where the same OWNER or OWNERS own more than two (2) LOTS that are not part of a COMPOSITE BUILDING SITE but the LOTS have no structures or other improvements on them, the maintenance assessment for each LOT in excess of two (2) shall be one-half (50%) of the regular assessment.

4. Except as specifically amended and modified herein, the Restrictions shall remain in full force and effect as originally written.

5. This Amendment is AGREED TO by the OWNERS of LOTS in Cape Malibu as evidenced by their Ballots, Proxies and Powers of Attorney, true and correct copies of which are attached hereto and by the signature of their attorney-in-fact as authorized by the attached Ballots, Proxies, and Powers of Attorney.

6. Attached to this instrument and specifically made a part hereof is a Certificate of the Board of Directors of the ASSOCIATION stating that the required number of OWNERS have agreed to this Amendment by authorizing their attorney-in-fact to execute this Amendment on their behalf.

EXECUTED this 25th day of November, 2013.

A handwritten signature in cursive script that reads "Dean H. Miller". The signature is written in black ink and is positioned above a horizontal line.

Dean H. Miller, Agent and Attorney in Fact for those persons whose signatures are affixed to the attached Ballots, Proxies, and Powers of Attorney

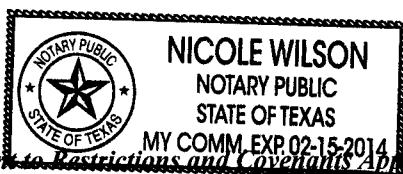
STATE OF TEXAS

§

COUNTY OF MONTGOMERY

§

This instrument was acknowledged before me on the 25th day of November, 2013, by DEAN H. MILLER, Individually and as Agent and Attorney in Fact for Patricia C. Hopkins, Doug Hopkins, Brian Gidcumo, Ronald R. Philips, Judy Philips, Craig Philips, Susie Philips, Robert Larimore, Sandra Larimore, Robert Rawlings, Jorge Vargas, Darlene Vargas, Paul Botello, Ruby Botello, Michael Whitmire, Deborah Whitmire, Marica Edge, Scott Akers, Shanna Akers, Lloyd Kretzschmal, Myra Kretzschmar, Scott Torell, Nancy Torell, Karl F. McCoy, Sharon R. McCoy, Terry Clymer, Ann Clymer, Ray Nannen, James Mock, Linda Mock, Alice K. Thompson, Jeffrey Simoneau, Jeffrey Smith, Michael J. O'Donnell, Glori O'Donnel, Jeff Hurlburt, Martin P. Rappaport, Bethony A. Rappaport, Verlin Veronie, Pam Veronie, Donald R. Russell, Durwood Thevenote, Corrie Sue Thevenote, Linda Benestante, Ken R. Lafferty, Betty J. Lafferty, Terry Stewart, Theresa Stewart, Judy Tipton, Delbert Cavender, Michael E. Baust, Janet K. Baust, Rick Becker, Anita Becker, John Leslie Daniels, Naomi Dell Daniels, Robert Burns, Wilma Burns, Gay Carrol, LaMoyne Boren, Bob Shirley, Karla Shirley, Robert Rhodes, Robin Rhodes, Don White, Rosemary White, Carlton L. Bailes, Judith D. Bailes, Jeff Terrell, Tina Terrell, Robert Humes, Maureen Humes, Willlliam P. Ramey, Lois M. Ramey, Bill Cooner, Dianne Cooner, David Allen, Gwen Allen, John Koonce, Georgia Koonce, Obby Flinn, Marie Flinn, Dean Miller, Karmen Miller, Neil Altenbaumer, Debra Altenbaumer, Adam Kaminskas, Winona Kaminskas, Steve Brand, Gayle Brand, Charles Aramburo, Cheryl Aramburo, Calvin A. Robertson, Thelma J. Robertson, Michael Hebert, Judy Hebert, Ricardo Uresti, Barbara Uresti, Max Trammel, Patty Trammel, Bill Wagner, Philip D. Belanger, Judith A. Belanger, Edward R. Stevens, III, Deidre Stevens, William Tucker, Marsha Tucker, Steve Swaynie, Richard M. Davis, Kathleen Davis, Herb Loyd, Mary Jo Loyd, Bryan Kendig, Lisa Kendig, Todd Thurber, Kelly Thurber, Lindsay Byrum, Pam Byrum, Lonnie Baker, Tim White, Nancy White, Stephen Adkisson, Marlene Adkisson, Gregg Anderson, Shari Anderson, Bill Walls, Lena Walls, Larry Walsh, Sharron Walsh, John P. Gaa, Cynthia J. Gaa, Frank Griffin, Jan McNeill, Damon Krehbiel, Karen Krehbiel,



Nicole Wilson
Notary Public, State of Texas

*Amendment to Restrictions and Covenants Applicable to
Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision*

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

Hopkins, Doug & Carol

LOTS OWNED (including partial lots):

Lot(s) 13, 14, Block(s) 9, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| VOTE | | |
|--|--------------|--------------------|
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. 3) Each owner of a property must cast a vote. | | |
| { Owner } Patricia C. Hopkins | For [X] | Against [___] |
| { Owner } | [___] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Submit: Click on "Send" in your email program and your ballot/proxy/power of attorney will be sent to the Cape Malibu Property Owner's Association Board of Directors.

Deadline: Please return your ballot/proxy/power of attorney by October 30, 2013.

You are receiving this e-mail because you are a resident of Cape Malibu or are a Cape Malibu property owner. If you wish to "opt out" on future e-mail from the Cape Malibu Property Owner's Association, you may do so by sending an e-mail to Bob Humes at bobhumes@rwhumes.com.

You have received this e-mail from Bob Humes on behalf of Cape Malibu Property Owner's Association.



**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

- | Owner(s) | LOTS OWNED (including partial lots) |
|-------------------------|---|
| 1) <u>Brian Giddomb</u> | Lot(s) <u>23,24</u> Block(s) <u>7</u> , Cape Malibu |
| 2) _____ | |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|----------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <u>Brian Giddomb</u> | For | Against |
| Print Name: | <u>Brian Giddomb</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>11-16-13</u> | | |
| Signature: | _____ | | |
| Print Name: | _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | _____ | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, TX 77318

Ballot must be returned no later than October 30, 2013.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

- | Owner(s) | LOTS OWNED (including partial lots) |
|------------------------------|---|
| 1) <u>Ronald R. Phillips</u> | Lot(s) <u>1-2</u> , Block(s) <u>1</u> , Cape Malibu |
| 2) <u>Judy Phillips</u> | |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|---------------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <u>Ronald R. Phillips</u> | For | Against |
| Print Name: | <u>Ronald R. Phillips</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>11-16-13</u> | | |
| Signature: | <u>Judy Phillips</u> | For | Against |
| Print Name: | <u>Judy Phillips</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>11-16-13</u> | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, TX 77318

Ballot must be returned no later than October 30, 2013.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|--------------------------|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| 1) <u>Craig Phillips</u> | Lot(s) <u>21</u> , Block(s) <u>7</u> , Cape Malibu |
| 2) <u>Susie Phillips</u> | |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|-------------------------------------|--------------------------|--|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: <u>Ronald Craig Phillips</u> | For | Against | |
| Print Name: <u>RONALD CRAIG PHILLIPS</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Date: <u>11-3-13</u> | | | |
| Signature: <u>Susie Phillips</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Print Name: <u>Susie Phillips</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Date: <u>11-3-13</u> | | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, TX 77318

Ballot must be returned no later than October 30, 2013.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|---------------------------|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| 1) <u>Robert Lanimore</u> | Lot(s) <u>22</u> , Block(s) <u>7</u> , Cape Malibu |
| 2) <u>Sandra Lanimore</u> | |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|-------------------------------------|--------------------------|--|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| | For | Against | |
| Signature: <u>Robert Lanimore</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Print Name: <u>Robert Lanimore</u> | | | |
| Date: <u>11-2-13</u> | | | |
| Signature: <u>Sandra Lanimore</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Print Name: <u>Sandra Lanimore</u> | | | |
| Date: <u>11-2-13</u> | | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, TX 77318

Ballot must be returned no later than October 30, 2013.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| Owner(s) | LOTS OWNED (including partial lots) |
|---------------------------|---|
| 1) _____ | Lot(s) <u>5</u> , Block(s) <u>2</u> , Cape Malibu |
| 2) <u>ROBERT RAWLINGS</u> | |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|---------------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <u>Robert L. Rawlings</u> | For | Against |
| Print Name: | <u>Robert L. RAWLINGS</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>11/6-13</u> | | |
| Signature: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Print Name: | _____ | | |
| Date: | _____ | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, TX 77318

Ballot must be returned no later than October 30, 2013.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|------------------------|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| Jorge & Darlene Vargas | Lot(s) 2, Block(s) 2, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

✕

| VOTE | | | |
|---|-----------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | | For | Against |
| Print Name: | Jorge F. Vargas | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | 11.16.13 | | |
| Signature: | | | |
| Print Name: | Darlene Vargas | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | 11.16.13 | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, TX 77318

Ballot must be returned no later than October 30, 2013.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|---------------------|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| Paul & Ruby Botello | Lot(s) 8, 9, 10, 11, Block(s) 7, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.



| VOTE | | | |
|---|------------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <u>Paul B. Botello</u> | For | Against |
| Print Name: | <u>PAUL B. BOTELLO</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>10-17-2013</u> | | |
| Signature: | <u>Ruby B. Botello</u> | For | Against |
| Print Name: | <u>RUBY B. BOTELLO</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>10-17-2013</u> | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, TX 77318

Ballot must be returned no later than October 30, 2013.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|--------------------------|---|
| Owner(s) | LOTS OWNED (including partial lots) |
| 1) <u>MICHAEL &</u> | Lot(s) <u>5</u> , Block(s) <u>8</u> , Cape Malibu |
| 2) <u>DEBRA WHITMIRE</u> | |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

☑

| VOTE | | | |
|---|-------------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <u>[Signature]</u> | For | Against |
| Print Name: | <u>Michael Whitmire</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>11-7-13</u> | | |
| Signature: | <u>[Signature]</u> | For | Against |
| Print Name: | <u>Debra Whitmire</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>11-17-13</u> | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, TX 77318

Ballot must be returned no later than October 30, 2013.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
 AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
 OF CAPE MALIBU SUBDIVISION
 SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| Owner(s) | LOTS OWNED (including partial lots) |
|-----------------------|---|
| 1) _____ | Lot(s) <u>6</u> , Block(s) <u>8</u> , Cape Malibu |
| 2) <u>MARCIA EDGE</u> | |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|--------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <u>Marcia Edge</u> | For | Against |
| Print Name: | <u>MARCIA EDGE</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>11/8/13</u> | | |
| Signature: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Print Name: | _____ | | |
| Date: | _____ | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
 15816 Malibu East
 Willis, TX 77318

Ballot must be returned no later than October 30, 2013.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|------------------------|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| 1) <u>SCOTT &</u> | Lot(s) <u>29</u> , Block(s) <u>7</u> , Cape Malibu |
| 2) <u>SHANNA AKERS</u> | |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

☑

| VOTE | | | |
|---|---------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <u>Scott Akers</u> | For | Against |
| Print Name: | <u>Scott Akers</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>11/3/13</u> | | |
| Signature: | <u>Shanna Akers</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Print Name: | <u>Shanna Akers</u> | | |
| Date: | <u>11/3/13</u> | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, TX 77318

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**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

| Owner(s) | LOTS OWNED (including partial lots) |
|-----------------------------|---|
| 1) <u>Lloyd Kretzschmar</u> | Lot(s) <u>710</u> , Block(s) <u>5</u> , Cape Malibu |
| 2) <u>Myra Kretzschmar</u> | <u>15925 Wildercroft</u> |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|--------------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <u>Lloyd Kretzschmar</u> | For | Against |
| Print Name: | <u>Lloyd Kretzschmar</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>11-2-13</u> | | |
| Signature: | <u>Myra Kretzschmar</u> | For | Against |
| Print Name: | <u>Myra Kretzschmar</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>11-2-13</u> | | |

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AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

- | | |
|------------------------|---|
| Owner(s) | LOTS OWNED (including partial lots) |
| 1) <u>Scott &</u> | Lot(s) <u>17,18</u> Block(s) <u>8</u> , Cape Malibu |
| 2) <u>NANCY TORELL</u> | |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.



| VOTE | | | |
|--|-------------------------------------|--------------------------|--|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| | For | Against | |
| Signature: <u>[Signature]</u> | | | |
| Print Name: <u>Scott B. Torell</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Date: <u>11/2/13</u> | | | |
| Signature: <u>[Signature]</u> | | | |
| Print Name: <u>Nancy Torell</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Date: <u>11/2/13</u> | | | |

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**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
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TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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OWNER(S): KARLE. Sharon R. McCoy

LOT(S) (including partial lots) OWNED:

Lot(s) 7, Block 2, Cape Malibu
Lot(s) _____, Block _____, Cape Malibu
Lot(s) _____, Block _____, Cape Malibu

If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please check the box at the right. →



| VOTE | | |
|---|-------------------------------------|--------------------------|
| OWNERS(S) | For | Against |
| <u>Karl McCoy</u> Printed Name: <u>KARLE E. MCCOY</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <u>Sharon R. McCoy</u> Printed Name: <u>SHARON R MCCOY</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|----------------------|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| 1) <u>TERRY E</u> | Lot(s) <u>12</u> , Block(s) <u>6</u> , Cape Malibu |
| 2) <u>ANN CLYMER</u> | |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

☒

| VOTE | | |
|---|-----|---------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | |
| Signature: _____ | For | Against |
| Print Name: <u>Terry E Clymer</u> | ☒ | ☐ |
| Date: <u>11/03/2011</u> | | |
| Signature: _____ | For | Against |
| Print Name: <u>Ann Clymer</u> | ☒ | ☐ |
| Date: <u>11-3-13</u> | | |

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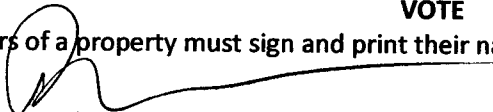
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Ownership and Property Description: Below are the property owners and the property description.

| Owner(s) | LOTS OWNED (including partial lots) |
|----------------------|---|
| 1) _____ | Lot(s) _____, Block(s) <u>8</u> , Cape Malibu |
| 2) <u>RAY MANNEN</u> | <u>21(1/2), 22, 23, 24, 25, 26</u> |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|---|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: |  | For | Against |
| Print Name: | <u>R. Mannen</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>11/3/13</u> | <input type="checkbox"/> | <input type="checkbox"/> |
| Signature: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Print Name: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Date: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|------------------|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| Jim & Linda Mock | Lot(s) 8, Block(s) 5, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|----------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <u>James D Mock</u> | For | Against |
| Print Name: | <u>James D Mock</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>10-28-13</u> | | |
| Signature: | <u>Linda Mock</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Print Name: | <u>Linda D. Mock</u> | | |
| Date: | <u>10-28-13</u> | | |

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|------------------------------------|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| <<FullName>> <u>ALICE THOMPSON</u> | Lots <<Lots>> <u>20</u> , Block(s) <<Blocks>> <u>7</u> , Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [?]

| VOTE | | | |
|---|-------------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <u>Alice K Thompson</u> | For | Against |
| Print Name: | <u>Alice K Thompson</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>Oct 30 2013</u> | | |
| Signature: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Print Name: | _____ | | |
| Date: | _____ | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

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TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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OWNER(S):

LOT(S) (including partial lots) OWNED:

JEFF SIMONEAU

Lot(s) 216, Block 7, Cape Malibu
Lot(s) _____, Block _____, Cape Malibu
Lot(s) _____, Block _____, Cape Malibu

If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please check the box at the right. →

| VOTE | | |
|---------------------------------------|-------------------------------------|--------------------------|
| OWNER(S) | | |
| <u>Jeffrey Simoneau</u> | For | Against |
| Printed Name: <u>JEFFREY SIMONEAU</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Printed Name: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

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Oct 30th

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OWNER(S):

Jeff Smith

LOT(S) (including partial lots) OWNED:

Lot(s) 12, Block 3, Cape Malibu
Lot(s) _____, Block _____, Cape Malibu
Lot(s) _____, Block _____, Cape Malibu

If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please check the box at the right. →

| VOTE | | |
|--|-------------------------------------|--------------------------|
| OWNERS(S) | For | Against |
| <u>Jeffrey Smith</u> Printed Name: <u>Jeffrey Smith</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Printed Name: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|--------------------------|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| Michael & Glori O'Donnel | Lot(s) 8, Block(s) 2, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|----------------------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <hr/> | For | Against |
| Print Name: | <hr/> <u>MICHAEL J. O'DONNEL</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <hr/> <u>OCT 24, 2013</u> | | |
| Signature: | <hr/> | For | Against |
| Print Name: | <hr/> <u>MICHAEL J. O'DONNEL</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <hr/> <u>OCT, 24, 2013</u> | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

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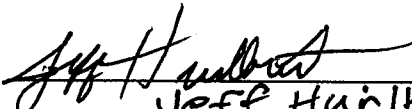

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|-----------------|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| Jeff Hurlburt | Lot(s) 8, Block(s) 1, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|---|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: |  | For | Against |
| Print Name: | JEFF Hurlburt | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | Oct. 24, 2013 | | |
| Signature: |  | For | Against |
| Print Name: | JEFF Hurlburt | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | Oct. 24, 2013 | | |

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|-------------------------|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| Martin & Beth Rappaport | Lot(s) 30, Block(s) 2, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.



| VOTE | | | |
|--|-----------------------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| | | For | Against |
| Signature: | <u>Martina P. Rappaport, M.D.</u> | | |
| Print Name: | <u>MARTINA P. RAPPAPORT, M.D.</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>10-27-13</u> | | |
| Signature: | <u>Bethany A. Rappaport</u> | | |
| Print Name: | <u>Bethany A. Rappaport</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>10-27-13</u> | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, TX 77318

Ballot must be returned no later than October 30, 2013.

Bob Humes

15917 Malibu West
[Home] (936) 856-0269
[Cell] (832) 423-8442
bobhumes@rwhumes.com

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

Veronie, Verlin & Pam

LOTS OWNED (including partial lots):

Lot(s) 19, 20, 21(1/2), Block(s) 8, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

[X]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|--------------------------------|------------|----------------|
| { Owner } <i>V. J. Veronie</i> | [X] | [—] |
| { Owner } <i>Pam Veronie</i> | [X] | [—] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the Official Public Records of Montgomery County, Texas.

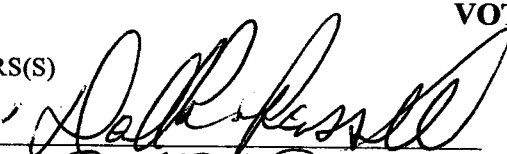
OWNER(S):

DONALD RUSSELL

LOT(S) (including partial lots) OWNED:

Lot(s) 12, Block 4, Cape Malibu
Lot(s) _____, Block _____, Cape Malibu
Lot(s) _____, Block _____, Cape Malibu

If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please check the box at the right. →

| VOTE | | |
|---|-------------------------------------|--------------------------|
| OWNERS(S) | For | Against |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Printed Name: <u>DONALD R. RUSSELL</u> | <input type="checkbox"/> | <input type="checkbox"/> |
| Printed Name: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, Texas 77318

Ballot must be returned no later than _____.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|---|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| <i>DURNEY P.</i> Woody & Sue Thevenote | Lot(s) 26, Block(s) 2, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

☒

| VOTE | | | |
|---|---|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <i>[Signature]</i> <i>[Signature]</i> | For | Against |
| Print Name: | <u>D. J. THEVENOTE</u> <u>CARRIE S. THEVENOTE</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>10</u> | | |
| Signature: | <i>[Signature]</i> <i>[Signature]</i> | For | Against |
| Print Name: | <u>D. J. THEVENOTE</u> <u>CARRIE S. THEVENOTE</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | _____ | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, TX 77318

Ballot must be returned no later than October 30, 2013.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|------------------|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| Linda Benestante | Lot(s) 29, Block(s) 9, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|-------------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | | For | Against |
| Print Name: | <u>LINDA BENESTANTE</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>10-17-13</u> | | |
| Signature: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Print Name: | _____ | | |
| Date: | _____ | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

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15816 Malibu East
Willis, TX 77318

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**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|----------------------|--|
| Owner(s) | LOTS OWNED (including partial lots) |
| Ken & Betty Lafferty | Lot(s) 3, 4, Block(s) 7, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|--------------------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <u><i>Ken R Lafferty</i></u> | For | Against |
| Print Name: | <u>KEN R. LAFFERTY</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>18 OCTOBER 2013</u> | | |
| Signature: | <u><i>Betty J Lafferty</i></u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Print Name: | <u>BETTY J. LAFFERTY</u> | | |
| Date: | <u>10-18-13</u> | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

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Cape Malibu POA
15816 Malibu East
Willis, TX 77318

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**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

- | Owner(s) | LOTS OWNED (including partial lots) |
|-------------------------|--|
| 1) <u>TERRY STEWART</u> | Lot(s) <u>13, 14</u> , Block(s) <u>B</u> , Cape Malibu |
| 2) _____ | |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|------------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <u>Theresa Stewart</u> | For | Against |
| Print Name: | <u>Theresa Stewart</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>11-04-2013</u> | | |
| Signature: | _____ | | |
| Print Name: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Date: | _____ | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, TX 77318

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**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

- | Owner(s) | LOTS OWNED (including partial lots) |
|-----------------------|--|
| 1) <u>JUDY TIPTON</u> | Lot(s) <u>11</u> , Block(s) <u>8</u> , Cape Malibu |
| 2) _____ | |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

| VOTE | | | |
|---|--------------------|-------------------------------------|--------------------------|
| Note: All owners of a property must sign and print their names and cast a vote on a single ballot. | | | |
| Signature: | <u>Judy Tipton</u> | For | Against |
| Print Name: | <u>Judy Tipton</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Date: | <u>11-4-13</u> | | |
| Signature: | _____ | | |
| Print Name: | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Date: | _____ | | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:

Cape Malibu POA
15816 Malibu East
Willis, TX 77318

Ballot must be returned no later than October 30, 2013.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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OWNER(S)
DELBERT CAVERDER

LOT(S) (including partial lots) OWNED:
Lot(s) 5-6, Block 1, Cape Malibu
Lot(s) _____, Block _____, Cape Malibu
Lot(s) _____, Block _____, Cape Malibu

If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please check the box at the right. →

| VOTE | | |
|---------------------------------------|-------------------------------------|--------------------------|
| OWNER(S) <u>Delbert Caverder</u> | For | Against |
| Printed Name: <u>DELBERT CAVERDER</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Printed Name: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:
Cape Malibu POA
15816 Malibu East
Willis, Texas 77318

Ballot must be returned no later than _____.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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OWNER(S):
Mike BAUST
JANET BAUST

LOT(S) (including partial lots) OWNED:
 Lot(s) 7, Block 9, Cape Malibu
 Lot(s) _____, Block _____, Cape Malibu
 Lot(s) _____, Block _____, Cape Malibu

If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please check the box at the right. →

| VOTE | | |
|--|-------------------------------------|--------------------------|
| OWNERS(S) | For | Against |
| <u>Michael E Baust</u> Printed Name: <u>MICHAEL E BAUST</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <u>Janet K Baust</u> Printed Name: <u>JANET K BAUST</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Please Return Original Ballot To:
 Cape Malibu POA
 15816 Malibu East
 Willis, Texas 77318

Ballot must be returned no later than _____.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

Becker, Rick & Anita

LOTS OWNED (including partial lots):

Lot(s) 9, 10 / 5, 6, Block(s) 3 / 4, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

[X]

VOTE

- 1) Type your name in the { owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|----------------|--------------|----------------|
| {Rick Becker} | [<u>X</u>] | [] |
| {Anita Becker} | [<u>X</u>] | [] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Tuesday, October 8, 2013 @ 10:38 AM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

Daniels, John & Naomi

LOTS OWNED (including partial lots):

Lot(s) 9, Block(s) 6, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [X]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|-------------------------|--------------|----------------|
| { John Leslie Daniels } | [<u>X</u>] | [___] |
| { Naomi Dell Daniels } | [<u>X</u>] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Tuesday, October 8, 2013 @ 1:40 PM

> BALLOT, PROXY, AND POWER OF ATTORNEY FOR AMENDMENT TO DEED
> RESTRICTIONS AND COVENANTS OF CAPE MALIBU SUBDIVISION SIXTH REVISION

>
> TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

>
> This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

>
> Ownership and Property Description: Below are the property owners and the property description.

>
> OWNER(S): LOTS OWNED (including partial lots):

>
> Burns, Bobbie & Wilma Lot(s) 13, 14, Block(s) 6, Cape Malibu

>
>
> Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets below.

>
> [___]

>
>

> VOTE

- >
> 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
> 2) Cast your vote For or Against by placing an "x" between the brackets on the right below.
> 3) Each owner of a property must cast a vote.

>
> For Against

>
> {Robert Burns } [__x_] [___]

>
> { Wilma Burns } [__x_] [___]

>
> I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Tuesday, October 8, 2013 @ 2:00 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Carrol, Gay | Lot(s) 32, Block(s) 2, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| | | |
|---|------------|----------------|
| VOTE | | |
| 1) Type your name in the { GAY CARROLL } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { GAY CARROLL Owner } | [_X_] | [___] |
| { Owner } | [___] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Tuesday, October 8, 2013 @ 2:51 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):
Boren, Lamoyne

LOTS OWNED (including partial lots):
Lot(s) 2, 3, Block(s) 5, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

[___]

VOTE

- 1) Type your name in the { LaMoyne Boren } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|-------------------|--------------|----------------|
| { LaMoyne Boren } | [<u>X</u>] | [___] |
| { LaMoyne Boren } | [<u>X</u>] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Tuesday, October 8, 2013 @ 3:49 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|----------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Shirley, Bob & Karla | Lot(s) 33, Block(s) 9, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [_x_]

| | | |
|---|------------|----------------|
| VOTE | | |
| 1) Type your name in the { Bob and Karla Shirley } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Bob } | [_x_] | [___] |
| { Karla } | [_x_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Tuesday, October 8, 2013 @ 4:47 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|---|--|
| OWNER(S): Rhodes, Robert & Robin | LOTS OWNED (including partial lots): Lot(s) 5, Block(s) 5, Cape Malibu |
|---|--|

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [x]

| VOTE | | |
|---|----------------------------------|--------------------------|
| 1) Type your name in the {Robert & Robin Rhodes } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| { Robert } | For [<u> </u> x <u> </u>] | Against [<u> </u>] |
| { Robin } | [<u> </u> x <u> </u>] | [<u> </u>] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Tuesday, October 8, 2013 @ 6:29 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|-----------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| White, Don & Rosemary | Lot(s) 5, 6, 7, Block(s) 7, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| | | |
|---|------------|----------------|
| VOTE | | |
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Don White } | [_x_] | [___] |
| { Rosemary White } | [_x_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Tuesday, October 8, 2013 @ 8:12 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|--------------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Bailes, Carlton & Judith | Lot(s) 8, Block(s) 6, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [X]

| VOTE | | |
|---|--------------|----------------|
| <p>1) Type your name in the { Owner } field on the left below replacing the word "Owner". 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. 3) Each owner of a property must cast a vote.</p> | | |
| | For | Against |
| {Carlton L. Bailes} | [<u>X</u>] | [] |
| {Judith D. Bailes} | [<u>X</u>] | [] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Wednesday, October 9, 2013 @ 1:44 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|----------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Terrell, Jeff & Tina | Lot(s) 18, Block(s) 1, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [X]

| | | |
|---|--------------|----------------|
| VOTE | | |
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Jeff Terrell } | [<u>X</u>] | [___] |
| { Tina Terrell } | [<u>X</u>] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Wednesday, October 9, 2013 @9:25 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|----------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Humes, Bob & Maureen | Lot(s) 29, Block(s) 2, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [x]

| | | |
|---|---|------------------------------|
| VOTE | | |
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Robert Humes } | [<input checked="" type="checkbox"/>] | [<input type="checkbox"/>] |
| { Maureen Humes } | [<input checked="" type="checkbox"/>] | [<input type="checkbox"/>] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Wednesday, October 9, 2013 @9:46

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|--|---|
| OWNER(S): Ramey, Bill & Lois | LOTS OWNED (including partial lots): Lot(s) 12, 13, 14, Block(s) 7, Cape Malibu |
|--|---|

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| VOTE | | |
|--|-----------------|---------------------------|
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. 3) Each owner of a property must cast a vote. | | |
| { William P. RameyOwner } | For x | Against [___] |
| { Lois M. Ramey Owner } | x | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Thursday, October 10, 2013 @ 1:19 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

LOTS OWNED (including partial lots):

Lot(s) 10, Block(s) 8, Cape Malibu

Cooner, Bill & Dianne

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

[_x_]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|-------------------|------------|----------------|
| { Bill Cooner } | [_X_] | [___] |
| { Dianne Cooner } | [_X_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Thursday, October 20, 2013 @ 11:08 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|---|---|
| OWNER(S): Allen, David & Gwen | LOTS OWNED (including partial lots): Lot(s) 1, 2, Block(s) 6, Cape Malibu |
|---|---|

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [x]

| VOTE | | |
|--|-------------------|-----------------|
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Allen, Gwen } | [<u> x </u>] | [<u> </u>] |
| { Allen, Gwen } | [X <u> </u>] | |
| Allen, David | X | [<u> </u>] |
| Allen, David | X | |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Friday, October 11, 2013 @ 5:15 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|--|---|
| OWNER(S): Koonce, John & Georgia | LOTS OWNED (including partial lots): Lot(s) 5, 6, Block(s) 9, Cape Malibu |
|--|---|

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| VOTE | | |
|--|-----------------|---------------------------|
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. 3) Each owner of a property must cast a vote. | | |
| { John Koonce } | For X | Against [___] |
| {Georgia Koonce } | X | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Saturday, October 12, 2013 @ 10:27 am

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

Flinn, Obby & Marie

LOTS OWNED (including partial lots):

Lot(s) 27, 28, Block(s) 7, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

[___]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|-----------|------------|----------------|
| { Owner } | [___X_] | [___] |
| { Owner } | [_X_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Sunday, October 13, 2013 @ 3:31 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|-----------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Miller, Dean & Karmen | Lot(s) 1, 2, 32, Block(s) 7, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [_x_]

| | | |
|---|------------|----------------|
| VOTE | | |
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Dean Miller } | [_x_] | [___] |
| { Karmen Miller } | [_x_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Monday, October 14, 2013 @ 10:28

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|---------------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Altenbaumer, Neil & Debra | Lot(s) 3, 4, Block(s) 6, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [_x_]

| | | |
|---|------------|----------------|
| VOTE | | |
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Neil Altenbaumer } | [_x_] | [___] |
| { Debra Altenbaumer } | [_x_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Wednesday, October 16, 2013 @ 6:45 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

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Ownership and Property Description: Below are the property owners and the property description.

| | |
|--------------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Kaminskas, Adam & Winona | Lot(s) 6, Block(s) 3, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|----------------------|--------------|----------------|
| { Adam Kaminskas } | [<u>X</u>] | [___] |
| { Winona Kaminskas } | [___X] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Friday, October 18, 2013 @ 1:57 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

Brand, Steve & Gayle

LOTS OWNED (including partial lots):

Lot(s) 12, Block(s) 8, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|-----------------|------------|----------------|
| { Steve Brand } | [_X_] | [___] |
| { Gayle Brand } | [_X_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Thursday, October 24, 2013 @ 9:19 AM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|----------------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Aramburo, Charles & Cheryl | Lot(s) 28, Block(s) 2, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [_x_]

| | | |
|---|------------|----------------|
| VOTE | | |
| <p>1) Type your name in the { Charles Aramburo, Cheryl Aramburo } field on the left below replacing the word "Owner".</p> <p>2) Cast your vote For or Against by placing an "x" between the brackets on the right below.</p> <p>3) Each owner of a property must cast a vote.</p> | | |
| | For | Against |
| { Charles Aramburo } | [_x_] | [___] |
| { Cheryl Aramburo } | [_X_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Thursday, October 24, 2013 @ 10:09 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|----------------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Robertson, Calvin & Thelma | Lot(s) 7, Block(s) 4, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [X]

| VOTE | | |
|---|---|------------------------------|
| <p>1) Type your name in the { Owner } field on the left below replacing the word "Owner". 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. 3) Each owner of a property must cast a vote.</p> | | |
| | For | Against |
| { Owner } Calvin A. Robertson | [<input type="checkbox"/> x] | [<input type="checkbox"/>] |
| { Owner } Thelma J. Robertson | [<input checked="" type="checkbox"/>] | [<input type="checkbox"/>] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Friday, October 25, 2013 @ 7:09 AM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|------------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Hebert, Michael & Judy | Lot(s) 11, Block(s) 9, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [_x_]

| | | |
|---|------------|----------------|
| VOTE | | |
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Michael Hebert } | [_x_] | [___] |
| { Judy Hebert } | [_x_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Friday, October 25, 2013 @ 9:04 AM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|---------------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Uresti, Ricardo & Barbara | Lot(s) 30, 31, Block(s) 7, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| | | |
|---|------------|----------------|
| VOTE | | |
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Ricardo Uresti } | [_x_] | [___] |
| { Barbara Uresti } | [_x_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Friday, October 25, 2013 @ 11:31 AM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

Trammel, Max & Patty

LOTS OWNED (including partial lots):

Lot(s) 8, Block(s) 9, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [_x_]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|----------------|------------|----------------|
| max trammell | [_x_] | [___] |
| patty trammell | [_x_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Friday October 25, 2013 @ 5:58

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|----------------------------------|--|
| OWNER(S): Wagner, Bill | LOTS OWNED (including partial lots): Lot(s) 9, Block(s) 8, Cape Malibu |
|----------------------------------|--|

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| VOTE | | |
|--|-------------------|-------------------|
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Bill Wagner } | [<u> X </u>] | [<u> </u>] |
| { Owner } | [<u> </u>] | [<u> </u>] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Friday, October 25, 2013 @ 9:01 AM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|---|---|
| OWNER(S): Belanger, Philip D. & Judith A. | LOTS OWNED (including partial lots): Lot(s) 25, Block(s) 2, Cape Malibu |
|---|---|

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [X]

| VOTE | | |
|---|------------|----------------|
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| {Philip D. Belanger } | [X] | [___] |
| {Judith A Belanger } | [X] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Friday, October 25, 2013 @ 12:16 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|----------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Stevens, Ed & Deidre | Lot(s) 25, Block(s) 7, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| | | |
|---|------------|----------------|
| VOTE | | |
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Edward R. Stevens 111 } | [_x_] | [___] |
| { Deidre Stevens } | [_x_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Friday, October 25, 2013 @ 4:02 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

Tucker, Bill & Beth

LOTS OWNED (including partial lots):

Lot(s) 24, Block(s) 9, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

[x]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|--------------------|---|------------------------------|
| { William Tucker } | [<input checked="" type="checkbox"/>] | [<input type="checkbox"/>] |
| { Marsha Tucker } | [<input checked="" type="checkbox"/>] | [<input type="checkbox"/>] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Friday, October 25, 2013 @4:40 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

Swaynie, Steven

LOTS OWNED (including partial lots):

Lot(s) 1 / 4, Block(s) 4 / 5, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

[___]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|------------------|------------------|----------------|
| {Steve Swaynie } | [<u> X </u>] | [___] |
| {Steve Swaynie } | [<u> X </u>] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Friday, October 25, 2013 @ 4:18 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|---------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Davis, Mike & Kathy | Lot(s) 14, 15, Block(s) 1, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [x]

| VOTE | | |
|---|----------------------------------|--------------------------|
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| { Richard M. Davis } | For [<u> </u> x <u> </u>] | Against [<u> </u>] |
| { Kathleen Davis } | [<u> </u> x <u> </u>] | [<u> </u>] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Friday, October 25, 2013 @ 5:24 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

Loyd, Herb & Mary Jo

LOTS OWNED (including partial lots):

Lot(s) 16, 17, 18, Block(s) 9, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

[___]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|------------------|--------------|----------------|
| { Herb Loyd } | [<u>X</u>] | [___] |
| { Mary Jo Loyd } | [<u>X</u>] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Friday, October 25, 2013 @ 7:50 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

Kendig, Bryan & Lisa

LOTS OWNED (including partial lots):

Lot(s) 8, 9, 10, Block(s) 4, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

[___]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|------------------|------------|----------------|
| { Bryan Kendig } | [_X_] | [___] |
| { Lisa Kendig } | [_X_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Sunday, October 27, 2013 @ 4:40 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|-----------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Thurber, Todd & Kelly | Lot(s) 4, Block(s) 8, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| | | |
|---|------------|----------------|
| VOTE | | |
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Todd & Kelly Thurber} | [x___] | [___] |
| { Todd & Kelly Thurber } | [_x_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Sunday, October 27, 2013 @ 4:48 PM

BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|----------------------|--------------------------------------|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Byrum, Lindsay & Pam | Lot(s) 15, Block(s) 7, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

[__x_]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote For or Against by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

For Against

{ Lindsay Byrum } [_For_] [_For_]
{ Pam Byrum } [_For_] [_For_]

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Sunday, October 27, 2013 @ 6:47 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):
Baker, Lonnie

LOTS OWNED (including partial lots):
Lot(s) 3, Block(s) 4, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| VOTE | | |
|---|------------|----------------|
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Owner } LONNIE BAKER | [_X_] | [___] |
| { Owner } | [___] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Monday, October 28, 2013 @ 7:06 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|--------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| White, Tim & Nancy | Lot(s) 4, Block(s) 9, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| VOTE | | |
|--|------------|----------------|
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Owner } | [_X_] | [___] |
| { Owner } | [_X_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|-----------------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Adkisson, Stephen & Marlene | Lot(s) 3, Block(s) 2, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| VOTE | | |
|--|------------|----------------|
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Stephen Adkisson } | [__x__] | [___] |
| { Marlene Adkisson } | [___x] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Tuesday, October 29, 2013 @ 7:03 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|---|---|
| OWNER(S): Anderson, Gregg & Shari | LOTS OWNED (including partial lots): Lot(s) 31, Block(s) 2, Cape Malibu |
|---|---|

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| VOTE | | |
|---|--------------|---------|
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| { Shari H. Anderson } | [<u>X</u>] | [___] |
| { Owner } | [___] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Tuesday, October 29, 2013 @ 10:39 PM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

Walls, Bill & Lena

LOTS OWNED (including partial lots):

Lot(s) 8, Block(s) 8, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

[X]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|-----------------------|--------------|----------------|
| { LENA WALLS Owner } | [<u>X</u>] | [___] |
| { BILLY WALLS Owner } | [<u>X</u>] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Wednesday, October 20, 2013 @ 11:42

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|--|---|
| OWNER(S): Walsh, Larry & Sharron | LOTS OWNED (including partial lots): Lot(s) 14, Block(s) 2, Cape Malibu |
|--|---|

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [x]

| | | |
|---|------------|----------------|
| VOTE | | |
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". | | |
| 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. | | |
| 3) Each owner of a property must cast a vote. | | |
| | For | Against |
| { Larry Walsh } | [_x_] | [___] |
| { Sharron Walsh } | [_x_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Tuesday, October 29, 2013 @9:17 PM

BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S): LOTS OWNED (including partial lots):

Gaa, John & Cindy Lot(s) 16, 17(1/2), Block(s) 2, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets below.

[X__]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote For or Against by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

For Against

FOR
{ John P. Gaa } [_X_] [___]

{ Cynthia J. Gaa } [_X_] [___]

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Saturday, November 2, 2013 @ 9:54 AM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

| | |
|------------------|---|
| OWNER(S): | LOTS OWNED (including partial lots): |
| Griffin, Frank | Lot(s) 4, Block(s) 2, Cape Malibu |

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right. [___]

| VOTE | | |
|--|------------------|---------------------------|
| 1) Type your name in the { Owner } field on the left below replacing the word "Owner". 2) Cast your vote For or Against by placing an "x" between the brackets on the right below. 3) Each owner of a property must cast a vote. | | |
| { Frank Griffin } | For X* | Against [___] |
| { Jan McNeill } | [_X*_] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf, *this approval is contingent on our being able to allow friends, family, and their guests to use our property for short periods up to a week or two, without restriction.

Sunday, November 3, 2013 @ 11:26 AM

**BALLOT, PROXY, AND POWER OF ATTORNEY FOR
AMENDMENT TO DEED RESTRICTIONS AND COVENANTS
OF CAPE MALIBU SUBDIVISION
SIXTH REVISION**

TO: OWNERS OF LOTS IN CAPE MALIBU SUBDIVISION

This ballot, proxy, and power of attorney is to be used to vote for or against the attached proposed Amendment to Restrictions and Covenants Applicable to Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision (the "Amendment"). When signed and returned to the Board of Directors of Cape Malibu Property Owners Association, this document will be attached as an exhibit to the Amendment along with similar ballots, proxies, and powers of attorney of other owners of lots in Cape Malibu, and if the required number of votes are obtained approving the Amendment, it will be filed for record in the official Public Records of Montgomery County, Texas.

Ownership and Property Description: Below are the property owners and the property description.

OWNER(S):

Krehbiel, Damon & Karen

LOTS OWNED (including partial lots):

Lot(s) 25, Block(s) 9, Cape Malibu

Community Property: If your property is titled in more than one (1) name, all owners must sign. Also, if the property is the community property of you and your spouse, both of you must sign. If your property is community property of you and your spouse, please type an "x" between the brackets at the right.

[___]

VOTE

- 1) Type your name in the { Owner } field on the left below replacing the word "Owner".
- 2) Cast your vote **For** or **Against** by placing an "x" between the brackets on the right below.
- 3) Each owner of a property must cast a vote.

| | For | Against |
|--------------------|------------|----------------|
| { Damon Krehbiel } | [X] | [___] |
| { Karen Krehbiel } | [X] | [___] |

I/We hereby appoint Dean H. Miller as my/our agent and attorney-in-fact to execute the Amendment on my/our behalf.

Sunday, November 3, 2013 @ 8:16 PM


CERTIFICATE

The undersigned Directors of the Board of Directors of Cape Malibu Property Owners Association, Inc. certify that the persons whose names are affixed to the foregoing Amendment or whose signatures are affixed to the attached ballots, proxies, and powers of attorney constitute a majority of all OWNERS of LOTS in Cape Malibu and the holders of a majority of the total votes allocated to the property owners in Cape Malibu Property Owners Association, Inc., and accordingly, the required number of OWNERS under the Restrictions voted FOR the Amendment.

Dated: 11-25-13


Dean Miller, President and Director


Robert Burns, Director


John Gaa, Director


Sandra Larimore, Director


Robert Rawlings, Director

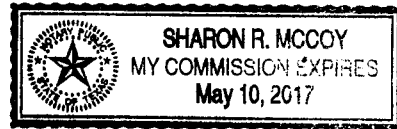
STATE OF TEXAS §

COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 25th day of November, 2013, by DEAN MILLER, President and Director, ROBERT BURNS, Director, JOHN GAA, Director, SANDRA LARIMORE, Director, and ROBERT RAWLINGS, Director, of CAPE MALIBU PROPERTY OWNERS ASSOCIATION, INC., a Texas nonprofit corporation, on behalf of said corporation.

Sharon R. McCoy
Notary Public, State of Texas

After Recording Return To:
Cape Malibu POA
15816 Malibu East
Willis, Texas 77318



***Amendment to Restrictions and Covenants Applicable to
Cape Malibu Subdivision Montgomery County, Texas, Sixth Revision***

FILED FOR RECORD

12/10/2013 3:51PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in file number
sequence on the date and at the time stamped herein
by me and was duly RECORDED in the Official Public
Records of Montgomery County, Texas.

12/10/2013



County Clerk
Montgomery County, Texas