



DEED RESTRICTIONS
ON 190.453 ACRES AS DESCRIBED ON ATTACHMENT "A"

Section 1. Land Uses and Building Type. All Lots shall be used for residential purposes only and no structure shall be erected, altered, placed or permitted to remain on any Residential Lots other than one (1) detached single-family structure and one detached or attached garage or carport for not more than four (4) cars with the exception of lots A, 1 and 2 which may have up to two (2) detached single family structures along with two (2) detached or attached garages or carports for not more than four (4) cars each. New stick built homes to be constructed by a licensed homebuilder. **NO trailer house(s), mobile home(s), doublewide mobile home(s) or manufactured home(s) shall be allowed and may not be placed on or used on any lot.** As used herein the term "residential purposes" shall be construed to prohibit the use of said Lots for apartment houses, and for commercial duplex houses or garage apartments. All out buildings are to be located at the rear of the home. No residence shall be occupied until water service is connected and an approved private sewage is installed. Lot Owners shall not excavate, remove or sell the soil, nor cut, sell, or remove timber other than for the reasonable use, upkeep and maintenance of the property.

Section 2. Dwelling Size. Any single story residence on lots 1 through 7 must have floor area of the main residential structure, exclusive of porches, breezeways and garages, of not less than 1800 square feet, and any 1 ½ story or 2-story dwelling must have total floor area of both floors of not less than 2100 square feet, exclusive of porches, breezeways and garages.

Section 3 Type of Construction Materials. All structures must be constructed with new materials, except that used brick, stone, wooden beams, doors, and the like may be used for antique effect if such use is appropriate for the structure and does not detract from the appearance of the structure and the subdivision. Any residence and/or garage must be erected upon a concrete slab foundation unless the undersigned have given prior written consent to the use of concrete pier and beam or other foundation, which consent shall be solely at the discretion of the undersigned.

Section 4. Lot Lines/Setbacks. Minimum setback from road is 80' and 100' from side property line.

Section 5. Fences. All fences of barbed wire or high game fencing. Wood fences allowed around no more than one-half acre in rear of home

Section 6. Temporary Structures and Temporary Occupancy. None allowed other than two (2) nights camping three (3) separate times a year.

Section 7. Completion of Construction. Construction of dwelling shall be completed within ten (10) months from the date the foundation is commenced or materials are stored on the lot (whichever is earlier), and all construction must be performed by an experienced, competent general contractor.

Section 8. Storage, Garbage, Refuse, and Prohibited Items. No Lot shall be used or maintained as a dumping ground for rubbish. No Lot shall be used for open storage of any materials whatsoever, which storage is visible from the road, except that any new building materials used in the construction of improvements erected upon any lot may be placed upon such Lot at the time construction is commenced and may be maintained thereon for a reasonable time, as long as the construction progresses without undue delay, until the completion of the improvements, after which those materials shall either be removed from the Lot or stored in a suitable enclosure on the Lot. No leaves, brush, timber, debris, or trash of any nature shall be permitted to be placed, disposed of or burned within the road right-of-ways. No inoperative or unsightly vehicles shall be stored or kept on any lot, and no automobiles or other vehicle shall be kept on any lot for the purpose of repairs except in an enclosed garage or in facilities protected from the view of the public and other residents. No automobile, truck trailer, boat or other vehicle shall be abandoned on this property, nor shall there be any dumping or placing of unsightly objects of any kind on the property

Section 9. Animals. Provided that such use does not create any condition conflicting with the residential nature of the subdivision, the following animals may be raised or kept on the lots:

- 1 Household pets, such as cats, dogs and birds
- 2 Livestock raised as a supervised public school project, for so long as used for a school project
3. Horses and cattle provided that a total of no more than one animal unit per 4 acres of area (with the size of the lot rounded either up or down to the nearest even acre) is kept on the lot.

Otherwise, no animals (other than family pets) may be raised or maintained on any lot. In no case shall any commercial feedlot operations be allowed, nor the breeding and raising of animals as a commercial operation.

Section 10. Parking. Both prior to and after the occupancy of a dwelling on any tract, the Owner shall provide appropriate space for off-road parking for his vehicles. All vehicles parked on Lots must have current inspection and license registration. No trucks or trailers of the 18-wheel tractor-trailer rig type or size shall be parked on or adjacent to any lot.

Section 11. Sewage Treatment. No outside toilet will be permitted. No sanity sewage disposal system shall be installed on any lot until a permit is issued by the regulatory authority having jurisdiction over same.

Section 12. Covenants Running with the Land. All of the restrictions, covenants and easements herein provided for and adopted apply to each and every Lot, and shall be covenants running with the land. The Owner of any Lot shall have the right to either prevent a breach of any such restrictions or covenant or to enforce the performance thereof; in addition, the developer shall have the right (but not the obligation) to enforce any of these provisions by any available remedy at law in equity. Nothing herein shall be construed as compelling the undersigned to enforce any of these provisions, nor shall any failure to enforce any of these provisions be deemed to be a waiver of the right of enforcement or prohibition. The undersigned shall have no liability or responsibility at law nor in equity on account of enforcement of, nor on account of the failure to enforce these restrictions.

Section 13. Nuisances. No noxious or offensive activity shall be carried on upon the above described property, nor shall any act be performed thereon which shall or may become an annoyance or nuisance to other owners of lots in the above referred property.

Section 14. Partial Invalidity. Invalidation of any covenant or restriction (by Court Judgment or otherwise) shall not affect, in any way, the validity of all other covenants and restrictions, all of which shall remain in full and effect.

Section 15. Easements and Right-of-Way. Developer reserves the non-exclusive right to use the easements and right-of-way necessary for the purpose of constructing, maintaining and repairing a system or systems of electric power, water system and telephone line or lines, or any utility which the current owners or any utility company serving the subdivision sees fit to install in, across and/or under the Properties. Nothing contained herein shall impose any obligation on current owners to construct or maintain any such utilities.

Section 16. Any owner of property shall by proceeding at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation and/or to recover damages

EXECUTED this the 25 day of January, 2006

By: 


Michael V. Stewart, Owner

THE STATE OF TEXAS

COUNTY OF Guadalupe

This instrument was acknowledged before me on 01/25/06, by MICHAEL V. STEWART, Owner.




Notary Public, State of Texas

After recording, return to
MICHAEL V STEWART
3112 S. State Hwy. 46
New Braunfels, TX 78130

January 25, 2006

ATTACHMENT A

BETTERS WORTH & ASSOCIATES, INC.**ENGINEERS - SURVEYORS - CONSULTANTS**

111 EAST MOUNTAIN STREET, SEGUIN, TEXAS 78155

(830) 379-5552 FAX (830) 379-5553

E-Mail ken@bettersworthassoc.com

22551*

745-78

22551-D-M

July 26, 2005

KEN L. REININGER, P.E. & R.P.L.S.

172.687 ACRE TRACT

Being a **172.687 ACRE TRACT** situated in and being comprised of Farm Tracts 98, 100, 102, 105, 108, 109, 115, 117, 120 and 123 of Block 13, part of Farm Tract 93, all of Farm Tracts 94, 99, 101, 99½, 103, 106, 110 and 115 of Block 15 of the Charles E. Simmons 95,000 Acre Subdivision recorded in Volume 37 of the Deed Records, situated in the E E Brown Survey, A-1653 and the I & G N Railroad Survey, A-492, Atascosa County, Texas. Said **172.687 ACRE TRACT** is comprised of all of a tract Called Part of Farm Tract 93, Block 15, all of Tracts 94, 99, 99½, 101, and 103 of Block 15 and Tracts 98, 100, 102 and 105 of Block 13 in a conveyance from Commonwealth Bank & Trust Company to E E Crabb, dated February 11, 1935, recorded in Volume 128, Page 383, all of Farm Tracts 106, 110, 115½ of Block 15, Farm Tracts 108, 109, 115, 117, 120 and 123 of Block 13 in a conveyance from Zora Tope to E E and Verna Crabb, dated May 18, 1964, recorded in Volume 300 at Page 434, all of Farm Tract 101, Block 15 in a conveyance from Florence McGeorge, et al to E E Crabb, dated November 1941, recorded in Volume 153, Page 318 of the Deed Records of said County and being described by metes and bounds as follows

BEGINNING at a three way fence corner marking the northeast corner of the tract herein described, same being the northeast corner of Tract 94, southeast corner of Farm Tract 91 (called 10 Acres) in conveyance from Joe Edward and Mary Louise Pacheco to Richard M. and Kinda F. Klaus in Volume 796 at Page 543, further described as lying in the northwest line of County Road # 422

THENCE with a fence along the southeast line of the tract herein described, same being the common line of said Tracts 94, 99½, 106, 110, 115½, 120 and 123 with that of said County Road No. 422 as follows

S 36°26'50" W, 669.07 feet to a three way fence corner,

S 38°30'06" W, 407.73 feet to a gate post,

S 39°02'46" W, 369.76 feet to a three way fence corner post,

S 38°52'46" W, 453.41 feet to a fence post,

S 42°59'13" W, 361.70 feet to a fence post,

S 43°59'36" W, 626.31 feet to a fence post,

S 43°49'11" W, 457.38 feet to a fence post,

S 38°17'48" W, 281.94 feet to the main gate fence post,

S 37°14'01" W, 409.79 feet to a fence corner, and

S 37°16'00" W, 91.24 feet to a ½ inch diameter rebar set with cap (B&A) marking the southeast corner of the tract herein described, same being the southeast corner of Farm Tract 23 and northeast corner of Farm Tract 124 (called 10.042 Acres) to Thomas Will Graves in Volume 830 at Page 625,

THENCE with the south line of the tract herein described, same being the common line of Farm Tracts 123 and 124, WEST, 1309.02 feet to a ½ inch diameter rebar set with cap (B&A) marking the southwest corner of the tract herein described, same being the southwest corner of Farm Tract 123, northwest corner of Farm Tract 124, marking the approximate location of the common line of the E E Brown Survey, A-1653 and the J. Portevent Survey, A-966,

THENCE with a segment of the west line of the tract herein described, same being the west line of Farm Tracts 123, 120, 117 and 115 along a segment of the common line of said E E Brown Survey, A-1653 and the J. Portevent Survey, A-966, N 00°22'39" E at 113.97 feet a three way fence corner and at 1083.40 feet a ½ inch diameter rebar set with cap (B&A) marking a west corner of the tract herein described, same being the northwest corner of Tract 115, southwest corner of Called Tract 114,

RECORDER'S MEMORANDUM

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

22551
745-76
22551-D-M
July 26, 2005
172.687 Acres

Page 2

THENCE continuing with the west line of the tract herein described, same being the common line of Tracts 115, 110 and 109 with that of said 114 as follows

EAST, 1702 67 feet (called East 1663 4 feet) to a ½ inch diameter rebar set with cap (B&A),

NORTH, 261 69 feet (called 261 7 feet) to a ½ inch diameter rebar set with cap (B&A), and

WEST, 1700 95 feet (called West 1666 6 feet) to a ½ inch diameter rebar set with cap (B&A) marking a west corner of the tract herein described, same being the southwest corner of Tract 109, northwest corner of Tract 114, lying in the approximate location of the common line of the E E Brown Survey, A-1653 and the J Portevent Survey, A-966.

THENCE continuing with the west line of the tract herein described, same being the west line of Tracts 109, 108, 105, 102, 100 and 98 along the approximate location of the common line of the E E Brown Survey, A-1653 with that of said J Portevent Survey, A-966 and the L D Murphy Survey, A-1229, N 00°22'39" E, 1559 70 feet (called N 00°42' W, 261 2 feet, 260 7 feet, 260 2 feet, 259 7 feet, 259 2 feet and 258 7 feet) to a ½ inch diameter rebar set with cap (B&A) marking the west most northwest corner of the tract herein described, same being the northwest corner of Tract 98, southwest corner of Tract 97 (Called 10 Acres in conveyance from Eva Knight Henry to Joel L. Henry, et al in Volume 555 at Page 337), same being the northwest corner of Tract 98.

THENCE with a segment of the north line of the tract herein described, same being the common line of said Tracts 98, 99 and 93 with that of Tract 97 as follows

EAST, 1690 67 feet (called East 1685 8 feet) to a ½ inch diameter rebar set with cap (B&A) marking a re-entrant corner of the tract herein described, same being the northeast corner of Tract 98, lying in the west line of Tract 99, being the southeast corner of Tract 97, and

NORTH, 278 83 feet (called 268 2 feet) to a ½ inch diameter rebar set with cap (B&A) marking the north most northwest corner of the tract herein described, same being the west most northwest corner of said Tract 93, northeast corner of Tract 97, marking the approximate location of the common line of the I & G N Railroad Survey, A-492 with that of the Rayburn Goins Survey, A-343.

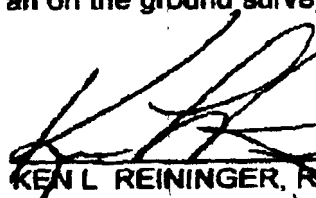
THENCE continuing with a segment of the north line of the tract herein described, same being a segment of the north line of said Tract 93 along the approximate location of the common line of the I & G N Railroad Survey, A-492 and the Rayburn Goins Survey, A-343, N 89°18'00" E, 606 79 feet (called N 89°18' E, 596 4 feet) to a three way fence corner marking the southwest corner of Called Part of Tract 93 in conveyance from Esther Franks to Mike Shearer and James R. Wheeler in Book 6, Page 690, same being the approximate location of the north line of the I & G N Railroad Survey, A-492, the southeast corner of the Rayburn Goins Survey, A-343 and the southwest corner of the E E Brown Survey, A-1654.

THENCE continuing with the north line of the tract herein described, into and across Tract 93 along the north line of Called 7 58 Acres (part of Tract 93) and Tract 94 with that of the south line of Called A Portion of Farm Tract 93 in Volume 6, Page 690 and the south line of said 10 acre tract (Tract 91), S 86°44'53" E, 1614 26 feet to the **PLACE OF BEGINNING** and containing **172.687 ACRES OF LAND**.

Basis of Bearings is the Record of Bearings along the north line of Tract 97

I hereby certify the foregoing field notes represent the results of an on the ground survey made under my supervision in July and August 2005

RECORDER'S MEMORANDUM
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.


KEN L. REININGER, R.P.L.S. 2005
REGISTERED PROFESSIONAL SURVEYOR
STATE OF MISSOURI

Being a 10 416 ACRE TRACT being that tract Called Farm Tract 97 of the Charles F Simmons 95,000 Acre Subdivision plat recorded in Volume 37 of the Deed Records, situated in the E E Brown Survey, A-1653 and the I & G N Railroad Survey, A-492, Atascosa County, Texas and being described by metes and bounds as follows

BEGINNING at a two way fence corner marking the northwest corner of the tract herein described, same being the northwest corner of said Farm Tract 97 of Block 13 of said Charles F Simmons 95,000 Acre Subdivision, same being the northwest corner of the E E Brown Survey, A-1653, the northeast corner of the L D Murphy Survey, A-1229 and lying the in the south line of the Rayburn Goins Survey, A-343

THENCE with the north line of the tract herein described, same being the north line of said Farm Tract 97 along a segment of the common line of the E E Brown Survey, A-1653 and the I & G N Railroad Survey, A-492 with that of said Rayburn Goins Survey, A-343, N 89°18'00" E, 1689 10 feet (called N 89°18' E, 1689 1 feet – Basis of Bearings) to a ½ inch diameter rebar set with cap (B&A) marking the northeast corner of the tract herein described, same being the northeast corner of Farm Tract 97, being the northwest corner of Farm Tract 93, being the northwest corner of Called 7 58 Acres in conveyance from Commonwealth Bank and Trust Company to E E Crabb in Volume 128 at Page 383,

THENCE with the east line of the tract herein described, same being the common line of said Farm Tract 97 with that of said Farm Tract 93 and Farm Tract 99 (called 10 Acres in conveyance from Commonwealth Bank and Trust Company to E E Crabb in Volume 128 at Page 383), being a segment of the common line of Blocks 13 and 15, SOUTH 278 83 feet (called 258 2 feet) to a ½ inch diameter rebar set with cap (B&A) marking the southeast corner of the tract herein described, same being the southeast corner of said Farm Tract 97, lying in the west line of Farm Tract 99, being the northeast corner of Farm Tract 98 (called 10 Acres in conveyance from Commonwealth Bank and Trust Company to E E Crabb in Volume 128 at Page 383),

THENCE with the south line of the tract herein described, same being the common line of said Farm Tracts 97 and 98, WEST 1690 67 feet (called East 1685 8 feet) to a ½ inch diameter rebar set with cap (B&A) marking the southwest corner of the tract herein described, same being the southwest corner of Farm Tract 97, northwest corner of Farm Tract 98, lying in the approximate location of the common line of the E E Brown Survey, A-1653 and the L D Murphy Survey, A-1229,

THENCE with the west line of the tract herein described, same being the west line of Farm Tract 97, being a segment of the common line of said E E Brown Survey, A-1653 and the L D Murphy Survey, A-1229, N 00°22'39" E, 258 20 feet (called N 00°42' W, 258 2 feet) to the PLACE OF BEGINNING and containing 10 416 ACRES OF LAND

AND

Being a 10 224 ACRE TRACT being that tract Called Farm Tract 114, Block 13 of the Charles F Simmons 95,000 Acre Subdivision plat recorded in Volume 37 of the Deed Records, situated in the E E Brown Survey, A-1653 and the I & G N Railroad Survey, A-492, Atascosa County, Texas and being described by metes and bounds as follows

BEGINNING at a ½ inch diameter rebar set with cap (B&A) marking the northwest corner of the tract herein described, same being the northwest corner of said Farm Tract 114, being the southwest corner of Farm Tract 109 (called 10 Acres in conveyance from Zora Tope to E E and Verna Crabb in Volume 300

at Page 434), marking the approximate location of the common line of the E E Brown Survey, A-1653 and the J Poitevent Survey, A-966 Said rebar bears S 00°22'39" W, 1817 90 feet from a three way fence corner marking the northwest corner of Farm Tract 97, being the northwest corner of the E E Brown Survey, A-1653, northeast corner of the L D Murphy Survey, A-1229, lying in the south line of the Rayburn Goins Survey, A-343

THENCE with the north line of the tract herein described, same being the common line of Farm Tracts 114 and 109, EAST 1700 95 feet (called West 1666 6 feet) to a ½ inch diameter rebar set with cap (B&A) marking the northeast corner of the tract herein described, same being the northeast corner of Farm Tract 114, southeast corner of Farm Tract 109, lying in the west line of Farm Tract 110 (called 10 Acres in conveyance from Zora Tope to E E and Verna Crabb in Volume 300 at Page 434), marking the common line of Blocks 13 and 15,

THENCE with the east line of the tract herein described, same being the common line of said Farm Tract 114 and Farm Tract 110, SOUTH 261 69 feet (called 261 7 feet) to a ½ inch diameter rebar set with cap (B&A) marking the southeast corner of the tract herein described, same being the southeast corner of Farm Tract 114, southwest corner of Farm Tract 110, northwest corner of Farm Tract 115 ½ (called 3 2 Acres in conveyance from Zora Tope to E E and Verna Crabb in Volume 300 at Page 434), further described as being the northeast corner of Farm Tract 115 (called 10 Acres in conveyance from Zora Tope to E E and Verna Crabb in Volume 300 at Page 434),

THENCE with the south line of the tract herein described, same being the common line of said Farm Tract 114 and Farm Tract 115, WEST 1702 67 feet (called 1663 4 feet) to a ½ inch diameter rebar set with cap (B&A) marking the southwest corner of the tract herein described, same being the southwest corner of Farm Tract 114, northwest corner of Farm Tract 115, marking the approximate location of the common line of the E E Brown Survey, A-1653 and the J Poitevent Survey, A-966,

THENCE with the west line of the tract herein described, same being the west line of said Farm Tract 114 along said common survey line, N 00°22'39" E (called N 00°42' W) 261 70 feet to the PLACE OF BEGINNING and containing 10 224 ACRES OF LAND

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Laquita Hayden

August 04, 2005 01 21 41 PM

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FEE \$20 00

Laquita Hayden County Clerk
Atascosa County TEXAS

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Laquita Hayden

February 03, 2006 01:48:34 PM

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Laquita Hayden County Clerk
Atascosa County TEXAS