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ALL PROPERTY RECORDS

709-01-1422

9111815

GENERAL WARRANTY DEED WITH VENDOR'S LIEN

THE STATE OF TEXAS |
 | KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF MONTGOMERY |

THAT, Bill D'Amico, Trustee (hereinafter called "Grantor"), for and in consideration of the sum of ten and no/100 dollars (\$10.00) cash and other good and valuable consideration in hand paid by Winfred Lee House, Trustee (hereinafter called "Grantee"), whose address for mailing purposes is hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged and confessed, and the further consideration of the execution and delivery by Grantee of a promissory note of even date herewith payable to Grantor in the original principal amount of \$24,300.00 (the "Note") which Note is secured by the Vendor's Lien herein reserved and is additionally secured by a Deed of Trust of even date herewith, executed by Grantee herein to John G. Cannon, Trustee; has granted, sold and conveyed, and by these presents does grant, sell and convey, unto Grantee all that certain lot, tract or parcel of land, together with all improvements thereon, lying and being situated in the County of Montgomery, State of Texas, to-wit:

Being 2.000 acres of land in the Elijah Collard Survey, A-7, Montgomery County, Texas and being out of and a part of a certain 363 acre tract as described by Deed recorded in Volume 239, Page 446, of the Montgomery County Deed Records and being out of and a part of a certain 48.152 acre tract as described by Deed recorded in Volume 806, Page 138, of the Montgomery County Deed Records, said 2.000 acres being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes.

This conveyance is made and accepted expressly subject to any and all restrictions, covenants, conditions, agreements, assessments, maintenance charges, leases, easements, and previously conveyed or reserved mineral and royalty interests, if any, relating to the hereinabove described property, but only to the extent they are still in effect and shown of record in the hereinabove mentioned County and State, and to all zoning laws, regulations, and ordinances of municipal and/or governmental

709-01-1423

authorities if any, but only to the extent they are still in effect relating to the herein above described property.

To have and to hold the above described property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, Grantee's legal representatives, successors and assigns forever; and Grantor does hereby bind Grantor, Grantor's legal representatives, successors and assigns, to warrant and forever defend, all and singular the said property unto Grantee, Grantee's legal representatives, successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

But it is expressly agreed and stipulated that the Vendor's Lien is retained against the above described property, premises and improvements, until the above described Note, and all interest thereon, is fully paid according to its face and tenor, effect and reading, when this deed shall become absolute.

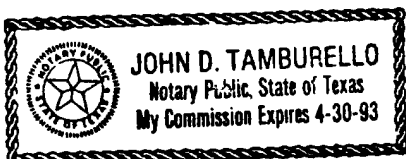
Deed is subject to that 60' road easement as set out in Volume 239, Page 446, Deed Records, Montgomery County, Texas and to an additional 15' utility easement along the south side of said 60' road easement.


Executed to be effective as of the 26th day of February, 1991.


Bill D'Amico, Trustee

THE STATE OF TEXAS |
COUNTY OF HARRIS |

This instrument was acknowledged before me on the 26 day of February, 1991, by Bill D'Amico, Trustee, in the capacity therein stated.




NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
Printed Name of Notary

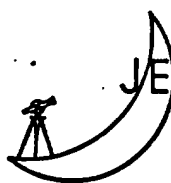
C:\B\REF\O\Amico 1\GF No. 90-01-21352

My Commission Expires:

Grantee's Address:

Winfred Lee House, Trustee
7605 Nodding Pine
Houston, Texas 77044

GF No. 90-01-21352 JDT/ms



JEFFREY MOON
AND ASSOCIATES

709-01-1425

208 Sherman St. • Conroe, Texas 77301

(409) 756-5266

August 28, 1990

BEING 2.000 ACRES OF LAND IN THE ELIJAH COLLARD SURVEY, A- 7, MONTGOMERY COUNTY, TEXAS AND BEING OUT OF AND A PART OF A CERTAIN 363 ACRE TRACT AS DESCRIBED BY DEED RECORDED IN VOLUME 239, PAGE 446, OF THE MONTGOMERY COUNTY DEED RECORDS AND BEING OUT OF AND A PART OF A CERTAIN 48.152 ACRE TRACT AS DESCRIBED BY DEED RECORDED IN VOLUME 806, PAGE 138, OF THE MONTGOMERY COUNTY DEED RECORDS, SAID 2.000 ACRES BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

OPTION TRACT

BEGINNING at a 1/2" iron rod set for the South corner of the herein described tract, in the Lower Southeast line of the said 363 acre tract and being S. 63°16'41" W., a distance of 461.95 feet from a 16" Pine Tree found for the Southeast corner of the said 363 acre tract, same being the Southeast corner of the said 48.152 acre tract, said 1/2" iron rod being in a West line of a certain 113.382 acre tract as described by deed recorded under County Clerk's File Number 8755409, of the Montgomery County Real Property Records;

THENCE N. 12°59'12" W., for a distance of 330.15 feet to a 1/2" iron rod set for corner;

THENCE N. 78°00'00" W., for a distance of 220.42 feet to a 1/2" iron rod set for corner;

THENCE N. 28°00'00" E., passing at 335.54 feet a 1/2" iron rod set in the South line of a certain 60.00 foot road easement as described by deed recorded in Volume 816, Page 415, of the Montgomery County Deed Records and continuing in all for a distance of 373.95 feet to a P. K. nail set in the centerline of said 60.00 foot road easement for the Northwest corner of the herein described tract;

THENCE in an Easterly direction along said centerline with a curve to the left having a radius of 6,177.46 feet, a central angle of 00°09'25" for an arc length of 16.92 feet to a P. K. nail set for the end of said curve;

THENCE N. 79°05'15" E., continuing along said centerline for a distance of 30.17 feet to a P. K. nail set for the beginning of a curve to the left;

RECORDER'S MEMORANDUM

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

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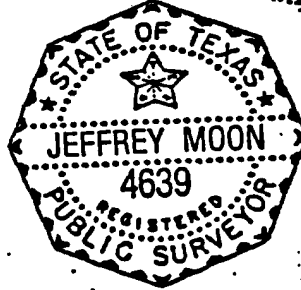
FLD

THENCE in an Easterly direction continuing along said centerline with said curve to the left having a radius of 282.70 feet, a central angle of $13^{\circ}44'00''$ for an arc length of 67.76 feet to a P. K. nail set for the Northeast corner of the herein described tract;

THENCE S. $00^{\circ}17'10''$ E., passing at 32.61 feet a $1/2''$ iron rod set in the South line of the said 60.00 foot road easement and continuing in all for a distance of 727.26 feet to the POINT OF BEGINNING and containing in all 2.000 acres of land.

This description is based upon a Land Title Survey and plat as prepared by Jeffrey Moon and Associates, Inc; dated August 28, 1990. Bearings are based upon the deed call North line of the said 48.152 acre tract.

Jeffrey Moon
Jeffrey Moon
Registered Professional
Land Surveyor No. 4639



90B31A/30

Together with a non-exclusive easement for free and uninterrupted ingress and egress over the following described 60 foot wide road easement.

WPA-2-26-91
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709-01-1427



JEFFREY MOON
AND ASSOCIATES

208 Sherman St. • Conroe, Texas 77301

(409) 756-5266

August 28, 1990

BEING A CENTERLINE DESCRIPTION OF A 60.00 FOOT WIDE ROAD EASEMENT ACROSS A CERTAIN 363 ACRE TRACT AS DESCRIBED BY DEED RECORDED IN VOLUME 239, PAGE 446, OF THE MONTGOMERY COUNTY DEED RECORDS AND BEING ACROSS A CERTAIN 48.152 ACRE TRACT AS DESCRIBED BY DEED RECORDED IN VOLUME 806, PAGE 138, OF THE MONTGOMERY COUNTY DEED RECORDS, SAID EASEMENT BEING THE SAME 60.00 FOOT ROAD EASEMENT AS DESCRIBED BY DEED RECORDED IN VOLUME 816, PAGE 415, OF THE MONTGOMERY COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a P. K. nail set, 3.00 North of the centerline stripe of Longmire Road in a North line of the said 363 acre tract; same being the North line of the said 48.152 acre tract and being N. 73° 35' 10" W., a distance of 385.00 feet from a P. K. nail set for the Northeast corner of the said 48.152 acre tract and a Northeast corner of the said 363 acre tract;

THENCE S. 16° 20' 00" W., for a distance of 718.63 feet to a 60d nail set for the beginning of a curve to the right;

THENCE along said curve to the right having a radius of 686.00 feet, a central angle of 16° 35' 15", for an arc length of 198.60 feet to a 60d nail set for the end of said curve;

THENCE S. 33° 05' 15" W., for a distance of 136.03 feet to a 60d nail set for the beginning of a curve to the right;

THENCE along said curve to the right having a radius of 282.70 feet, a central angle of 46° 00' 00", for an arc length of 226.97 feet to a 60d nail set for the end of said curve;

THENCE S. 79° 05' 15" W., for a distance of 30.17 feet to a 60d nail set for the beginning of a curve to the right;

THENCE along said curve to the right having a radius of 6,177.46 feet, a central angle of 02° 46' 55", for an arc length of 299.94 feet to a 60d nail set for the end of said curve;

THENCE S. 81° 52' 10" W., for a distance of 390.69 feet, called 525.32 feet by deed recorded in Volume 816, Page 415, of the Montgomery County Deed Records, to a 60d nail set for the beginning of a curve to the right;

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THENCE along said curve to the right having a radius of 170.66 feet, a central angle of $29^{\circ}27'20''$, for an arc length of 87.74 feet to a 60d nail set for the end of said curve and the beginning of a curve to the left;

THENCE along said curve to the left having a radius of 157.46 feet, a central angle of $31^{\circ}48'15''$, passing at 77.69 feet the West line of the said 48.152 acre tract and continuing in all for an arc length of 87.40 feet to a 60d nail set for the end of said curve to the left;

THENCE S. $79^{\circ}31'15''$ W., for a distance of 77.77 feet to a 60d nail set for the beginning of a curve to the right;

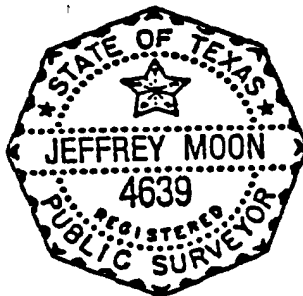
THENCE along said curve to the right having a radius of 464.70 feet, a central angle of $24^{\circ}17'20''$, for an arc length of 197.00 feet to a 60d nail set for the end of said curve;

THENCE N. $76^{\circ}11'25''$ W., for a distance of 122.60 feet to a 60d nail set for the beginning of a curve to the right;

THENCE along said curve to the right having a radius of 132.06 feet, a central angle of $84^{\circ}31'20''$, for an arc length of 194.81 feet to a 60d nail set for the end of said curve;

THENCE N. $08^{\circ}19'55''$ E., for a distance of 85.05 feet to a 60d nail set for the end of the herein described 60.00 foot road easement and being in the South line of a certain 5.935 acre tract as described by deed recorded in Volume 238, Page 610, of the Montgomery County Deed of Trust Records and being S. $81^{\circ}29'55''$ E., a distance of 30.00 feet from the Southwest corner of the said 5.935 acre tract and being S. $83^{\circ}32'10''$ W., 109.22 feet and N. $81^{\circ}29'55''$ W., 431.03 feet from a $1/2$ " iron rod found for the Upper Southwest corner of the said 48.152 acre tract;

Jeffrey Moon
Jeffrey Moon
Registered Professional
Land Surveyor No. 4639



90B31B/30

WLT-2-26
RQ

RESTRICTIONS 709-01-1429

RESTRICTIONS ON 7.000 ACRES OF LAND IN THE ELIJAH COLLARD SURVEY A-7, MONTGOMERY COUNTY, TEXAS AND BEING OUT OF AND A PART OF A CERTAIN 48.152 ACRE TRACT, ATTACHED TO AND A PART OF THAT DEED DATED 11 OF SEPTEMBER 1990 BETWEEN BILL D'AMICO, TRUSTEE, SELLER AND WINFRED LEE HOUSE, TRUSTEE, BUYER.

(A) NO TRACT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES; PROVIDED THAT ANY TRACT MAY BE USED FOR THE ERECTION AND OPERATION OF A SALES OFFICE, CONSTRUCTION OFFICE, OR MODEL HOME. THE TERM "RESIDENTIAL PURPOSES" AS USED HEREIN SHALL BE HELD AND CONSTRUED TO EXCLUDE HOSPITALS, CLINICS, DUPLEX HOUSES, APARTMENT HOUSES, BOARDING HOUSES, HOTELS AND TO EXCLUDE COMMERCIAL AND PROFESSIONAL USES, WHETHER FROM HOMES, RESIDENCES OR OTHERWISE, AND ALL SUCH USES OF SAID PROPERTY ARE HEREBY EXPRESSLY PROHIBITED. NO BUILDING SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY TRACT OTHER THAN ONE DETACHED SINGLE FAMILY DWELLING NOT TO EXCEED (3) STORIES IN HEIGHT, TOGETHER WITH A PRIVATE GARAGE OR CARPORT FOR NOT MORE THAN THREE (3) CARS AND SERVANT'S TYPE QUARTERS, WHICH MAY BE OCCUPIED BY AN INTEGRAL PART OF THE FAMILY OCCUPYING THE MAIN RESIDENCE OF THE BUILDING SITE, OR BY SERVANTS EMPLOYED ON THE PREMISES; AND (2) A TOOL SHED OR WORK SHOP AND OR STABLES OR BARN, ATTACHED OR UNATTACHED TO THE RESIDENCE BUILDING.

(B) NO IMPROVEMENTS OF ANY NATURE SHALL BE ERECTED, PLACED OR ALTERED ON ANY BUILDING PLOT ON THIS TRACT UNTIL THE PLANS, SPECIFICATIONS AND PLOT PLANS SHOWING THE LOCATION OF SUCH IMPROVEMENTS, INCLUDING SHRUBBERY AND CUTTING OF TREES, HAVE BEEN APPROVED IN WRITING AS TO CONFORMITY AND HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES ON THIS TRACT AND AS TO LOCATION WITH RESPECT TO TOPOGRAPHY AND FINISHED GROUND ELEVATION BY THE ARCHITECTURAL CONTROL COMMITTEE, ORIGINALLY CONSISTING OF BILL D'AMICO AND AGNES CECILIA D'AMICO, THAT MAY BE EXPANDED TO INCLUDE UP TO THREE ADDITIONAL MEMBERS AT THE SOLE DISCRETION OF THIS ORIGINAL AND EXISTING ARCHITECTURAL CONTROL COMMITTEE. ANY CHANGE IN THE STRUCTURE AND MEMBERSHIP OF THE ARCHITECTURAL CONTROL COMMITTEE SHALL NOT BE EFFECTIVE UNTIL REDUCED TO WRITING AND RECORDED IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, TEXAS.

IN THE EVENT OF DEATH OR RESIGNATION OF ANY MEMBER OF THE ARCHITECTURAL CONTROL COMMITTEE, THE REMAINING MEMBER SHALL HAVE FULL AUTHORITY TO DESIGNATE A SUCCESSOR.

IN THE EVENT THE ARCHITECTURAL CONTROL COMMITTEE FAILS TO APPROVE OR DISAPPROVE WITHIN THIRTY (30) DAYS AFTER THE RECEIPT OF THE REQUIRED PLANS AND SPECIFICATIONS, APPROVAL WILL NOT BE REQUIRED AND THE RELATED COVENANTS SET OUT HEREIN SHALL BE DEEMED TO HAVE BEEN FULLY SATISFIED.

(C) EXCEPT AS MAY BE AUTHORIZED IN WRITING BY THE ARCHITECTURAL CONTROL COMMITTEE, NO PORTION OF ANY BUILDING SHALL BE LOCATED NEARER THAN 150' TO THE CLOSEST UTILITY EASEMENT LINE THAT RUNS ADJACENT TO AND FOLLOWS THE ROAD EASEMENT FOR "LAKE CONROE DRIVE" OR NEARER TO THIS TRACTS SIDES AND REAR LINES 35', NO SLAB OR FOUNDATIONS OF ANY TYPE SHALL BE LOCATED NEARER THAN 35' TO THIS TRACTS SIDES AND REAR LINES.

(D) NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY OF LOUD NOISES (INCLUDING LOUD RADIO, T.V., STEREO FIXED OR MOBILE) SHALL BE CARRIED ON UPON THIS TRACT NOR SHALL ANYTHING BE DONE THEREON, WHICH MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

(E) NO TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN, STABLE OR OTHER OUTBUILDING ERECTED ON THIS TRACT OR ANY MOBILE UNIT INCLUDING VANS AND MOTORHOMES SHALL AT ANY TIME BE USED AS A RESIDENCE TEMPORARILY OR PERMANENTLY, NOR WILL ANY STRUCTURE OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE.

(F) NO RESIDENTIAL STRUCTURE ERECTED UPON THIS TRACT SHALL HAVE LESS THAN ONE AND ONE HALF ACRES DEDICATED FOR AND USED AS THE RESIDENTIAL HOMESITE AND SHALL CONSIST OF NOT MORE THAN ONE ONE-FAMILY DWELLING ESTABLISHMENT. NO BUILDING ON THIS TRACT SHALL BE ERECTED UPON ANY BUILDING SITE, NOR ANY BUILDING ALTERED, PLACED OR PERMITTED TO REMAIN ON SUCH SITE OTHER THAN ONE DETACHED ONE-FAMILY DWELLING, TOGETHER WITH HOUSING SPACE FOR USUAL FAMILY REQUIREMENTS, SUCH AS GARAGE, HOUSEHOLD LAUNDRY, STORAGE, OR SERVANT'S QUARTERS. THE COVERED PART OF THE DWELLING PROPER, EXCLUSIVE OF GARAGE, SHALL CONTAIN NOT LESS THAN TWO THOUSAND (2000) SQUARE FEET ON ONE-STORY DWELLINGS, AND SHALL CONTAIN NOT LESS THAN TWO THOUSAND, FOUR HUNDRED (2,400) SQUARE FEET ON TWO STORY DWELLINGS. SAID SQUARE FOOT AREAS SHALL BE MEASURED EXCLUSIVE OF OPEN PORCHES, GARAGES AND SERVANT'S QUARTERS. GARAGES MAY BE BUILT ATTACHED TO OR SEPARATE FROM THE DWELLING PROPER.

WFL 2-24-91 BLD

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ALL BUILDINGS SHALL HAVE EITHER CONCRETE SLABS OF SOLID BEAM FOUNDATIONS AND NO CONCRETE BLOCK OR BRICK PIER FOUNDATIONS SHALL BE USED WITH VOID SPACES BETWEEN PIERS ALONG THE FRONT SIDES OF BUILDING UNIT. ALL BUILDINGS SHALL BE CONSTRUCTED WITH BRICK OR STONE OR A COMBINATION OF THE TWO COVERING AT LEAST SIXTY (60%) PER CENT OF THE OUTSIDE WALL AREA, EXCEPT THAT AT THE SOLE OPTION OF THE ARCHITECTURAL CONTROL COMMITTEE, AN EXCEPTION MAY BE MADE THAT WOULD BE IN KEEPING WITH THE OVER-ALL INTENTIONS OF THESE RESTRICTIONS. NO BUILDING SHALL BE ERECTED OFF OF THE PREMISES AND MOVED FROM OTHER PREMISES ONTO THIS TRACT AND ALL BUILDING OR UNITS SHALL BE CONSTRUCTED ON SAID PREMISES. IN THE EVENT OF A MULTI-STORY DWELLING UNIT, THE GROUND FLOOR AREA, EXCLUSIVE OF OPEN PORCHES AND GARAGES, SHALL BE NOT LESS THAN ONE THOUSAND, FIVE HUNDRED (1500) NET SQUARE FEET.

NO GARAGE OR CARPORT SHALL FACE AND OPEN TO "LAKE CONROE DRIVE" AT LESS THAN A NINETY DEGREE ANGLE EXCEPT THAT AT THE SOLE OPTION OF THE ARCHITECTURAL CONTROL COMMITTEE AN EXCEPTION MAY BE MADE THAT WOULD BE IN KEEPING WITH THE OVERALL INTENTIONS OF THESE RESTRICTIONS.

(G) ALL ROADS AND DRIVEWAYS OFF "LAKE CONROE DRIVE" ARE TO BE FINISHED CONCRETE FROM "LAKE CONROE DRIVE", HOWEVER THE ARCHITECTURAL CONTROL COMMITTEE MAY APPROVE VARIATIONS FROM SUCH CONSTRUCTION REQUIREMENTS.

(H) IN THE EVENT B.G.D'AMICO AND WIFE, AGNES CECILIA D'AMICO, OR THEIR HEIRS AND ASSIGNS, AT THEIR SOLE AND EXCLUSIVE OPTION, DECIDE TO CONSTRUCT OR HAVE CONSTRUCTED A SEWER AND/OR WATER AND/OR GAS SYSTEM TO SERVE AND BENEFIT LANDS NOW OWNED OR HEREINAFTER OWNED OR CONTROLLED BY B.G.D'AMICO AND WIFE, AGNES CECILIA D'AMICO, OR THEIR HEIRS AND ASSIGNS, SITUATED IN THE E. COLLARD SURVEY, MONTGOMERY COUNTY, TEXAS, THE OWNER OF THIS TRACT, AS DESCRIBED IN THE EXHIBITS ATTACHED HERETO SHALL BE OBLIGATED TO UTILIZE SAID SEWAGE AND/OR WATER AND/OR GAS FACILITIES, UPON THIRTY (30) DAYS WRITTEN NOTICE FROM B.G.D'AMICO AND WIFE AGNES CECILIA D'AMICO, OR THEIR HEIRS AND ASSIGNS, THAT SAID SYSTEM IS OPERATIONAL. THE OWNER OF THIS SUBJECT TRACT SHALL AT HIS OWN EXPENSE INSTALL ANY AND ALL SERVICE LINES AND RELATED EQUIPMENT NECESSARY TO CONNECT ANY RESIDENTIAL DWELLING SITUATED ON THE SUBJECT TRACT. UPON THE UTILIZATION OF SAID SYSTEM, SAID OWNER SHALL PAY THE SAME SERVICE RATES IMPOSED FOR THE USE OF SAID SYSTEM OR SYSTEMS BY OTHERS UTILIZING SAID SYSTEM.

(I) NO HOUSING FOR GARAGE, SERVANT'S QUARTERS, OR OTHER SERVICE FUNCTION OF THE DWELLING ESTABLISHMENT SHALL BE ERECTED OR PLACED UPON ANY BUILDING SITE UNTIL CONSTRUCTION OF THE DWELLING PROPER HAS BEEN STARTED AND IS ACTUALLY UNDERWAY. ALL RESIDENCES MUST BE COMPLETED WITHIN ONE YEAR OF STARTING DATE, AND BUILDERS MUST BE OF GOOD STANDING IN THEIR PROFESSION, MUST BE KNOWN TO DO QUALITY WORK AND BE APPROVED BY ARCHITECTURAL CONTROL COMMITTEE. IF NEEDED, OWNERS ARE TO ALLOW A FIVE FOOT EASEMENT ON SIDE LINES OF THIS TRACT FOR UNDERGROUND UTILITIES.

(J) AT ALL TIMES THOSE AREAS OF "LAKE CONROE DRIVE" EASEMENT RIGHT-OF-WAY AND UTILITY EASEMENTS SHALL BE MAINTAINED FROM ENCUMBRANCES BY PERSONAL OR PRIVATE PROPERTY OR PARKING OF PASSENGER VEHICLES AND SERVICE VEHICLES RELATING TO THIS TRACT DURING AND AFTER CONSTRUCTION OF ANY IMPROVEMENTS ON THIS TRACT. NO CAMPERS, BOATS, TRAILERS, MOTOR HOMES, RECREATIONAL VEHICLES OF ANY TYPE OR NON-RUNNING VEHICLES ARE TO BE PARKED OR STORED WITHIN VIEW OF "LAKE CONROE DRIVE", NOR IN THE FRONT OF ANY RESIDENCE.

(K) NO ANIMALS, LIVESTOCK, HORSES* OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON THE PROPERTY EXCEPT THAT DOGS, CATS OR OTHER COMMON HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR COMMERCIAL PURPOSES. COMMON HOUSEHOLD PETS MUST BE KEPT ON THE TRACT OR ON A LEASH AT ALL TIMES. (* HORSES AND SCHOOL SPONSORED OR 4H CLUB PROJECTS MAY BE ALLOWED, PROVIDED THERE IS NOT MORE THAN AN AGGREGATE TOTAL OF ONE PER FIRST TWO ACRES AND ONE PER EACH ADDITIONAL ACRE THEREAFTER AND PROVIDING PASTURES, PADDOCKS, BARNS, PENS, STABLES, AND ALL IMPROVEMENTS FOR KEEPING * ANIMALS, BE APPROVED IN WRITING BY THE ARCHITECTURAL CONTROL COMM.)

(L) NO SPIRITUOUS, VINOUS OR MALT LIQUORS, ILLEGAL OR PRESCRIPTION DRUGS, OR MEDICATED BITTERS CAPABLE OF PRODUCING INTOXICATION OR ADDICTION, SHALL EVER BE SOLD OR OFFERED FOR SALE ON ANY RESIDENTIAL TRACT OUT OF AND INCLUDING THIS TOTAL TRACT, NOR SHALL SAID PREMISES OR ANY PART THEREOF BE USED FOR VIOLATION OF THE LAWS OF THE STATE OF TEXAS, OR OF THE UNITED STATES, OR OF POLICE, HEALTH, SANITARY, BUILDING OR FIRE CODE, REGULATION, SAN JACINTO RIVER AUTHORITY, OR INSTRUCTION RELATING TO OR AFFECTING THE USE, OCCUPANCY OR POSSESSION OF ANY OF THE THIS TRACT.

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BQ

WRH BQ

NOTED AS APPROVED

(M) NO SIGNS CONSISTING OF ADVERTISING DISPLAY OR DEVICES OF ANY TYPE OR KIND SHALL BE IN PUBLIC VIEW ON THIS TRACT, EXCEPT FOR BUILDER'S SIGNS DURING THE CONSTRUCTION AND SALES PERIOD ONLY, OR TO ADVERTISE A HOUSE FOR SALE, IN WHICH LATTER CASE ONE INSTALLATION ON THE BUILDING SITE OF NOT MORE THAN FIVE (5) SQUARE FEET OF SIGN SPACE SHALL BE THE MAXIMUM ALLOWABLE.

(N) NO OIL DRILLING, OIL DEVELOPMENT OPERATIONS, OIL REFINING, QUARRYING OR MINING OPERATIONS OF ANY KIND SHALL BE PERMITTED UPON THIS TRACT, NOR SHALL OIL WELLS, TANKS, TUNNELS, MINERAL EXCAVATIONS OR SHAFTS BE PERMITTED, NO DERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR NATURAL GAS SHALL BE ERECTED, MAINTAINED OR PERMITTED UPON THIS TRACT.

(O) NO PORTION OF THIS TRACT SHALL BE USED, OR MAINTAINED AS A CAMPING GROUND FOR RUBBISH, TRASH, GARBAGE OR OTHER WASTES; RUBBISH, TRASH, GARBAGE OR OTHER WASTES SHALL NOT BE KEPT EXCEPT IN SANITARY CONTAINERS FOR FREQUENT REMOVAL BY THE OWNER FROM THIS TRACT. ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION. IN NO CASE SHALL ANY OF THE ABOVE BE LOCATED WITHIN ONE HUNDRED (100) FEET OF ANY JOINTLY OWNED PROPERTY LINE WITHIN THE 48 AC. TRACT.

(P) NO FENCE, WALL, HEDGE NOR ANY PERGOLA OR OTHER ATTACHED STRUCTURE OR TREE, MAY BE PLANTED NOR CONSTRUCTED BETWEEN ANY IMPROVEMENT (SEE (B)) AND THE CLOSEST UTILITY OR ROAD EASEMENT FOR "LAKE CONROE DRIVE", NOR ANY ITEM SO PLACED ANYWHERE THAT WOULD BE THE SOLE CAUSE OF OBSCURING OR BLOCKING THE VIEW OF LAKE CONROE FROM ANY PORTION OF THE 48 ACRE OVERALL TRACT.

NO FENCE SHALL BE CONSTRUCTED ON THIS TRACT OF ANY MATERIAL OTHER THAN BRICK, WOOD WROUGHT IRON OR SMOOTH WIRE WITHOUT THE PERMISSION OF THE ARCHITECTURAL CONTROL COMMITTEE. UNDER NO CIRCUMSTANCES MAY ANY FORM OF BARBED WIRE FENCING BE USED ON THIS TRACT.

NO OUTSIDE CLOTHES LINE SHALL BE CONSTRUCTED OR MAINTAINED ON THIS TRACT WITHIN SIGHT OF "LAKE CONROE DRIVE".

(Q) NO SINGLE FAMILY DWELLING SHALL BE OCCUPIED FOR RESIDENCE PURPOSES UNLESS THE EXTERIOR AND INTERIOR OF SUCH DWELLING IS ENTIRELY FINISHED TO THE EXTENT REQUIRED BY THE ARCHITECTURAL CONTROL COMMITTEE, WHOSE APPROVAL IN WRITING IS REQUIRED BEFORE ANY RESIDENCE WHICH IS NOT ENTIRELY COMPLETED SHALL BE OCCUPIED.

(R) FIREARMS DISCHARGE ARE EXPRESSLY PROHIBITED ON THIS TRACT.

(S) NO SIGHT-LINE LIMITATIONS MAY BE CREATED BY NEW PLANTS OR FENCES OR OTHER NEW OBSTRUCTIONS OR ANY EXISTING OBSTRUCTIONS WHICH OBSTRUCT SIGHT LINES AT ELEVATIONS BETWEEN TWO AND SIX FEET ABOVE THE ROADWAYS, WITHIN THE TRIANGULAR AREA FORMED BY ANY ROADWAY AND POINTS TWENTY FIVE FEET FROM THE INTERSECTION. NO TREE SHOULD REMAIN WITHIN SUCH DISTANCES, UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SIGHT LINES.

(T) THE ARCHITECTURAL CONTROL COMMITTEE AND ASSIGNS SHALL HAVE THE RIGHT TO ENFORCE, BY ANY PROCEEDING AT LAW OR IN EQUITY, ALL COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND RESERVATIONS NOW OR HEREAFTER IMPOSED BY THE PROVISIONS OF THIS DECLARATION. FAILURE TO ENFORCE ANY COVENANT OR RESTRICTION HEREIN CONTAINED SHALL IN NO EVENT BE DEEMED A WAIVER OF THE RIGHT TO DO SO THEREAFTER.

(U) INVALIDATION OF ANY ONE OF THESE COVENANTS OR RESTRICTIONS BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OTHER PROVISION, AND ALL OTHER PROVISIONS SHALL REMAIN IN FULL FORCE AND EFFECT.

(V) THE COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF THIS DECLARATION SHALL RUN WITH AND BIND THE PROPERTY AND SHALL INURE TO THE BENEFIT OF AND BE ENFORCEABLE BY ANY PROPERTY OWNER WITHIN THE SAID 48+ACRE TRACT AND UNLESS AMENDED AS PROVIDED HEREIN, SHALL BE EFFECTIVE FOR A TERM OF TWENTY YEARS FROM THE DATE THIS DECLARATION IS RECORDED, AFTER WHICH TIME SAID COVENANTS, CONDITIONS AND RESTRICTIONS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS. THE COVENANTS, CONDITIONS, AND RESTRICTIONS OF THIS DECLARATION MAY BE AMENDED BY AN INSTRUMENT EXECUTED BY A MAJORITY VOTE OF THE ARCHITECTURAL CONTROL COMMITTEE OF THE 48+ACRE TRACT. NO AMENDMENT SHALL BE EFFECTIVE UNTIL RECORDED IN THE DEED RECORDS OF THE MONTGOMERY COUNTY, TEXAS.

(W) OWNERS OF TRACT AGREE THAT SHOULD THE SELLER DECIDE OR BE REQUIRED TO FILE A SUBDIVISION PLAT, THEY WILL JOIN IN THE EXECUTION OF SAID PLAT INCLUDING THE DEDICATION OF THE PORTION OF THE ROAD AND UTILITY EASEMENTS CROSSING THEIR PROPERTY.

(x) SHOULD THE COUNTY OF MONTGOMERY REQUIRE A CONTRIBUTION FROM THE PROPERTY OWNERS AJOINING THE "LAKE CONROE DRIVE", TO BRING SAME TO COUNTY SPECIFICATIONS FOR THE PURPOSE OF INCORPORATING SAME INTO THE "COUNTY ROAD SYSTEM", OWNERS OF SAID 7 ACRE TRACT OR ANY PART THERE OF SHALL PAY THEIR PRO RATA PART AS BASED ON THE RATIO OF THE ACREAGE OWNED IN RELATION TO THE ORIGINAL 48+ ACRE TRACT.

WLT 2-26-91

BLO

STATE OF TEXAS)
COUNTY OF MONTGOMERY)

I hereby certify that 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 Real Property of Montgomery County, Texas.

MAR 21 1991

FILED FOR RECORD

91 MAR 21 PM 4:02

Roy Harris

COUNTY CLERK
MONTGOMERY COUNTY, TEXAS



Roy Harris

COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

RECORDED IN MONTGOMERY COUNTY TEXAS
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