

*Timber Creek
Ranch*

RESTRICTIONS IMPOSED ON

24639

REAL ESTATE

BY OWNERS

THE STATE OF TEXAS X
COUNTY OF BANDERA X

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, being the developer and owner of all land described in Restrictions filed for record the 16th day of October, 1978, in the County Clerks office in Bandera County, Texas, Deed Records Volume 185 pages 624 thru 629 do hereby amend those restrictions as follows:

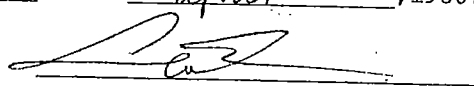
Paragraph IX. ARCHITECTURAL CONTROL sub-title, RIGHT TO ENFORCE;

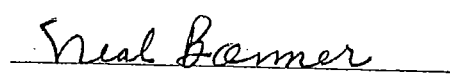
The Architectural Control Committee is granted the authority to enforce all restrictions.

AMEND THE ABOVE SENTENCE TO READ

The Architectural Control Committee or the Bandera County Commissioners are granted the authority to enforce all restrictions.

EXECUTED this the 28th day of April, 1980.


LEON KARR

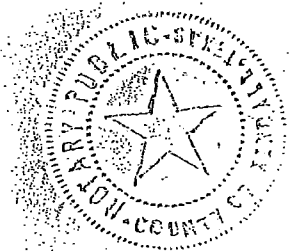

NEAL BONNER

THE STATE OF TEXAS X

COUNTY OF BANDERA X

BEFORE ME, the undersigned authority, on this day personally appeared Leon Karr and Neal Bonner, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28th day of APRIL, 1980.



Charles Glassing
NOTARY PUBLIC KENDALL COUNTY, TEXAS

MY COMMISSION EXPIRES 9-7-81

CHARLES GLASSING

STATE OF TEXAS

County of Bandera

I, OLGA SCHMIDT, Clerk of the County Court of Said County do hereby certify that the foregoing INSTRUMENT OF WRITING, dated on the 28th day of APRIL, A.D. 19 80 with its certificate of authentication was filed for record in my office the 1st day of MAY, A.D. 19 80 at 1:40 o'clock P. M. and duly recorded the 14th day of MAY, A.D. 19 80 at 9:00 o'clock A. M., in the DEED Records of Said County in Volume 196 on Pages 104-105.
WITNESS MY HAND AND SEAL of the County Court of said County of BANDERA the day and year last above written.

OLGA SCHMIDT

Clerk County Court, Bandera County, Texas.

By Bonnie B. Bonner
Deputy

RESTRICTIONS IMPOSED ON

REAL ESTATE

19754

BY OWNERS

THE STATE OF TEXAS X

COUNTY OF BANDERA X

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, being the owners of all the land described in Exhibit "A" attached hereto in Bandera County, Texas, have mutually agreed to impose upon all of the said land the restrictions hereinafter set forth, for the mutual benefit of each of the undersigned and for the protection and preservation of the entire subdivision and, accordingly, by execution hereof or counterparts hereof, do hereby impose upon all of the said land and the tracts into which it is presently divided, the following restrictions upon the use thereof, which shall be for the benefit of and binding upon the undersigned and all owners and purchasers from the undersigned and their heirs, successors, and assigns, as follows, to-wit:

I. DESCRIPTION.

The property covered by these restrictions is all of the land described in Exhibit A attached hereto, in Bandera County, Texas. The said property shall be held and subject to the reservations, restrictions, and covenants herein set forth.

II. USE OF LAND

All tracts shall be used for private dwelling purposes only. No structure shall be erected, placed, altered, or permitted to remain on any one of said tracts other than one detached single family dwelling of no more than two stories in height, and private garage, carport, servant's or guest quarters, storage and utility rooms and barns; provided, however, that no garage, carport, servant's or guest quarters, storage room and utilities room shall be erected on any tract until after or coincident with the building of a dwelling thereon and in keeping with these restriction. No garage, carport, servant's or guest quarters or other accessory buildings shall be more than one story in height, except barns may be of customary design. No store or business house, no gas or oil or automobile service station and no building of any kind whatsoever shall be erected on or maintained thereon except private dwelling houses as such and such customary outbuildings as are mentioned above.

No more than one dwelling per acre may be erected on any one tract.

No noxious or offensive trade or profession shall be carried on in any structure or upon any tract, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. The only business permitted upon any tract shall be such non-industrial type of self-employment as may be engaged in by the owner or member of the owner's family residing on the premises, or any other business which is approved of by the Architectural Control Committee. No employees, non-resident upon the premises, may be employed in any such business on the premises and it shall not be permissible to use the premises as a headquarters or office for outside employees, except as approved by the Architectural Control Committee. Any business shall be conducted in a structure, or completely screened from public view, except as approved by the Architectural Control Committee.

No illegal, immoral, or vicious activity shall be permitted.

When construction of any improvement is begun, it shall be completed with reasonable diligence.

No animal or livestock shall be kept on the property in such manner or with such lack of care as to cause offensive sights, odors, or noises or to be cruel or inhumane, or so as to otherwise be a nuisance or annoyance to persons of ordinary sensitivity.

No more than two dogs or cats may be kept on any tract, except that a larger number may be kept within a fenced yard. No dog may be kept which is vicious, or which injures other domestic animals or livestock.

Every dwelling erected on any tract shall front or present a good frontage on the road on which said tract fronts.

The exterior of the residence shall be finished and if of a material other than brick, stone, asbestos, or other material not commonly decorated or painted, shall be painted with at least two coats of paint, and maintained in good condition at all times.

III. FIREARMS

Discharge of firearms prohibited on any tract of less than 25 acres.

IV. OUTBUILDING REQUIREMENTS.

Every outbuilding, except a green house, shall correspond in style and architecture to the dwelling to which it is appurtenant. No outbuilding shall be used as a residence.

Separate garages and lawn tool buildings, which do not meet the minimum requirements set forth in Section II, shall nevertheless be permitted if they are constructed of cedar, cypress, or redwood lumber, and provided further that they are painted or stained, and have a roof of the same material as the house.

V. DWELLING SET BACK

All buildings will be set back a minimum of 100 feet from the center line of the road. No part of any building shall be nearer to the side property line than fifty (50) feet.

VI. SIGNS, BILLBOARDS, AND MISCELLANEOUS PROVISIONS

The construction and maintenance of signs, billboards, and advertising structures of any kind on any tract is prohibited.

Oil, gas, butane, or propane tanks must be screened all sides from public view.

No building material of any kind or character shall be placed or stored upon any lot until the owner thereof is ready to commence improvements, and then the material shall be placed within the property lines of the tract upon which the improvements are to be erected and shall not be placed on the street.

No tract shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste, which shall not be kept, except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

Partially dismantled or inoperative motor vehicles or parts thereof shall not be kept on any tract or in the street or road. Motor vehicle parking on the streets or roads is prohibited.

VII. UTILITIES AND DRAINAGE

Whenever a residence is established on any tract, it shall provide an inside toilet and shall be connected with a septic tank and drain field until such time as sanitary sewers may be available for use in connection with such tract.

VIII. MAINTENANCE

Each tract shall be kept in a neat, attractive manner. Trees, shrubs, vines, and plants which die shall be promptly removed from the property.

IX. ARCHITECTURAL CONTROL

ARCHITECTURAL CONTROL COMMITTEE

Owners, Neal Bonner and Leon Karr, shall designate and appoint an Architectural Control Committee consisting of not less than three qualified persons, which committee shall serve at the pleasure of the owners.

APPROVAL OF PLANS AND SPECIFICATIONS

No building, fence, wall, or other structure shall be commenced, erected, or maintained upon the properties, nor shall any exterior addition to or change or alteration therein be made, nor shall any landscaping of any tract be undertaken, until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to, and approved in writing by, the Architectural Control Committee as to harmony of external design and location in relation to surrounding structures and topography.

FAILURE OF COMMITTEE TO ACT

In the event that any plans and specifications are submitted to the Architectural Control Committee as provided herein, and such committee shall fail either to approve or reject such plans and specifications for a period of thirty days following such submission, approval by the committee shall not be required, and full compliance with this Article shall be deemed to have been had.

RIGHT TO ENFORCE

In the event an owner of any tract shall fail to maintain the premises and the improvements situated thereon in a neat and orderly manner, the owners or the Architectural Control Committee shall have the right through their or its agents and employees, to enter upon said tract and to repair, maintain, and restore to the lot and exterior of the buildings and any other improvements erected thereon, all at the expense of the owner.

The Architectural Control Committee is granted the authority to enforce all restrictions.

The Architectural Control Committee is granted the authority to make changes in the restrictions on a one tract basis.

At such time when the owners, Leon Karr and Neal Bonner, have sold all of said tracts in said subdivision, the Architectural Control Committee can be elected by a majority vote of the land owners owning tracts in the subdivision. Each owner will be entitled to one vote, for each acre owned. The vote may be taken at a meeting held for that purpose, or by mail, or otherwise.

X. DURATION

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1995, at which time said covenants shall be automatically extended for successive periods of ten years unless by vote of a majority of the then owners of the tracts it is agreed to change said covenants in whole or in part.

The owners shall have the right to enforce by any proceedings at law or in equity all restrictions, conditions, and reservations now or hereafter imposed by the provisions of these covenants. Failure to enforce any covenants or restrictions herein contained shall in no event be deemed a waiver of the right to do so thereafter.

XI. SEVERABILITY

The invalidation of any one of these covenants or restrictions by judgement or court order shall in no way affect any other provision, and all other provisions shall remain in full force and effect.

EXECUTED this the 15th day of October, 1978

LEON KARR

Neal Bonner
NEAL BONNER

THE STATE OF TEXAS X

COUNTY OF BANDERA X

BEFORE ME, The undersigned authority, on this day personally appeared Neal Bonner, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 15th day of October, 1978.

Charles Glassing
Notary Public, KENDALL County, Texas
MY COMMISSION EXPIRES 9-7-79

1400 acres of land, more or less, being all of the G. W. Edwards Survey No. 752, Abstract No. 1816; Vogel & Yoakum Survey No. 744, Abstract No. 1258; approximately 49.90 acres out of the L. F. Schott Survey No. 746, Abstract No. 1907; 2.30 acres out of the Georgetown R.R. Co. Survey No. 745, Abstract No. 692; and 20.29 acres out of Survey No. 744, Abstract No. 2468, in Bandera County, Texas; said 1400 acres of land, more or less, being more particularly described as follows:

BEGINNING at an iron pin at a fence corner, said iron pin being the occupational south corner of the G.C.S.D. & R.G.N.G. R.R. Co. Survey No. 743 and the east corner of above referenced Vogel & Yoakum Survey No. 744;

THENCE North 37 deg. 19' 45" West, along the occupational southwest line of Survey No. 743 and the northeast line of Survey No. 744, a distance of 5685.64 feet to a corner;

THENCE South 52 deg. 48' West, 3678.92 feet,
South 08 deg. 35' 30" East, 60.85 feet, and

South 62 deg. 57' 45" West, 1341.04 feet to a corner;

THENCE South 38 deg. 31' 45" East, 1609.0 feet to the occupational northeast corner of Survey No. 752;

THENCE the following thirteen (13) calls:

South 80 deg. 28' 30" West, 6901.43 feet,

South 64 deg. 51' East, 3349.63 feet,

South 25 deg. 23' 45" West, 3808.81 feet,

North 74 deg. 25' 30" East, 7469.06 feet,

North 52 deg. 44' 30" East, 209.79 feet,

North 52 deg. 30' 45" East, 821.40 feet,

North 53 deg. 18' East, 666.13 feet,

South 70 deg. 32' 45" East, 52.67 feet,

North 33 deg. 13' 45" East, 136.15 feet,

North 52 deg. 34' East, 241.22 feet,

South 67 deg. 43' East, 398.40 feet,

South 60 deg. 56' East, 771.67 feet, and

South 00 deg. 07' 30" West, 931.90 feet to a point;

THENCE North 45 deg. 40' 45" East, 2333.60 feet to a point,

North 42 deg. 50' 15" West, 1517.10 feet to an iron pin, and

North 52 deg. 39' 45" East, 1788.07 feet to the place of BEGINNING,

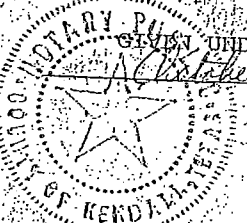
THE STATE OF TEXAS X

COUNTY OF BANDERA X

BEFORE ME, the undersigned authority, on this day personally appeared Leon Karr, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 15th day of _____, 1978

Charles Glassey
Notary Public, Kendall County, Texas
My Commission Expires 9-7-79



STATE OF TEXAS

County of Bandera

I, OLGA SCHMIDT, Clerk of the County Court of Said County do hereby certify that the foregoing INSTRUMENT OF WRITING, dated on the 15th day of Oct A.D. 1978 with its certificate of authentication was filed for record in my office the 16th day of Oct A.D. 1978 at 10:17 o'clock A M. and duly recorded the 20th day of Oct A.D. 1978 at 3:05 o'clock P M., in the Deed Records of Said County in Volume 185 on Pages 624-629

WITNESS MY HAND AND SEAL of the County Court of said County of BANDERA the day and year last above written.

OLGA SCHMIDT

Clerk County Court, Bandera County, Texas.

By Bonnie Bruce Deputy

