

RESTRICTIONS AND PROTECTIVE COVENANTS

Whereas, Dan Parker, hereinafter called the "Declarant", is the owner of all the certain real property of 150 acres more or less, in the M.A. Bryan Survey, A-19 and the Samuel Gates Survey A-45 Washington County, Texas and the same being out of that certain called 510.751 Acres Parcel as described in deed recorded in Volume 738, page 614 of the official records of Washington County, Texas.

NOW, THEREFORE, it is hereby declared that all of the property described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and shall be binding on all parties having any right, title or interest in or to the above described property or any part thereof, and their heirs, successors and assigns, and which easements, restrictions, covenants, and conditions shall inure to the benefit of each owner thereof.

USE RESTRICTIONS

1. Each tract shall be used for single-family residential dwelling purposes only, subject to the right of a landowner to use for agricultural purposes. The term "residential purposes" or any other term herein shall not be construed to permit tents, campers, trailers, mobile homes, modular homes, or duplex houses to be used as a residence, which usage is hereby expressly prohibited.
2. Only one residence shall be constructed or permitted to exist on each tract (as denoted on the plat or as subdivided or consolidated in accordance with the provisions hereof). However, it shall be permissible for outbuildings located on any such tract to be occupied by employees on such tract, by members of the immediate family that occupies the residence or by others related to such occupants as parents or descendants.
3. All septic tanks shall be permitted through the County Attorney's office of Washington County, constructed and maintained in accordance with the standards specified by the State Department of Health and/or any other governmental agency whose rules and regulations govern installation and use of sewage disposal systems. No outdoor toilets or privies shall be erected on any tract, except during the construction period.
4. Abandoned junk cars, tractors or other vehicles are prohibited on any tract or any part thereof. No tract or any part thereof shall be used as a junk yard, wrecking yard, derelict car, truck or vehicle lot, or trailer park. No trash or other refuse may be thrown on or dumped on any tract.
5. No structure of a temporary character shall be permitted upon any tract or part thereof, including but not limited to, mobile homes, trailer houses, railroad cars of any type, automobiles, boxcars, cabooses, buses and the like.

Boats and Motor Homes are allowed, but must be stored under a permanent covered area, like a storage facility or a barn.
6. Conventional building methods are to be utilized in all residential construction.

7. In the event a house is moved onto any tract, it shall be completed and made habitable within one (1) year from the date it is placed on the tract, to the effect that, among other things, the exterior shall within that period be renovated so as to place the house in an attractive state.
8. If a property owner wishes to keep livestock on the property, the animals, pens and other facilities will be managed to avoid offensive odors or becoming a nuisance to adjoining property owners. No commercial swine, or poultry operations shall be kept or permitted on any tract. No confined animal feed lot operations of any sort shall be allowed on any tract.
9. No signs, billboards, posters or advertising devices of any kind shall be erected on any lot in the subdivision except a "For Sale" sign not larger than six square feet, and not more than four feet off of the ground.

No telecommunications facilities, towers, oil and gas industry compressor stations, or the like shall be allowed on any Tract.

10. No hazardous waste material of any kind shall be stored on the property.
11. It is intended that this Declaration of Restrictive Covenants, together with other documents heretofore and hereafter to be filed of record, give notice that title to and mineral estate of each and all of the tracts has or will be severed from the surface estate and that, accordingly, tract owners will not have title to any of the mineral estate but will have title to only the surface estate. However, insofar as the Declarant has the authority and right to provide, no oil well drilling, oil development operations, oil refining, quarrying, or mining operations of any kind shall be permitted on a tract, nor shall oil wells, tanks, tunnels, mineral excavations, or shafts be permitted on any tract. No derrick or other structure designed for use in boring for oil, natural gas, or other minerals shall be erected, maintained, or permitted on any tract. Any prospecting, drilling, mining or production of minerals from the property shall be by operations conducted on adjoining or nearby lands through the drilling, operating and maintaining of directional or horizontal wells on such adjoining or nearby lands. No additional pipelines will be allowed on the said property.

EASEMENTS

1. Declarant reserves the easements and rights of way as shown on the Plat for the purpose of constructing, maintaining and repairing a system or systems of electric lighting, electric power, telegraph and telephone line or lines, or any other utility in, across and/or under the Properties.

GENERAL PROVISION

1. The Declarant, or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, and reservations now 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.
2. **Enforcement:** To the extent allowed by law, Declarant is hereby granted standing and the right on behalf of the Owner or owners of any tract, but not the obligation, to take such steps as may be necessary to enforce these covenants and restrictions including the institution of an action at law or in equity.