



TEXAS ASSOCIATION OF REALTORS® SELLER'S DISCLOSURE NOTICE

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Section 5.008, Property Code requires a seller of residential property of not more than one dwelling unit to deliver a Seller's Disclosure Notice to a buyer on or before the effective date of a contract. This form complies with and contains additional disclosures which exceed the minimum disclosures required by the Code.

CONCERNING THE PROPERTY AT 104 Shady Lane
Columbus, TX 78934

THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE BUYER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER, SELLER'S AGENTS, OR ANY OTHER AGENT.

Seller ☐ is ☒ is not occupying the Property. If unoccupied (by Seller), how long since Seller has occupied the Property? Since 1961/13
☐ or ☐ never occupied the Property

Section 1. The Property has the items marked below: (Mark Yes (Y), No (N), or Unknown (U).)

This notice does not establish the items to be conveyed. The contract will determine which items will & will not convey.

| Item | Y | N | U |
|----------------------------|---|---|---|
| Cable TV Wiring | | | X |
| Carbon Monoxide Det. | | X | |
| Ceiling Fans | | X | |
| Cooktop | X | | |
| Dishwasher | X | | |
| Disposal | X | | |
| Emergency Escape Ladder(s) | | X | |
| Exhaust Fans | X | | |
| Fences | X | | |
| Fire Detection Equip. | | X | |
| French Drain | | X | |
| Gas Fixtures | | X | |
| Natural Gas Lines | | X | |

| Item | Y | N | U |
|-------------------------|---|---|---|
| Liquid Propane Gas: | | X | |
| -LP Community (Captive) | | X | |
| -LP on Property | | X | |
| Hot Tub | | X | |
| Intercom System | | X | |
| Microwave | X | | |
| Outdoor Grill | | X | |
| Patio/Decking | X | | |
| Plumbing System | X | | |
| Pool | X | | |
| Pool Equipment | X | | |
| Pool Maint. Accessories | X | | |
| Pool Heater | | X | |

| Item | Y | N | U |
|--|---|---|---|
| Pump: <input type="checkbox"/> sump <input type="checkbox"/> grinder | | X | |
| Rain Gutters | X | | |
| Range/Stove | X | | |
| Roof/Attic Vents | X | | |
| Sauna | | X | |
| Smoke Detector | X | | |
| Smoke Detector - Hearing Impaired | | X | |
| Spa | | X | |
| Trash Compactor | | X | |
| TV Antenna | | X | |
| Washer/Dryer Hookup | X | | |
| Window Screens | X | | |
| Public Sewer System | X | | |

| Item | Y | N | U | Additional Information |
|---------------------------------|---|---|---|---|
| Central A/C | X | | | <input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: _____ |
| Evaporative Coolers | | X | | number of units: _____ |
| Wall/Window AC Units | | X | | number of units: _____ |
| Attic Fan(s) | | X | | if yes, describe: _____ |
| Central Heat | X | | | <input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: _____ |
| Other Heat | | X | | if yes, describe: _____ |
| Oven | X | | | number of ovens: <u>2</u> <input checked="" type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other: _____ |
| Fireplace & Chimney | | X | | <input type="checkbox"/> wood <input type="checkbox"/> gas logs <input type="checkbox"/> mock <input type="checkbox"/> other: _____ |
| Carport | | X | | <input type="checkbox"/> attached <input type="checkbox"/> not attached |
| Garage | X | | | <input checked="" type="checkbox"/> attached <input type="checkbox"/> not attached |
| Garage Door Openers | X | | | number of units: <u>1</u> number of remotes: <u>2</u> |
| Satellite Dish & Controls | | X | | <input type="checkbox"/> owned <input type="checkbox"/> leased from _____ |
| Security System | | X | | <input type="checkbox"/> owned <input type="checkbox"/> leased from _____ |
| Water Heater | X | | | <input checked="" type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other: _____ number of units: _____ |
| Water Softener | X | | | <input checked="" type="checkbox"/> owned <input type="checkbox"/> leased from _____ |
| Underground Lawn Sprinkler | | X | | <input type="checkbox"/> automatic <input type="checkbox"/> manual areas covered: _____ |
| Septic / On-Site Sewer Facility | | X | | if yes, attach Information About On-Site Sewer Facility (TAR-1407) |

(TAR-1406) 9-01-11

Initialed by: Seller: [Signature] and Buyer: _____

Page 1 of 5

104 Shady Lane
Columbus, TX 78934

Concerning the Property at _____

Water supply provided by: ☒ city ☐ well ☐ MUD ☐ co-op ☐ unknown ☐ other: _____

Was the Property built before 1978? ☐ yes ☒ no ☐ unknown

(If yes, complete, sign, and attach TAR-1906 concerning lead-based paint hazards).

Roof Type: Asphalt Shingle Age: 8 (approximate)

Is there an overlay roof covering on the Property (shingles or roof covering placed over existing shingles or roof covering)?

☐ yes ☒ no ☐ unknown

Are you (Seller) aware of any of the items listed in this Section 1 that are not in working condition, that have defects, or are need of repair? ☐ yes ☐ no If yes, describe (attach additional sheets if necessary): _____

Section 2. Are you (Seller) aware of any defects or malfunctions in any of the following?: (Mark Yes (Y) if you are aware and No (N) if you are not aware.)

| Item | Y | N |
|--------------------|---|-------------------------------------|
| Basement | | <input checked="" type="checkbox"/> |
| Ceilings | | <input checked="" type="checkbox"/> |
| Doors | | <input checked="" type="checkbox"/> |
| Driveways | | <input checked="" type="checkbox"/> |
| Electrical Systems | | <input checked="" type="checkbox"/> |
| Exterior Walls | | <input checked="" type="checkbox"/> |

| Item | Y | N |
|----------------------|---|-------------------------------------|
| Floors | | <input checked="" type="checkbox"/> |
| Foundation / Slab(s) | | <input checked="" type="checkbox"/> |
| Interior Walls | | <input checked="" type="checkbox"/> |
| Lighting Fixtures | | <input checked="" type="checkbox"/> |
| Plumbing Systems | | <input checked="" type="checkbox"/> |
| Roof | | <input checked="" type="checkbox"/> |

| Item | Y | N |
|-----------------------------|---|-------------------------------------|
| Sidewalks | | <input checked="" type="checkbox"/> |
| Walls / Fences | | <input checked="" type="checkbox"/> |
| Windows | | <input checked="" type="checkbox"/> |
| Other Structural Components | | <input checked="" type="checkbox"/> |
| | | |
| | | |

If the answer to any of the items in Section 2 is yes, explain (attach additional sheets if necessary): _____

Section 3. Are you (Seller) aware of any of the following conditions: (Mark Yes (Y) if you are aware and No (N) if you are not aware.)

| Condition | Y | N |
|--|---|-------------------------------------|
| Aluminum Wiring | | <input checked="" type="checkbox"/> |
| Asbestos Components | | <input checked="" type="checkbox"/> |
| Diseased Trees: <input type="checkbox"/> oak wilt <input type="checkbox"/> _____ | | <input checked="" type="checkbox"/> |
| Endangered Species/Habitat on Property | | <input checked="" type="checkbox"/> |
| Fault Lines | | <input checked="" type="checkbox"/> |
| Hazardous or Toxic Waste | | <input checked="" type="checkbox"/> |
| Improper Drainage | | <input checked="" type="checkbox"/> |
| Intermittent or Weather Springs | | <input checked="" type="checkbox"/> |
| Landfill | | <input checked="" type="checkbox"/> |
| Lead-Based Paint or Lead-Based Pt. Hazards | | <input checked="" type="checkbox"/> |
| Encroachments onto the Property | | <input checked="" type="checkbox"/> |
| Improvements encroaching on others' property | | <input checked="" type="checkbox"/> |
| Located in 100-year Floodplain | | <input checked="" type="checkbox"/> |
| Located in Floodway | | <input checked="" type="checkbox"/> |
| Present Flood Ins. Coverage (If yes, attach TAR-1414) | | <input checked="" type="checkbox"/> |
| Previous Flooding into the Structures | | <input checked="" type="checkbox"/> |
| Previous Flooding onto the Property | | <input checked="" type="checkbox"/> |
| Previous Fires | | <input checked="" type="checkbox"/> |
| Previous Use of Premises for Manufacture of Methamphetamine | | <input checked="" type="checkbox"/> |

| Condition | Y | N |
|--|---|-------------------------------------|
| Previous Foundation Repairs | | <input checked="" type="checkbox"/> |
| Previous Roof Repairs | | <input checked="" type="checkbox"/> |
| Other Structural Repairs | | <input checked="" type="checkbox"/> |
| Radon Gas | | <input checked="" type="checkbox"/> |
| Settling | | <input checked="" type="checkbox"/> |
| Soil Movement | | <input checked="" type="checkbox"/> |
| Subsurface Structure or Pits | | <input checked="" type="checkbox"/> |
| Underground Storage Tanks | | <input checked="" type="checkbox"/> |
| Unplatted Easements | | <input checked="" type="checkbox"/> |
| Unrecorded Easements | | <input checked="" type="checkbox"/> |
| Urea-formaldehyde Insulation | | <input checked="" type="checkbox"/> |
| Water Penetration | | <input checked="" type="checkbox"/> |
| Wetlands on Property | | <input checked="" type="checkbox"/> |
| Wood Rot | | <input checked="" type="checkbox"/> |
| Active infestation of termites or other wood destroying insects (WDI) | | <input checked="" type="checkbox"/> |
| Previous treatment for termites or WDI | | <input checked="" type="checkbox"/> |
| Previous termite or WDI damage repaired | | <input checked="" type="checkbox"/> |
| Termite or WDI damage needing repair | | <input checked="" type="checkbox"/> |
| Single Blockable Main Drain in Pool/Hot Tub/Spa* | | <input checked="" type="checkbox"/> |

Concerning the Property at _____

If the answer to any of the items in Section 3 is yes, explain (attach additional sheets if necessary): _____

*A single blockable main drain may cause a suction entrapment hazard for an individual.

Section 4. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair, which has not been previously disclosed in this notice? ☐ yes ☒ no If yes, explain (attach additional sheets if necessary): _____

Section 5. Are you (Seller) aware of any of the following (Mark Yes (Y) if you are aware. Mark No (N) if you are not aware.)

Y N

- ☐ ☒ Room additions, structural modifications, or other alterations or repairs made without necessary permits or not in compliance with building codes in effect at the time.
- ☐ ☒ Homeowners' associations or maintenance fees or assessments. If yes, complete the following:
Name of association: _____
Manager's name: _____ Phone: _____
Fees or assessments are: \$ _____ per _____ and are: ☐ mandatory ☐ voluntary
Any unpaid fees or assessment for the Property? ☐ yes (\$ _____) ☐ no
If the Property is in more than one association, provide information about the other associations below or attach information to this notice.
- ☐ ☒ Any common area (facilities such as pools, tennis courts, walkways, or other) co-owned in undivided interest with others. If yes, complete the following:
Any optional user fees for common facilities charged? ☐ yes ☐ no If yes, describe: _____
- ☐ ☒ Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
- ☐ ☒ Any lawsuits or other legal proceedings directly or indirectly affecting the Property. (Includes, but is not limited to: divorce, foreclosure, heirship, bankruptcy, and taxes.)
- ☐ ☒ Any death on the Property except for those deaths caused by: natural causes, suicide, or accident unrelated to the condition of the Property.
- ☐ ☒ Any condition on the Property which materially affects the health or safety of an individual.
- ☐ ☒ Any repairs or treatments, other than routine maintenance, made to the Property to remediate environmental hazards such as asbestos, radon, lead-based paint, urea-formaldehyde, or mold.
If yes, attach any certificates or other documentation identifying the extent of the remediation (for example, certificate of mold remediation or other remediation).
- ☐ ☒ Any rainwater harvesting system connected to the property's public water supply that is able to be used for indoor potable purposes.

If the answer to any of the items in Section 5 is yes, explain (attach additional sheets if necessary): _____

Concerning the Property at 104 Shady Lane
Columbus, TX 78934

Section 6. Seller ☐ has ☐ has not attached a survey of the Property.

Section 7. Within the last 4 years, have you (Seller) received any written inspection reports from persons who regularly provide inspections and who are either licensed as inspectors or otherwise permitted by law to perform inspections? ☐ yes ☒ no If yes, attach copies and complete the following:

| Inspection Date | Type | Name of Inspector | No. of Pages |
|-----------------|------|-------------------|--------------|
| | | | |
| | | | |
| | | | |
| | | | |

Note: A buyer should not rely on the above-cited reports as a reflection of the current condition of the Property. A buyer should obtain inspections from inspectors chosen by the buyer.

Section 8. Check any tax exemption(s) which you (Seller) currently claim for the Property:

- ☒ Homestead ☐ Senior Citizen ☐ Disabled
☐ Wildlife Management ☐ Agricultural ☐ Disabled Veteran
☐ Other: _____ ☐ Unknown

Section 9. Have you (Seller) ever received proceeds for a claim for damage to the Property (for example, an insurance claim or a settlement or award in a legal proceeding) and not used the proceeds to make the repairs for which the claim was made? ☐ yes ☒ no If yes, explain: _____

Section 10. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766 of the Health and Safety Code? ☒ unknown ☐ no ☐ yes. If no or unknown, explain. (Attach additional sheets if necessary): _____

**Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information.*

A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing-impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing-impaired and specifies the locations for installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

Seller acknowledges that the statements in this notice are true to the best of Seller's belief and that no person, including the broker(s), has instructed or influenced Seller to provide inaccurate information or to omit any material information.

Signature of Seller _____ Date _____ Signature of Seller _____ Date _____
Printed Name: Mark E. Korell Printed Name: Alison M. Korell

(TAR-1406) 9-01-11

Initialed by: Seller: MIC AK and Buyer: _____

Page 4 of 5

Concerning the Property at _____

ADDITIONAL NOTICES TO BUYER:

- (1) The Texas Department of Public Safety maintains a database that the public may search, at no cost, to determine if registered sex offenders are located in certain zip code areas. To search the database, visit www.txdps.state.tx.us. For information concerning past criminal activity in certain areas or neighborhoods, contact the local police department.
- (2) If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.
- (3) If you are basing your offers on square footage, measurements, or boundaries, you should have those items independently measured to verify any reported information.
- (4) The following providers currently provide service to the property:

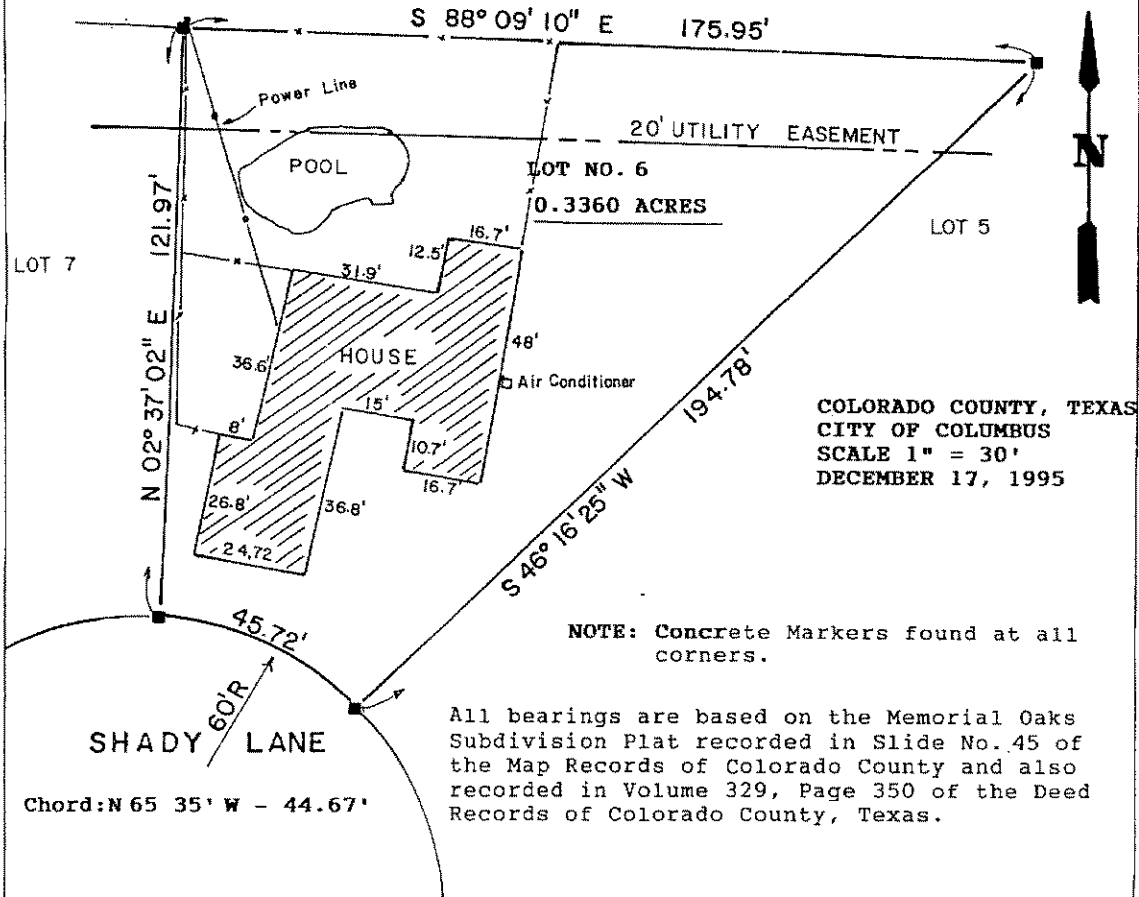
| | |
|--------------------------------|----------------|
| Electric: <u>Just Energy</u> | phone #: _____ |
| Sewer: <u>City of Columbus</u> | phone #: _____ |
| Water: <u>City of Columbus</u> | phone #: _____ |
| Cable: <u>N/A</u> | phone #: _____ |
| Trash: <u>City of Columbus</u> | phone #: _____ |
| Natural Gas: <u>N/A</u> | phone #: _____ |
| Phone Company: <u>N/A</u> | phone #: _____ |
| Propane: <u>N/A</u> | phone #: _____ |

- (5) This Seller's Disclosure Notice was completed by Seller as of the date signed. The brokers have relied on this notice as true and correct and have no reason to believe it to be false or inaccurate. YOU ARE ENCOURAGED TO HAVE AN INSPECTOR OF YOUR CHOICE INSPECT THE PROPERTY.

The undersigned Buyer acknowledges receipt of the foregoing notice.

| | | | |
|--------------------------|------------|--------------------------|------------|
| Signature of Buyer _____ | Date _____ | Signature of Buyer _____ | Date _____ |
| Printed Name: _____ | | Printed Name: _____ | |

MEMORIAL OAKS SUBDIVISION - SECTION NO. 1



COLORADO COUNTY, TEXAS
CITY OF COLUMBUS
SCALE 1" = 30'
DECEMBER 17, 1995

Property Address: 104 Shady Lane
Columbus, Texas 78934

Leonard W. Frank
LEONARD W. FRANK
COUNTY SURVEYOR OF COLORADO COUNTY, TEXAS
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 1669



Restrictions

MEMORIAL OAKS SUBDIVISION

EVL 329 PAGE 353

SECTION I

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

THE STATE OF TEXAS, *
COUNTY OF COLORADO. * KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, V. L. MAREK, JR., DEMPSEY CALHOUN, GEORGE HAGAN, and B. J. SCHINDLER, hereinafter called DECLARANT, are the owners of all that certain real property located in Colorado County, Texas, and described as follows:

Described and known as MEMORIAL OAKS SUBDIVISION, SECTION I, in the City of Columbus, Texas, according to description of same contained in certified copy of Resolution of the City Council of the City of Columbus, Texas, recorded in Volume _____, Page _____, of the Deed Records of Colorado County, Texas, and Plat of said subdivision of record in Volume _____, Page _____, of the Map Records of Colorado County, Texas, to all of which reference is here made for all purposes.

AND WHEREAS, Declarant will convey the above described properties subject to certain easements, restrictions, covenants and conditions as hereinafter set forth.

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 be covenants running with, said 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, assigns and personal representatives, and which easements, restrictions, covenants and conditions shall inure to the benefit of each Owner thereof:

DEFINITIONS

1.01 OWNER shall mean and refer to the record owner, whether one or more persons or entitles, having the fee simple title to any Lot or portion thereof, but not including those having an interest merely as security for the performance of an obligation.

1.02 LOT shall mean and refer to that portion of land shown upon the Plat above referred to showing boundary lines with dimensions stated thereon and being numbered 1 through 24.

1.03 DECLARANT shall mean and refer to said V. L. Marek, Jr., Dempsey Calhoun, George Hagan and B. J. Schindler, and their heirs and personal representatives as to the property known as Memorial Oaks Subdivision, Section 1, and covered hereby, and shall include their successors and assigns as to such property if such successors or assigns shall acquire more than one undeveloped lot from Declarant for the purpose of development.

ARTICLE TWO

USE RESTRICTIONS, COVENANTS AND CONDITIONS,
EASEMENTS AND OTHER RESERVATIONS BY DECLARANT

2.01 All Lots shall be used only for single family residential purposes, and no commercial, trade, business or professional activity of any nature to which the general public is invited shall be carried on upon such premises or any part thereof, and no poultry, livestock or other animals may be kept thereon, except same shall not preclude the keeping of such pets as are ordinarily kept in residential areas.

2.02 Not more than one set of residential improvements, except quarters for domestic servants of the occupants of such residence, shall be erected on each Lot, except as provided by Paragraph 2.11.

2.03 No residential improvements, other than quarters for domestic servants of the occupants of such residence, shall be erected or permitted to be erected which shall contain less than 1400 sq. feet of floor space, excluding any garage, patio, porch, or carport.

2.04 Garages and outbuildings that are appurtenant to a residence may be erected upon each Lot upon which a residence has been erected and same must be of the same exterior material as such residence.

2.05 All improvements placed on such premises shall be newly erected and no second hand or used buildings or other improvements shall be moved onto said premises and no used or second hand materials may be used in the exterior of such improvements unless used for enhancement of appearance, such as, for example, second hand brick.

2.06 No structure of a temporary character or nature and no trailer, shack, garage, barn or other buildings, or any part thereof, shall be placed on such premises or used as a residence or dwelling, either temporarily or permanently. Use of house trailers, mobile homes, portable buildings, buses, trucks or similar vehicles, for residence purposes is hereby prohibited, and no such vehicle shall be kept or permanently parked in the street within such subdivision.

2.07 Such premises shall not be allowed to be used or maintained as a dumping ground for rubbish or trash.

2.08 No building or improvements of any kind shall be erected so that any portion thereof shall be nearer than 25 feet to the street property line. No building or improvements of any kind shall be erected so that any portion thereof shall be nearer than 5 feet to any property line in said subdivision, including Lot boundary lines, other than said street property lines; provided however, that this shall not be construed to permit encroachment on easement areas and same shall not override the provisions of Paragraph 2.10. If two or more Lots are consolidated into a building site in conformity with the provisions of Paragraph 2.09, these building setback provisions shall be applied to such resultant building site as if it were one original platted Lot.

2.09 None of said Lots shall be resubdivided in any fashion, except that any person owning two or more adjoining Lots may consolidate such Lots into a building site for one residence, with the privilege of construction of one set of residence improvements as permitted hereby on such site.

2.10 Easements for installation and maintenance of utilities and drainage facilities are reserved and shall exist affecting the following areas: The North 20 feet of said subdivision, adjacent and contiguous to the North line thereof, and the South 20 feet of said subdivision, adjacent and contiguous to the South line thereof, and the East 20 feet of said subdivision, adjacent and contiguous to the East line thereof, and the West 10 feet of said subdivision, adjacent and contiguous to the West line thereof, and the area extending to a width of 10 feet on each side of all the interior Lot boundary lines of said subdivision running North and South or substantially North and South, except the boundary lines between Lots 6 and 7, Lots 12 and 13, and Lots 18 and 19, it being the intent hereunder that said easement areas shall be at the locations adjoining boundary lines as indicated by dashed lines on the above referred to Plat, but the terms hereof shall control as to the dimensions of said easement areas. Right of use for ingress and egress shall be had at all times over any such easement area for the installation, operation, maintenance, repair or removal of any utility or drainage facility, together with the right to remove any obstruction placed in such easement or easement area that would constitute interference with such use. No utility company, water district, political subdivision or other authorized entity using such easements shall be liable for any damages done by it or its successors, assigns, agents or employees, to shrubbery, trees, flowers, fences, buildings or any other property of Owner situated within any such easement area.

2.11 Declarant reserves the right to construct, own, lease, sell or convey residential improvements of the type known as townhouse or townhouses, consisting of multiple single family dwelling units with common or party walls, or constructed in such other manner as customarily used in the construction of townhouses, on any Lot or Lots, including two or more adjoining Lots, and all of the use restrictions hereof that may reasonably apply to said townhouse type improvements and the use thereof shall so apply, except the minimum floor space requirement as to townhouse units shall be 900 sq. feet, and the building setback provisions hereof shall be applied to such resultant building site of one or more Lots as if it were one original platted Lot.

ARTICLE THREE
GENERAL PROVISIONS

WOL 329 PAGE 357

3.01 ENFORCEMENT. Declarant or any Owner shall have the right to enforce by any proceeding at law or in equity all restrictions, conditions 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.

3.02 SEVERABILITY. 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.

3.03 DURATION AND AMENDMENT. The covenants, conditions and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of, and be enforceable by, Declarant or the Owner of any Lot subject to this Declaration, and their respective legal representatives, heirs, successors, and assigns, and, unless amended as provided herein, shall be effective for a term of twenty (20) years from the date of this Declaration, after which time said covenants, conditions and restrictions shall be automatically extended for successive periods of ten (10) years. The covenants, conditions and restrictions of this Declaration may be amended during the first twenty (20) year period by an instrument executed by not less than 90 percent of the Lot Owners. During any succeeding ten (10) year period, the covenants, conditions and restrictions of this Declaration may be amended during the last year of any such ten (10) year period by an instrument executed by not less than 75 percent of the Lot Owners. No amendment shall be effective until recorded in the Deed Records of Colorado County, Texas.

EXECUTED by said Declarant, this 7 day of January,
~~1974~~ 1975

WOL 329 PAGE 358

V. L. Marek, Jr.
V. L. MAREK, JR.

Dempsey Calhoun
DEMPSEY CALHOUN

George Hagan
GEORGE HAGAN

B. J. Schindler
B. J. SCHINDLER

THE STATE OF TEXAS, *
COUNTY OF COLORADO *

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared V. L. MAREK, JR., DEMPSEY CALHOUN, GEORGE HAGAN and B. J. SCHINDLER, all 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 7 day of Jan. 1975.



[Signature]
Notary Public, Colorado County, Texas.

*V. L. Marek, Jr. due
B 04 245 in 1975
C. O. Schneider*

FILED FOR RECORD
10 day of Jan. 1975
at 9:00 o'clock A. M.
CLERK COUNTY COURT COLORADO CO. TEX.
By [Signature]
Deputy

22797

Recorded the 14 day of Jan.
LESTER SCHNEIDER, County Clerk

A. D. 1975 at 9:50 o'clock A. M.
By Annie Louise Pratts Deputy.