

ROLLING VISTAS SUBDIVISION, SECTION II
RESTRICTIVE COVENANTS

4768

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BURNET §

Be it known that Rolling Vistas, Ltd., a Texas limited partnership, for the purpose of instituting restrictive covenants on all tracts presently existing and tracts that may be created (hereinafter both referred to interchangeably as "tracts" or "lots") out of the herein described "subject property," does hereby adopt and impose on behalf of itself, its legal representatives and assigns, the following recited restrictive covenants and use limitations covering said tracts. All these restrictive covenants and use limitations shall become part of all contracts of sale, contracts for deed, deeds, and other legal instruments whereby the title or possession of any part or portion of any of the subject property is hereafter conveyed or transferred.

The subject property is described as:

Tracts A, B, C, D, E Rolling Vistas Subdivision, Section II, a recorded subdivision in Burnet County, Texas, a plat of which is recorded in CABINET 2, SLIDE 116A of the Burnet County PLAT Records.

The restrictions are as follows:

1. That no commercial use of said tracts shall be permitted. Agricultural and ranching operations shall not be considered a commercial use for the purposes of these restrictions except that no commercial feed lots or similar commercial enterprises shall be allowed. Equestrian operations shall not be considered a commercial operation for the purposes of these restrictive covenants.
2. Each residence building shall contain not less than 1000 square feet of floor space, exclusive of open porches, breeze ways, carports, and garages.
3. Only one house is allowed per 5 acres. Houses to be built of accepted materials and by accepted practices considered standard and acceptable to the area. Houses and surrounding premises shall be kept in good repair and in a reasonably clean and orderly condition.
4. That all buildings, dwellings, garages, barns and other buildings constructed on any part of any tract must be set back at least 150 feet from FM 963, and at least 75' from County Road 207.

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and at least 20 feet from any side or back property line. No set back lines shall exist for property lines that do not join another tract in Rolling Vistas Subdivision, Section II, or a public road.

5. The exterior of each house or other improvement shall be completed and finished within one year of the earliest to occur of (I) the placement of building materials on the tract, or (II) the commencement of foundation work for the structure, or (III) the commencement of on-site work on the structure itself.

6. No hogs or pigs will be allowed on any tract, except that one hog or pig per child residing on each tract shall be allowed to be kept for FFA (or similar organization) project so long as said animal is kept in a reasonably sanitary manner at least 150 feet from any property line.

7. That no part of any tract shall be used or maintained as a dumping ground for rubbish, debris or junk.

8. That no junk yards, repair yards, or wrecking yards shall be located on any tract. Two or more vehicles in disrepair placed on any tract for more than two weeks shall constitute a junk yard, unless said vehicles are kept in a garage.

9. Materials or equipment of any kind stored on any tract shall be arranged in an orderly manner on the rear one-half of the tract and no closer than 100 feet from any property line that joins another tract in the Rolling Vistas Subdivision, Section II.

10. Camping on any tract is limited to eight weeks per year. Camping facilities may not be left on the tract except in conjunction with the eight weeks camping allowance or in conjunction with storage at a permanent residence that complies with the herein stated restrictive Covenants unless otherwise approved in writing by Rolling Vistas, Ltd.

11. No mobile homes or manufactured homes shall be allowed to be placed on any tract except as follows:

a. One complete mobile home or manufactured home that is at least 20 feet in width on its shortest side may be placed on each tract. Said mobile home or manufactured home must be in good condition and be no older than 12 years old when placed on the property.

b. On Tract A and B, one single-wide mobile home of at least 700 square feet may be placed on said tract. Said single-wide mobile home must be placed at least 75 feet from the public road and at least 125 feet from each side or rear property line that joins another tract in Rolling Vistas Subdivision, Section II. Said single-wide mobile home must be in good condition and no older than 12 years old when placed on the property.

c. Mobile homes or manufactured homes of any variety shall be limited to one complete unit per tract.

d. Any mobile home or manufactured homes placed on any tract must be underpinned with standard and customary materials within 60 (sixty) days of the date the mobile home is placed on the property.

c. Variations from the requirements in this section will be considered based on the style, age and condition of the mobile home.

12. No activity of any type shall be allowed that would create a visual, noise, or odor nuisance to the users of the surrounding subject property.

13. The number of animals of any type kept on the property shall be controlled so as not to create a visual, noise, or odor nuisance to the users of the surrounding subject property.

14. All animals (except domestic cats) shall not be allowed to roam beyond the perimeter of the tract. Only one outside dog per 2 acres shall be allowed to be kept on each tract.

15. These restrictions are to run with the land until December 31, 2020, and extend automatically for additional periods of five (5) years each unless the record owners of a majority of the tracts in the Rolling Vistas Subdivision, Section II through a duly recorded written instrument or instruments, amend or cancel the same.

ROLLING VISTAS, LTD., hereby retains the right to execute amendments to, including granting variances from, all restrictive covenants and use limitations imposed by this instrument on the subject property, provided it, in the exercise of its judgement and discretion, is of the opinion that any such amendments or variances are acceptable and reasonable for the development of the property. Any variance or amendment must be evidenced in writing and must be signed by ROLLING VISTAS, LTD. or its general partner. Other tracts may be added to this instrument as "subject property" by the recording of an instrument adding said tracts, said instrument shall be executed by ROLLING VISTAS, LTD., or its general partner. Any such tracts that are added shall become a part of these restrictions to the same extent as if they had been originally included.

FOR THE PURPOSE OF ENFORCING THESE RESTRICTIVE COVENANTS AND THE OTHER RESTRICTIVE COVENANTS STATED IN THIS PARAGRAPH AND ALTERING, AMENDING, OR CANCELING SAME, THESE RESTRICTIONS SHALL OPERATE IN CONJUNCTION WITH THE PREVIOUSLY RECORDED RESTRICTIVE COVENANTS COVERING ROLLING VISTAS SUBDIVISION RECORDED IN VOLUME NO. 0773, PAGE 0404 OF THE OFFICIAL PUBLIC RECORDS, BURNET COUNTY, TEXAS AND SAID PREVIOUSLY RECORDED RESTRICTIVE COVENANTS ARE HEREBY AMENDED IN THIS REGARD FOR THE PURPOSES STATED IN THIS PARAGRAPH.

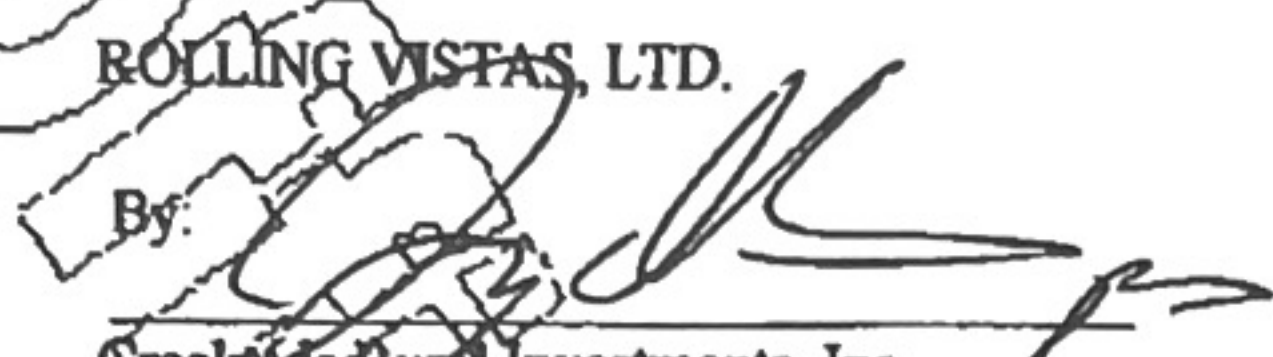
The above restrictions constitute covenants running with the land and inure to the benefit of the undersigned and its successors and assigns as well as each and every purchaser of a tract out of the subject property, their heirs, successors, and assigns. Any one of said beneficiaries shall have the right to enforce these restrictions in equity or in law. If one or more of such restrictions shall be held invalid, none of the others shall be affected or impaired by such holding, but shall remain in full force and effect.

RECORDED
BURNET COUNTY, TEXAS

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Any one or all of the herein recited restrictions may be altered, amended or canceled by a majority of the owners of the then existing tracts out of the subject property mentioned herein and the subject property referenced in the Restrictive Covenants recorded in Volume No. 0773, Page 0404 of the Official Public Records, Burnet County, Texas (one vote per tract). Such amendment, alteration, or cancellation of any of the restrictions must be in writing and must be filed with the Burnet County Clerk in order to be of any force and effect.

ROLLING VISTAS, LTD.

By: 

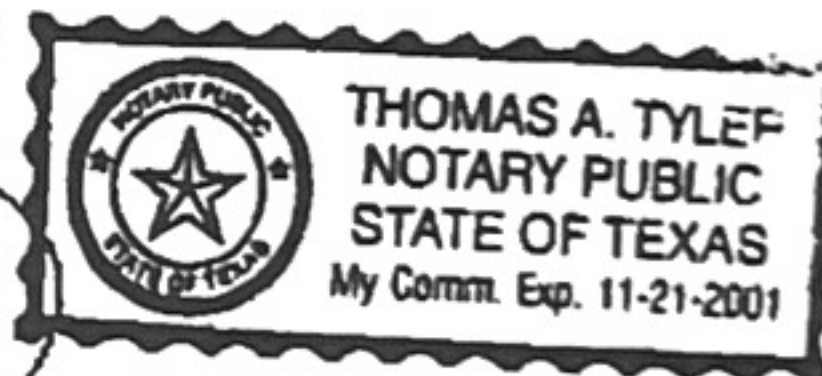
Creekside Rural Investments, Inc.
General Partner
BY: Jay Dickens, President

THE STATE OF TEXAS

COUNTY OF IRION

This instrument was acknowledged before me on this the 18th day of MAY, 1998, by Jay Dickens, President of Creekside Rural Investments, Inc., a Texas corporation, on behalf of said corporation, and the corporation acknowledged this instrument as general partner on behalf of ROLLING VISTAS, LTD., a Texas limited partnership.

Thomas A. Tyler
Notary Public - State of Texas



RETURN TO:

ROLLING VISTAS, LTD.
700 Pine Trail
Mertzon, Texas 76941

OFFICIAL PUBLIC RECORD
BURNET COUNTY TEXAS

0798 0150

STATE OF TEXAS
COUNTY OF BURNET

I hereby certify that this instrument was FILED on the date and at the time
stamped hereon by me and was duly RECORDED in Volume 798
Page 41-151 of the Official Public RECORDS
of Burnet County, Texas

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL,
OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR
OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF BURNET

I hereby certify that this instrument was FILED in file number
Sequence on the date and at the time stamped hereon by me and was
duly RECORDED in the Official Public
Records Burnet County, Texas
on 5-26-98



Janet Parker
JANET PARKER, COUNTY CLERK
BURNET COUNTY, TEXAS
BY: [Signature] Deputy



Janet Parker
COUNTY CLERK
BURNET COUNTY, TEXAS

4768

FILED

98 MAY 26 AM 8:50

JANET PARKER
COUNTY CLERK
BURNET COUNTY, TEXAS

OFFICIAL PUBLIC RECORD
BURNET COUNTY, TEXAS

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