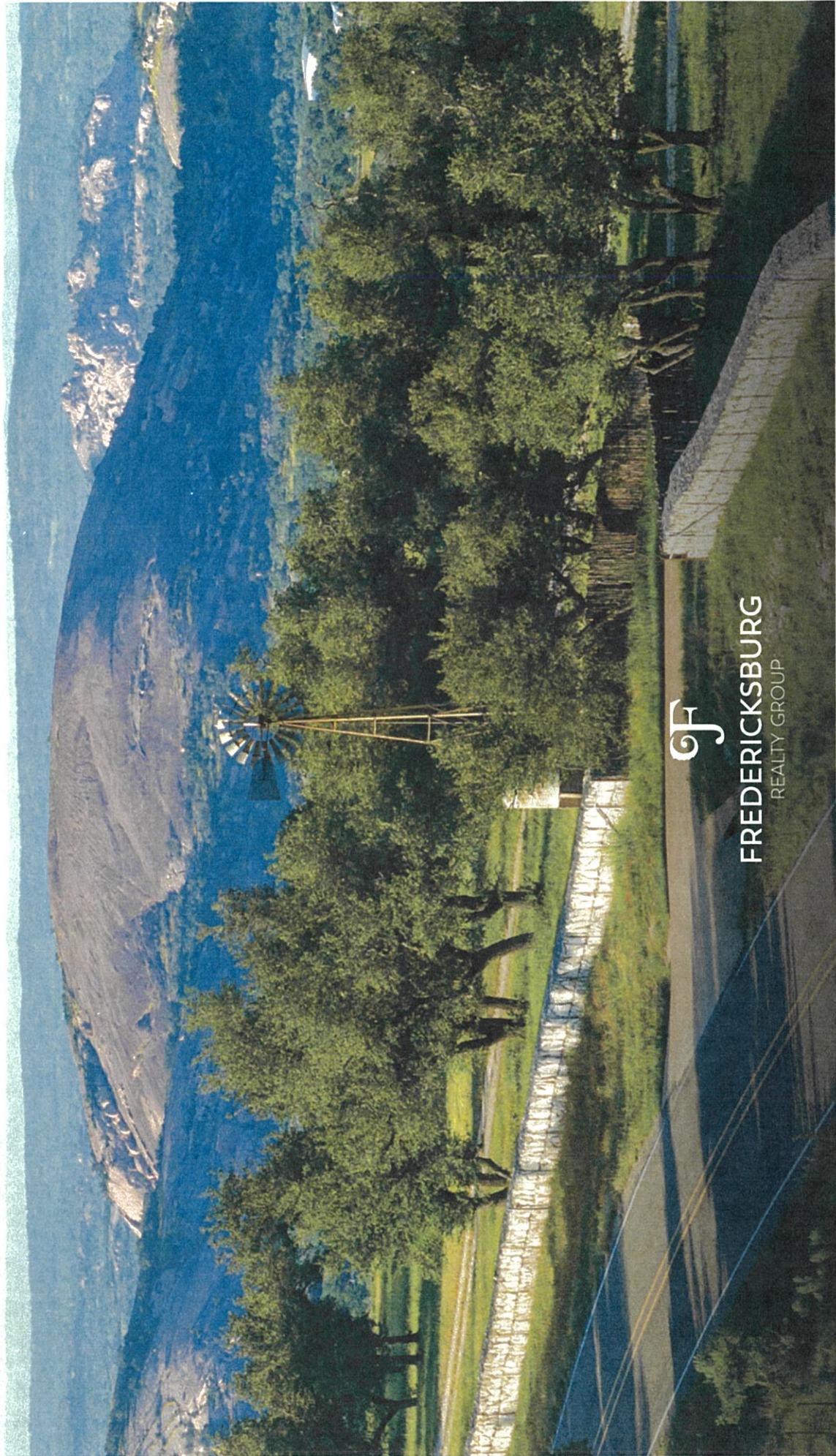


SKY RANCH

JUSTIN COP, BROKER, GRI, CNE | 830-997-6531



F
FREDERICKSBURG
REALTY GROUP

Sky Ranch

13927 N Ranch Road 965 | Fredericksburg, Texas 78624 | Gillespie County

172.32± Acres

\$6,090,200

Agent

Justin Cop

Property Highlights

- Located Northwest of Gillespie County, near the vibrant town of Fredericksburg, TX.
- 172± acres with rolling topography
- Captivating views of Enchanted Rock
- Elevation ranging from 1700 ft to 1940 ft, offering hilltop views
- Land perfect for residential, recreational, or hunting
- Underground power to multiple building sites
- Two water wells, three ponds, strategically placed water troughs
- Beautiful wooded areas with mature live Oak and Post Oak trees
- Infrastructure includes a small barn with septic, a 600 SF shed, and an impressive gabion wall along the highway (approx. 400 ft)
- 0.9 miles of frontage on Ranch Road 965 with multiple entrances and private all-weather road
- Abundant wildlife including deer, turkeys, and various bird species
- Agricultural tax exemptions
- Only 15.8 miles from Fredericksburg, 2.6 miles from Enchanted Rock, and 19 miles from a private airport

Property Taxes:

\$735.55

Sky Ranch

Nestled northwest of Gillespie County, just a short drive from the vibrant Main Street of Fredericksburg, lies a magnificent expanse of land—Sky Ranch. This breathtaking 172± acre property, a true Texas treasure, offers an unparalleled blend of natural beauty and prime location, making it the ideal setting for your dream ranch or estate.

The property boasts rolling hills and native pastures with elevations ranging from 1700 to 1940 feet, providing exceptional hilltop views and several prime building sites. Captivating views of Enchanted Rock, coupled with underground power to multiple build sites. Imagine waking up to panoramic vistas, exploring beautiful wooded areas filled with mature Live Oak trees, and enjoying abundant wildlife, including deer, turkeys, and various bird species. With minimal restrictions and an agricultural tax exemption, you have the freedom to design and develop the property to suit your vision, whether for livestock grazing, a private hunting retreat, or a luxurious country home.

Access to this picturesque land is convenient with 0.9 miles of frontage along Ranch Road 965 and multiple entrances for ease of access. The property is well-equipped with two wells, three ponds, strategically placed water troughs, working pens for cattle, and a small barn with septic in place. An impressive gabion wall runs along the highway for approximately 400 feet, adding to the property's charm and security. Don't miss this unique opportunity to own a truly one of a kind Hill Country Ranch, where you can create a legacy and enjoy the serene beauty of the land for generations to come.



Gillespie County Application for On-Site Sewage Facility

(Permit application is good for 1 year from purchase date)

Permit # 4062 Date: 11/2/09 Fee: 150

Reason for Permit (Circle one): New Construction System Replacement System Repair

Name of Landowner: LAKE, Rodney, R

Mailing Address: 2346 Wingsong, Allen, TX, 75013
(Street # and name) (City & State) (Zip code)

Physical Address/Location of new septic system: 13793 RR 965
(Street # and name)
Fredricksburg, TX, 78264 GATE COMBO 1111
(City & State) (Zip code)

Daytime Phone Number(s): 469 342 6688 Cell Number(s): 210 844-4288

Legal Description: Volume: _____ Page: _____ Gillespie County Tax I. D. #: R

Subdivision Name: _____ Lot _____ Blk _____ Phase _____ Tract _____

Abstract # _____ Survey Name and # _____

Total Acreage: 175 Private Well Public Well (Supplier's Name) _____

Name & license # of person installing the septic system: Paul Horteroff 3701
(OS#)

Information on a Single Family Residence: House Mobile Home Manufactured
Total Square Footage of Living Area: <1500 <2500 <3500 <4500 _____
of bedrooms _____, # of bathrooms (full) 1, (Half) 0, Does it have or will it have water saving devices such as, low flush toilets, reduced flow shower heads or faucets, pressure reducing valves and/or faucet aerators? Yes No Water Softener (Demand-Initiated Regeneration) Circle: Y or N

Is the water softener plumbed separate from the OSSF: Y or N

Information on a Non-Single Family Residence or Commercial/Institutional Facility (including Multi-family residences) Describe usage: 1 B&B APT. in Metal Building
100 GPD

I certify that the above statements are true and correct to the best of my knowledge. Authorization is hereby given to Gillespie County OSSF Department to enter upon the above described property for the purpose of soil/site evaluation and investigation of an on-site sewage facility.

Paul Horteroff
(Signature of Landowner)

10/24/09
(Date)

Office use only:

Daily wastewater usage rate: Q= 100 (gallons/day) SAFE EK 11/2/09
SAFE EK 1/21/10

Site Evaluation

Planning Materials submitted by: Installer P. E. R. S.

Development Plans required for Subdivisions, Manufactured Housing Communities, Multi-Unit Residential Development, Business Parks, or other similar uses (i.e. B&B Rental, R. V. Park)

Floodplain

For Aerobic Treatment units and non-standard treatment (if applicable):

Affidavit to the Public

Two-year maintenance contract

AUTHORIZATION to CONSTRUCT Date: 11/2/09

Certification of Approval
Final Inspection Permit # _____

Date: 11 Oct 18, 13, 09

Approved by: Dwayne C Boos

I. Sewer (House Drain): 3" Sch 40 4" Sch 40 Other: _____
Slope of sewer pipe to tank minimum of 1/8" / ft.
 Cleanouts every 50 ft. and within 5 ft. of 90° bends

II. Treatment: Conventional Tanks Aerobic Other: _____

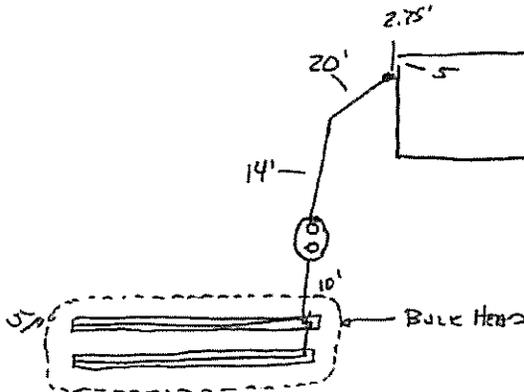
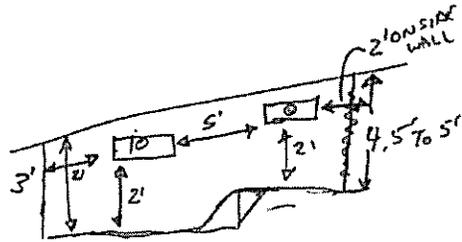
TANKS SIZE AND COMPARTMENTS	SERIAL#	RISER	MANUFACTURER
1. <u>750/2c</u>	<u>42092</u>	<u>Y/N</u>	<u>Buckman</u>
2. _____	_____	Y/N	_____
3. _____	_____	Y/N	_____
4. _____	_____	Y/N	_____

III. Disposal Field: Conventional Gravel Leaching Chambers (Brand) _____
 Low-Pressure Pipe Mounds Gravel-Less Pipe Pressure Emitters (drip)
 ET Beds Other: SOIL SOB

Subsurface Disposal:				SQUARE FEET	
LENGTH OF TRENCH	WIDTH	HEIGHT OF MEDIA	CREDIT	AREA=LENGTH X CREDIT	
1. <u>102</u> ft.	<u>3</u> ft.	<u>1</u> ft.	<u>5</u> ft.	<u>510</u>	Sq. ft.
2. _____ ft.	_____ ft.	_____ ft.	_____ ft.	_____	Sq. ft.

IV. Surface Disposal (Application):
Loading Rate: _____ Area Required in Sq. ft. _____
Area Designed in Sq. ft. _____
Timer installed-----Y/N
Anti-siphon Hole used-----Y/N
Check valve used-----Y/N

V. Map of System: GPS UTM 14 R _____
Not to Scale _____



WELL
250' TO D.F.
10' 1/2

Date: 11-2-09

Site Evaluation Number: 11858

Site Evaluator Information:

Name: Paul Hartcraft DR Phone: 830-997-4823 Fax: 830-997-3599

Company: Hartcraft Septic Address: 152 Eberle Ln.

City: Fbg. State: Tx. Zip Code: 78624

Applicant and Property Information:

Name: Rodney Lake Phone: 469-342-6688 Fax: _____

Address: 2346 Wingsong City: Allen State: Tx. Zip Code: 75013

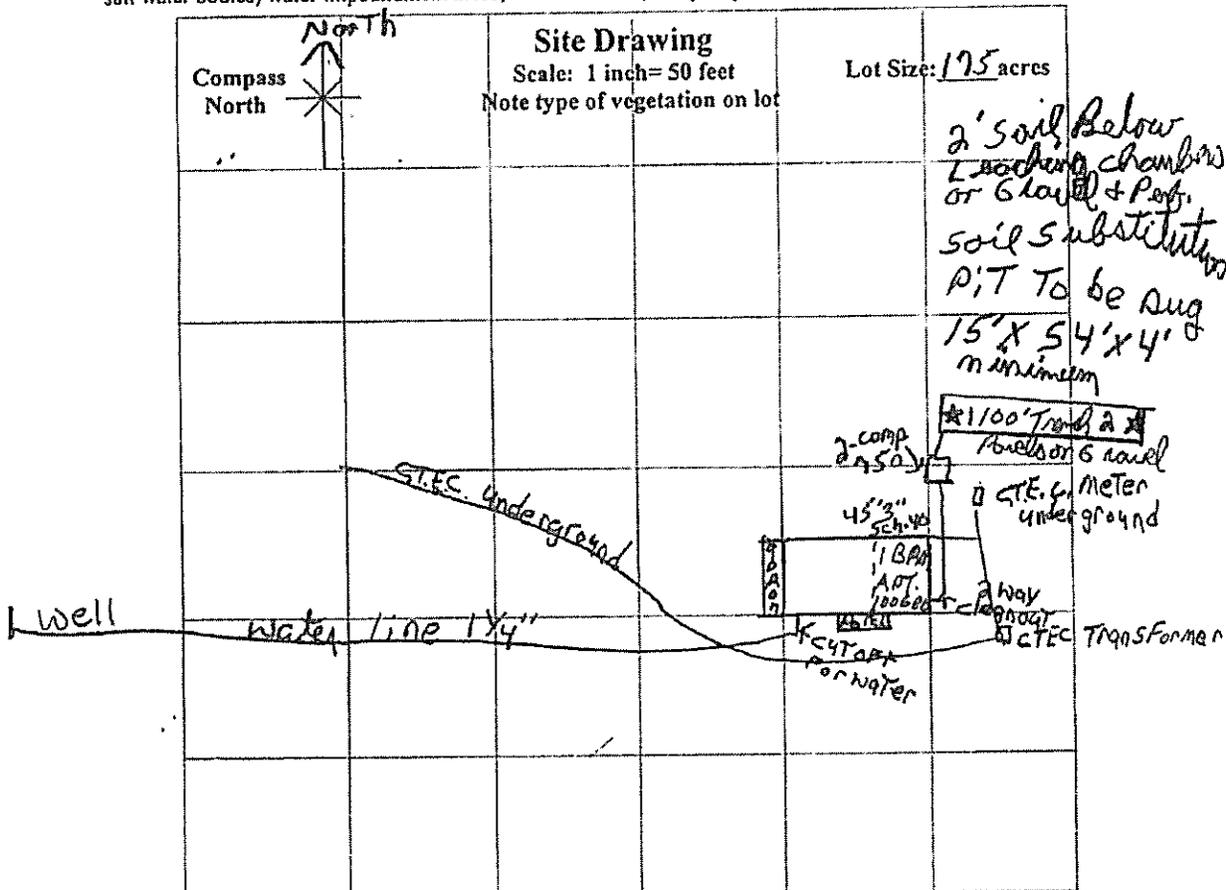
Lot: ___ Block ___ Subdivision _____ County Gill Unincorporated Area? D or N

Street/Road Address: 13793 R.R. 965N. City: Fbg. Zip Code: 78624

Additional Information: Gate Combo 1111

Schematic of Lot or Tract

- Show: Compass North, adjacent streets, property lines, property dimensions, location of buildings, casements, swimming pools, water lines, and other surface improvements where known (drainage, patios, sidewalks).
 Location of existing or proposed water wells within 150 feet of property.
 Indicate slope or show contour lines from the structure to the farthest location of the proposed soil absorption or irrigation area.
 Location of soil borings or dug pits (show location with respect to a known reference point).
 Location of natural, constructed, or proposed drainage ways, (streams, ponds, lakes, rivers, high tide of salt water bodies) water impoundment areas, cut or fill bank, sharp slopes and breaks.



Features of Site Area

- | | |
|---|--|
| Presence of 100 year flood zone | Yes ___ No <input checked="" type="checkbox"/> |
| Presence of adjacent ponds, streams, water impoundments | Yes ___ No <input checked="" type="checkbox"/> |
| Existing or proposed water well in nearby area | Yes <input checked="" type="checkbox"/> No ___ |
| Organized sewage service available to lot or tract | Yes ___ No <input checked="" type="checkbox"/> |

Signature: Paul Hartcraft DR
(Circle one: RS, PE, DR, (Installer II))

Site Evaluator License No: 11858

On-Site Sewerage Facility Soil Evaluation Report Information

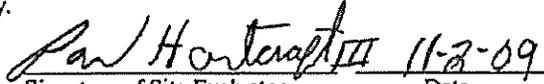
Date Soil Survey Performed: 11-2-09

Site Location: 13793 RA.965 North

County: Gillespie Proposed Excavation Depth: 4'6" - 4'6"

Name of Site Evaluator: Paul Hortcraft III Registration Number: 11858

I certify that the findings of this report are based on my field observations and are accurate to the best of my ability.


 Signature of Site Evaluator Date 11-2-09

Requirements: At least two soil excavations must be performed on the site, at opposite ends of the proposed disposal area. Soil boring locations or dug pits must be shown on the site drawing. For subsurface disposal, soil evaluations must be performed to a depth of at least two feet below the proposed excavation depth. For surface disposal, the surface horizon must be evaluated. Describe each soil horizon. Identify any restrictive features and indicate depths where features appear.

Soil Boring Number 1

Depth (Feet)	Texture Class	Soil Texture	Structure (for Class III-blocky, platy or massive)	Drainage (Redox Features /Water Table)	Observations (i.e.) (Ribbon Length, Fingerprint-Slight/Distinct, Root zone, Texture-gritty/floury, etc)
0	Fractured Rock	↓	↓	NO ↓	Soil Substitution min. Pit To be Excavated 4' Deep 15° Wide 54' Long. Pit Excavated, To be Put on Driveway
1					
2					
3					
4					
5					

Soil Boring Number 2

Depth (Feet)	Texture Class	Soil Texture	Structure (for Class III-blocky, platy or massive)	Drainage (Redox Features /Water Table)	Observations (i.e.) (Ribbon Length, Fingerprint-Slight/Distinct, Root zone, Texture-gritty/floury, etc)
0	Rock Fractured	↓	↓	NO ↓	
1					
2					
3					
4					
5					

STATE OF TEXAS WELL REPORT for Tracking #222734

Owner:	Happy Feller	Owner Well #:	No Data
Address:	2200 Wheless Lane Austin, TX 78723	Grid #:	57-34-2
Well Location:	RR965 Fredericksburg, TX 78624	Latitude:	30° 27' 44" N
Well County:	Gillespie	Longitude:	098° 49' 53" W
		Elevation:	No Data
Type of Work:	New Well	Proposed Use:	Domestic

Drilling Start Date: 6/28/2010 Drilling End Date: 6/28/2010

	Diameter (in.)	Top Depth (ft.)	Bottom Depth (ft.)
Borehole:	8.62	0	56
	6.75	56	105

Drilling Method: Air Hammer

Borehole Completion: Filter Packed

	Top Depth (ft.)	Bottom Depth (ft.)	Filter Material	Size
Filter Pack Intervals:	50	56	Gravel	pea

	Top Depth (ft.)	Bottom Depth (ft.)	Description (number of sacks & material)
Annular Seal Data:	0	2	0.25 cement
	2	50	5 bentonite

Seal Method: tremi pipe pressure grouting

Distance to Property Line (ft.): 110

Sealed By: Driller

Distance to Septic Field or other concentrated contamination (ft.): n/a

Distance to Septic Tank (ft.): No Data

Method of Verification: estimated

Surface Completion: Surface Sleeve Installed

Water Level: 33 ft. below land surface on 2010-06-28 Measurement Method: Unknown

Packers: none

Type of Pump: No Data

Well Tests: Jetted Yield: 21 GPM

IMPORTANT NOTICE FOR PERSONS HAVING WELLS DRILLED CONCERNING CONFIDENTIALITY

TEX. OCC. CODE Title 12, Chapter 1901.251, authorizes the owner (owner or the person for whom the well was drilled) to keep information in Well Reports confidential. The Department shall hold the contents of the well log confidential and not a matter of public record if it receives, by certified mail, a written request to do so from the owner.

Please include the report's Tracking Number on your written request.

Texas Department of Licensing and Regulation
P.O. Box 12157
Austin, TX 78711
(512) 334-5540

#2 Top Well by Workshop

STATE OF TEXAS WELL REPORT for Tracking #109122

Owner:	Phil Montgomery	Owner Well #:	No Data
Address:	5550 LBJ Freeway, Ste. 380 Dallas, TX 75240	Grid #:	57-34-5
Well Location:	.6 mi. N from Welgehausen Rd. on RR 965; .5 mi. E in pasture TX	Latitude:	30° 27' 27" N
		Longitude:	098° 49' 45" W
Well County:	Gillespie	Elevation:	No Data
Type of Work:	New Well	Proposed Use:	Domestic

Drilling Start Date: 4/12/2007 Drilling End Date: 4/12/2007

	Diameter (in.)	Top Depth (ft.)	Bottom Depth (ft.)
Borehole:	8.75	0	268
	6	268	320

Drilling Method: Air Hammer

Borehole Completion: Straight Wall

	Top Depth (ft.)	Bottom Depth (ft.)	Description (number of sacks & material)
Annular Seal Data:	0	5	1 Cement
	5	50	12 Bentonite

Seal Method: Grout

Sealed By: Lynn Hoy

Distance to Property Line (ft.): No Data

Distance to Septic Field or other
concentrated contamination (ft.): No Data

Distance to Septic Tank (ft.): No Data

Method of Verification: No Data

Surface Completion: Surface Sleeve Installed

Water Level: 236 ft. below land surface on 2007-04-12 Measurement Method: Unknown

Packers: Rubber 50'

Type of Pump: Submersible Pump Depth (ft.): 280

Well Tests: Jetted Yield: 15 GPM

IMPORTANT NOTICE FOR PERSONS HAVING WELLS DRILLED CONCERNING CONFIDENTIALITY

TEX. OCC. CODE Title 12, Chapter 1901.251, authorizes the owner (owner or the person for whom the well was drilled) to keep information in Well Reports confidential. The Department shall hold the contents of the well log confidential and not a matter of public record if it receives, by certified mail, a written request to do so from the owner.

Please include the report's Tracking Number on your written request.

Texas Department of Licensing and Regulation
P.O. Box 12157
Austin, TX 78711
(512) 334-5540

Gillespie CAD Property Search

Property ID: 93093 For Year 2025

Property Details

Account

Property ID:	93093	Geographic ID:	A1279-0488-000000-00
Type:	R	Zoning:	
Property Use:		Condo:	

Location

Situs Address:	13927 RANCH ROAD 965 TX	Mapsco:	
Map ID:	2-O		
Legal Description:	ABS A-MULTIPLE MULTIPLE ABST, TRACT A129, A644, A727, A998 & A1279, 239.83 ACRES		
Abstract/Subdivision:	A-MULTIPLE		
Neighborhood:	(F301) FBG 965 NORTH		

Owner

Owner ID:	217570
Name:	IVANNA INVESTMENTS LP

Agent:

Mailing Address:	% COP, E J 279 ACHTZEHN RD FREDERICKSBURG, TX 78624
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% Ownership: 100.0%

Exemptions: For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$42,850 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$0 (+)

Agricultural Market Valuation:	\$2,458,770 (+)
Market Value:	\$2,501,620 (=)
Agricultural Value Loss: ⓘ	\$2,431,580 (-)
Appraised Value: ⓘ	\$70,040 (=)
HS Cap Loss: ⓘ	\$0 (-)
Circuit Breaker: ⓘ	\$0 (-)
Assessed Value:	\$70,040
Ag Use Value:	\$27,190

Information provided for research purposes only, for current ownership research you are able to change the search year to 2026. Legal descriptions and acreage amounts are for Appraisal District use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Owner: IVANNA INVESTMENTS LP

Entity	Description	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
G086	GILLESPIE COUNTY	\$2,501,620	\$70,040	\$188.06	
HUW	HILL CNTRY UWCD	\$2,501,620	\$70,040	\$3.43	
SFB	FREDBG ISD	\$2,501,620	\$70,040	\$541.48	
WCD	GILLESPIE WCID	\$2,501,620	\$70,040	\$0.12	
CAD	GILLESPIE CENTRAL APPRAISAL DISTRICT	\$2,501,620	\$70,040	\$0.00	

Total Tax Rate: 1.046678

Estimated Taxes With Exemptions: \$733.09

Estimated Taxes Without Exemptions: \$26,183.90

Property Improvement - Building

Description: MTL BLDG W/LIVING AREA **Type:** MISC IMP **Living Area:** 600.0 sqft **Value:** \$42,850

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	F2	2009	600
SHED	SHED	SHED6	2009	552
SHED	SHED	SHED3	2009	144
STGA	STORAGE AVG	*	0	165

Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
RN1	NATIVE PASTURE 1	81.05	3,530,407.32	0.00	0.00	\$830,900	\$9,520
RN2	NATIVE PASTURE 2	136.78	5,958,267.48	0.00	0.00	\$1,402,320	\$15,310
RN3	NATIVE PASTURE 3	22.00	958,320.00	0.00	0.00	\$225,550	\$2,360

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2025	\$42,850	\$2,458,770	\$27,190	\$70,040	\$0	\$70,040
2024	\$44,200	\$2,458,770	\$25,200	\$69,400	\$0	\$69,400
2023	\$44,200	\$2,242,820	\$25,220	\$69,420	\$0	\$69,420
2022	\$41,700	\$2,079,610	\$23,450	\$65,150	\$0	\$65,150
2021	\$39,710	\$271,240	\$3,380	\$43,090	\$0	\$43,090
2020	\$34,350	\$223,770	\$2,800	\$37,150	\$0	\$37,150
2019	\$34,350	\$223,770	\$2,800	\$37,150	\$0	\$37,150
2018	\$30,950	\$223,770	\$2,640	\$33,590	\$0	\$33,590
2017	\$30,950	\$223,770	\$2,610	\$33,560	\$0	\$33,560

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
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3/15/2022	SWD	SPECIAL WARRANTY DEED	SALT BRANCH HOLDINGS LTD	IVANNA INVESTMENTS LP	20221901
1/5/2012	WD	WARRANTY DEED	LAKE, RODNEY R & CHARLENE F	SALT BRANCH HOLDINGS LTD	20120060
3/14/2008	WDVL	WARRANTY DEED VENDORS LIEN	FOUR-M LAND & CATTLE CO	LAKE, RODNEY R & CHARLENE F	20081702

ARB Data

Hearing Date And Time	Board Members	Owner's Opinion Of Value	Board's Determination Of Value	ARB Determination
-----------------------	---------------	--------------------------	--------------------------------	-------------------

Estimated Tax Due

If Paid:

03/20/2026

JUL 17

Year	Taxing Jurisdiction	Tax Rate	Market Value	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount/Penalty & Interest	Attorney Fees
2025	GILLESPIE COUNTY	0.268500	\$2,501,620	\$70,040	\$188.05	\$188.05	\$0.00	\$0.00	\$0.00
2025	HILL CENTRY UWCD	0.004900	\$2,501,620	\$70,040	\$3.43	\$3.43	\$0.00	\$0.00	\$0.00
2025	FREDBG ISD	0.773100	\$2,501,620	\$70,040	\$541.48	\$541.48	\$0.00	\$0.00	\$0.00
2025	GILLESPIE WCID	0.000178	\$2,501,620	\$70,040	\$0.12	\$0.12	\$0.00	\$0.00	\$0.00
	2025 Total:	1.046678			\$733.08	\$733.08	\$0.00	\$0.00	\$0.00
2024	GILLESPIE COUNTY	0.268500	\$2,502,970	\$69,400	\$186.34	\$186.34	\$0.00	\$0.00	\$0.00
2024	HILL CENTRY UWCD	0.004800	\$2,502,970	\$69,400	\$3.33	\$3.33	\$0.00	\$0.00	\$0.00
2024	FREDBG ISD	0.773100	\$2,502,970	\$69,400	\$536.53	\$536.53	\$0.00	\$0.00	\$0.00
2024	GILLESPIE WCID	0.000174	\$2,502,970	\$69,400	\$0.12	\$0.12	\$0.00	\$0.00	\$0.00
	2024 Total:	1.046574			\$726.32	\$726.32	\$0.00	\$0.00	\$0.00

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this "Declaration") is made as of the 14th day of March, 2008, by 4M Land & Cattle Co., a Texas corporation ("4M") and Rodney R. Lake and wife, Charlene F. Lake (the "Lakes").

STATEMENT OF PURPOSE

A. **Tracts.** 4M is the owner of the approximately 312.709 acre tract of land in Gillespie County, Texas which is depicted on Exhibit A attached hereto and incorporated herein and more particularly described in the deed recorded in Volume 229, Pages 129-134 of the Real Property Records of Gillespie County, Texas (the "Property"). As of this date, 4M is conveying to the Lakes the approximately 170.41 acre tract out of the Property described on Exhibit "B" attached hereto and incorporated herein (the "Lake Tract"); the remaining approximately 142.299 acre tract is referred to herein as the "4M Tract". The Lake Tract and the 4M Tract are together referred to herein as the "Tracts" and individually as a "Tract".

B. **Restrictions.** As part of the consideration for the conveyance of the Lake Tract to the Lakes, 4M and the Lakes have agreed to establish a common road entrance and impose certain mutual covenants, conditions and restrictions on the 4M Tract and the Lake Tract, for the benefit of the Property and each successive owner of a portion of the Property.

NOW, THEREFORE, 4M, by this Declaration, does declare that all of the Property is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, conditions and restrictions set forth in this Declaration, which shall run with the Property and be binding on all parties owning any right, title or interest in said Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of 4M, the Lakes and each owner of all or any portion thereof. By its execution of this Declaration and acceptance of the Deed to the Lake Tract from 4M, the Lakes affirm and ratify this Declaration and the effectiveness and enforceability of its terms upon the Lake Tract.

Section 1. Subdivisions. Neither the 4M Tract nor the Lake Tract may be divided, subdivided or otherwise conveyed (whether by fee title or undivided ownership interest) into more than four (4) separate tracts. Each divided, subdivided or conveyed tract must be at least thirty (30) acres in size. Each subdivided tract out of a Tract may have not more than one (1) single family residence with related outbuildings, as specified in section 6a below, provided that in no event shall either the Lake Tract or the 4M Tract cumulatively contain more than four (4) single family residences with related improvements.

Section 2. Access Road and Entrance.

a. **Access Road.** 4M has constructed the thirty-foot (30') wide caliche road shown on Exhibit A to allow all weather ingress and egress between FM 965 and the 4M Tract (the "Access Road"), and 4M shall top the Access Road with two (2) inches of granite gravel within two (2) years following the date of this Declaration. The deed to the Lake Tract from 4M

reserves unto 4M an easement for access and utilities over the sixty foot (60') wide strip more particularly described in Exhibit "C" attached hereto and incorporated herein by reference, having as its centerline the centerline of the Access Road, and including the Common Entrance defined in Section 1b below. Any electric, telephone or other utility lines installed in the 60-foot wide easement strip shall be installed and maintained underground. The Lakes and 4M shall be obligated to pay their proportionate shares (based on respective acreage amounts) of the costs of repair, maintenance and replacement of the Access Road.

b. **Common Entrance.** 4M and the Lakes shall, at their mutual and equal expense, maintain, repair and replace, as necessary, the common entrance improvements along FM 965, for the mutual and beneficial use of the 4M Tract and the Lake Tract. 4M shall install an entrance gate at its expense, and as soon as reasonably possible, 4M shall submit to the Lakes, for their reasonable approval prior to installation, the proposed design and specifications of such entrance gate and any other proposed mutual improvements to the common entrance area such as monumentation, security devices and/or mailbox podium, the cost of which shall be shared equally by the 4M Tract and Lake Tract Owners.

Section 3. **Buffer Zones.** 4M and Lake shall keep and maintain all areas within two hundred feet (200') of the common boundary line of their respective Tracts as natural and undeveloped areas, and shall not construct or install any buildings or other structures or improvements (including but not limited to hunting blinds) within such buffer zones, with the sole exceptions of vehicular drives (including the Access Road), fences and gateways, any utility lines which by necessity must cross a boundary, and unpaved footpaths or trails.

Section 4. **Water.** No water produced or obtained from a Tract, whether above ground or underground, may be transported off of such Tract. All water which is produced or obtained from a Tract may be used only for domestic residential use or livestock watering. Water catchment systems are recommended for all residential improvements. Water wells shall be used for residences and livestock waterings only and shall not be used as a water source for ponds.

Section 5. **Nuisances.** No portion of the Property may be used in a way which would be noxious, offensive or otherwise create a nuisance.

Section 6. **Building Restrictions**

a. **Improvements.** No more than four single-family residential dwelling shall be erected or maintained on a Tract. An owner may also construct one or more guest homes and other related improvements on a Tract, so long as such improvements are for the personal use of the owner and guests or invitees of the owner. The only types of structures which are permitted to be constructed on each Tract are: a detached single-family private primary dwelling (the "Owner Dwelling"), a private garage, secondary dwellings such as a guesthouse or carriage house/garage, a pumphouse, tennis courts, a swimming pool not to exceed twenty five thousand (25,000) gallons in water capacity, a pool house, an equipment barn or shed, a horse stable, corrals, pens or chutes, or other structure with a non-commercial agricultural purpose.

b. **Construction Time.** The exterior of any building shall be completed not later than fifteen (15) months after laying the foundation for such building.

c. **Preconstructed Structures.** Premanufactured, modular and industrial built homes, doublewide, singlewide mobile homes and/or trailer houses are prohibited. No recreational vehicles, travel trailers, or other temporary structures shall be used as a residence on any tract except that a recreational vehicle or travel trailer may be occupied while the residence is under construction.

d. **Setbacks.** Without lessening the buffer zone requirements set out in section 3 above, no residence or other permanent structure (other than fencing and entranceways) shall be constructed, erected or placed nearer than 50 feet from the side or rear property line of the tract and no closer than 75 feet from the front property line.

e. **Common Owner.** In the event an owner shall own title to two or more tracts which have a common boundary line, the building setback restrictions provided herein shall not apply to the common property line of the abutting tracts. Solely for purposes of determination of building setbacks, the tracts shall be treated as if they constituted a single tract of land and there shall be no building setback as to the common boundary line so long as the tracts which share a common boundary line are owned by the same owner.

Section 7. Use Restrictions.

a. **Hunting.** Harvesting and taking (hunting) wildlife by Owners, their guests and invitees is permitted.

b. **Junk.** Abandoned or inoperative equipment, vehicles or junk shall not be permitted or stored on either Tract.

c. **Commercial Uses.** The Tracts shall not be used for any commercial purposes, except permanent agricultural crops including vineyards, fruit trees, pecan groves, permanent grass (hay meadows or grazing pastures), and livestock production. No industrial pursuit or enterprise shall be permitted to be conducted on either Tract. Industrial pursuit or enterprise shall mean engaging in the manufacture or assembly of goods or processing of raw materials unserviceable in their natural state for sale or distribution to third parties (other than a cottage industry by an artisan, i.e. artist, painter, photographer, wood, metal or glass sculptor or fabricator) and shall include but not be limited to auto painting and repair, heavy machinery operation or storage; welding or machine shop or machining business; and concrete products manufacture. Tourist lodging services, commonly known as "Bed and Breakfast", is permitted.

d. **Animals.** Swine shall not be kept on any tract other than in connection with a sanctioned 4-H or FFA livestock project. Other livestock, pets and poultry shall be permitted provided said livestock, pets or poultry are kept within the boundaries of a tract at all times, and they are not unreasonably offensive to adjacent landowners by smell, sound, or otherwise. There

shall not be any commercial feeding operations conducted thereon.

e. **Surface mining.** Surface mining (including, but not limited to stone, gravel, sand, caliche), or exploration of any type which will damage the surface is prohibited. Road material, including gravel or caliche, used to construct roads on the property may be removed and utilized, after which the removal site shall be restored as much as possible to its original condition. Notwithstanding the foregoing: (a) exploration of water, and the use thereof, is permitted; and (b) excavation for, and installment of, a septic system is permitted.

f. **Towers.** No cellular, wind, television, radio or other type of commercial or residential tower or turbine (other than a traditional windmill for livestock waterings) shall be erected or placed upon the Property.

g. **Appearance.** Without limiting or amending the restrictions set forth in section 5 above, owners shall keep their tract clean and neat in appearance and free of litter at all times, including the occasional mowing of grass and weeds where the terrain permits which shall enhance the beauty of the tract and act as a fire protection measure. Garbage or refuse shall not be disposed of or buried on any tract. Electric, telephone and other utility lines shall be buried where possible.

h. **Fencing.** 4M and the Lakes shall share equally in the cost of maintaining and repairing as necessary, the common boundary fence between the 4M Tract and the Lake Tract.

Section 8. **General Provisions.**

a. **Amendment.** This Declaration may be amended only by agreement signed by owners holding sixty-seven percent (67%) or more of the total acreage in each of the Lake Tract and the 4M Tract. Any such amendment shall not become effective until the instrument evidencing such change has been filed of record.

b. **Binding Effect and Term.** This Declaration shall run with the Property and shall be binding upon and inure to the benefit of 4M, the Lakes and all successive owners of the 4M Tract, the Lake Tract, and any portions thereof for a period of fifty (50) years from the date this Declaration is recorded. After the expiration of such fifty (50) year period, this Declaration shall be automatically extended for successive periods of ten (10) years unless an amendment authorized under Section 8a above has been recorded which terminates this Declaration in whole or in part.

c. **Enforcement.** This Declaration is enforceable by 4M, the Lakes and all successive owners of the 4M Tract, the Lake Tract, and portions thereof. If an owner violates a provision of this Declaration and fails to cure such violation within thirty (30) days following written notice of such violation from another owner, then any person with the right to enforce this Declaration may pursue all available legal and equitable remedies on account of the violation, including but not limited to injunctive relief.

d. **Severability.** Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provisions which shall remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGES]