

Item: **MILLER ADDITION SECTION ONE**

(Category: RESTRICTIONS)

Volume 122, Page 634 and Volume 145, Page 346, Deed Records of Kerr County, Texas; Volume 3, Page 34, Plat Records of Kerr County, Texas, BUT OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

Item: **MILLER ADDITION SECTION ONE**

(Category: Subdivisions)

- a. Easement dated October 30, 1926, to Texas Public Utilities Company, recorded in Volume 46, Page 480, Deed Records of Kerr County, Texas.
- b. Easement dated October 30, 1926, to Texas Public Utilities Company, recorded in volume 46, Page 481, Deed Records of Kerr County, Texas.
- c. Easement dated November 12, 1940, to L.C.R.A., recorded in Volume 67, Page 115, Deed Records of Kerr County, Texas.
- d. Easement dated June 17, 1940, to L.C.R.A., recorded in Volume 67, Page 418, Deed Records of Kerr County, Texas.
- e. Easements and Building Set Back Lines as per the Plat recorded in Volume 3, Page 34, Plat Records of Kerr County, Texas.
- f. Easement dated July 30, 1971, to Kerrville Telephone Company and L.C.R.A., recorded in Volume 6, Page 474, Easement Records of Kerr County, Texas. (As per Lots 12 & 13, Block 1 and Lots 5 & 6, Block 2 only)
- g. Any visible and/or apparent roadways or easements over or across the subject property.
- h. Rights of Parties in Possession. (AS PER OWNER POLICY ONLY)

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122/634^{၁၃}

THE STATE OF TEXAS I
COUNTY OF KERR I

That I, Eva M. Miller, a feme sole, of the County of Kerr, State of Texas, for and in consideration of the sum of Ten and No/100 (\$10.00) DOLLARS, and other good and valuable consideration to me paid by M. G. Morgan and R. Gordon Morgan, the receipt of which is hereby acknowledged and confessed, and the further consideration of the execution and delivery by said Grantee of their one promissory note in the principal amount of \$5,865.00, dated evenly herewith, bearing interest from date until maturity at the rate of 6% per annum, interest payable annually as it accrues on each principal installment date, the principal of said note being payable in annual installments of \$1,955.00 or more each, one such installment being due and payable on or before the 30th day of December, 1966, a like installment being due and payable on or before the 30th day of each December of each year thereafter until said note and all interest thereon are fully paid, said note providing for the acceleration of maturity and attorney's fees in the event of default and being additionally secured by Deed of Trust of even date herewith, have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said M. G. Morgan and R. Gordon Morgan of the County of Kerr, State of Texas, all that certain tract or parcel of land lying and being situated in Kerr County, Texas, out of and part of Survey No. 117, John C. Hays, Abstract No. 182, being out of the Southwest portion of that 119.0 acre tract, same survey, awarded to Eva M. Miller in partition deed dated February 27, 1965, recorded in Vol. 120, Page 321, of the Deed Records of Kerr County, Texas, this tract or parcel of land, containing 7.865 acres, more or less, being more particularly described as follows, to-wit:

BEGINNING at a 1/2" iron pipe set for the South corner of the tract or parcel of land herein described, same being the East corner of Davis Addition to the City of Kerrville, Texas, as shown on map dated December 8, 1952, and recorded in Vol. 2, Page 31, of the Plat Records of Kerr County, Texas, from whence the intersection of center lines of Hays and McFarland Streets bears South 45 deg. 01' 50" East 30.00 feet and South 44 deg. 58' 10" West 1206.00 feet; THENCE with the North-east line of said Davis Addition, North 44 deg. 49' 59" West, 1179.00 feet a 1/2" iron rod at the North corner of said addition in Southeast line Paschal Avenue, a total of 1199.66 feet to a 1/2" iron pipe set for the West corner of tract or parcel of land herein described and being the South corner of that 40.00 foot easement from Eva M. Miller to Chas. E. Miller and City of Kerrville dated February 27, 1965 and recorded in Vol. 4, Page 164, of Easement Records of Kerr County, Texas; THENCE with the Southeast line of said 40.00 foot easement, North 44 deg. 49' 00" East 300.00 feet to a 1/2 inch iron pipe set for the North corner of tract or parcel of land herein described; THENCE South 44 deg. 49' 59" East, at 1139.63 feet pass the Northwest line of easement for the extension of Hays Street as set forth in road deed from Eva M. Miller to City of Kerrville dated December 23, 1965, at 1199.63 feet pass the Southeast line of same easement, a total of 1200.13 feet to a 1/2"/pipe set for the East corner of tract or parcel of land herein described, and being in the Northwest line of that 9.917 acre tract conveyed by Eva M. Miller to L. H. Purvis by deed recorded in Vol.

ADMENDMENT OF RESTRICTIONS

THE STATE OF TEXAS I 2125
COUNTY OF KERR I

WHEREAS, by Deed dated December 30, 1965, and recorded in Volume 122, at Page 634, Kerr County Deed Records, EVA M. MILLER conveyed to M. G. MORGAN and R. GORDAN MORGAN, 7.865 acres of land out of Survey No. 117, J. C. Hays, Abstract 182, which tract is hereinafter referred to as First Tract and is more particularly described in the Deed above referred to; and

WHEREAS, by Deed dated June 9, 1969, and recorded in Volume 138, at Page 496, Kerr County Deed Records, EVA M. MILLER conveyed to MORRIS G. MORGAN 8.34 acres out of Survey No. 117, J. C. Hays, Abstract 182, and .20 acre out of Survey No. 118, John Young, Abstract 376, which tract is hereinafter referred to as Second Tract; and

WHEREAS, each of said Deeds contained certain restrictive covenants governing the use and occupancy of each of said tracts and the parties hereto have this day agreed that such restrictions should be amended;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that we, EVA M. MILLER, a feme sole, and MORRIS G. MORGAN, being one and the same person as M. G. Morgan, and R. GORDAN MORGAN have this day agreed and by these presents do mutually agree that the restrictions aforesaid shall be amended and hereafter exist as follows:

(a) As to said First Tract above, the building square foot restriction shall be and is hereby changed from a 1,000 square foot minimum as recited in said Deed to a minimum square footage of 852 feet, including a single garage.

(b) As to said Second Tract above, the building square foot restriction shall be and is hereby changed from a 1,000 square foot minimum as recited in said Deed to a minimum square footage of 852 feet, including a single garage, for a single

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family residence; and residential buildings conforming to the requirements of both "A" Zone and "B" Zone as set forth in the Zoning Ordinance of the City of Kerrville, as adopted in 1946, and the amendments thereto, shall be permitted.

WITNESS OUR HANDS, this 9th day of July, A. D. 1970.

Eva M. Miller
EVA M. MILLER

Morris G. Morgan
MORRIS G. MORGAN

R. Gordon Morgan
R. GORDAN MORGAN

THE STATE OF TEXAS I

COUNTY OF BEXAR I

BEFORE ME, the undersigned, a Notary Public, in and for said County, Texas, on this day personally appeared EVA M. MILLER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 9th day of July, A. D. 1970.

Anna Lee Newton
Notary Public, Bexar County, Texas

THE STATE OF TEXAS I

COUNTY OF KERR I

BEFORE ME, the undersigned, a Notary Public, in and for said County, Texas, on this day personally appeared MORRIS G. MORGAN, 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 10th day of September, A. D. 1970.

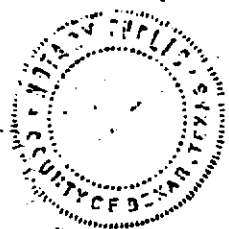
Billy J. Brown
Notary Public, Kerr County, Texas

THE STATE OF TEXAS I

COUNTY OF Brewer I

BEFORE ME, the undersigned, a Notary Public, in and for said County, Texas, on this day personally appeared R. GORDAN MORGAN, 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 4th day of August, A. D. 1970.



Dianne Ogbourne
Notary Public, Brewer County, Texas

FILED FOR RECORD

at 2:20 o'clock P.M.,

SEP 10 1970

Emmie M. Muenker
Clerk County Court, Kerr County, Texas

By Estelle Witt, Deputy

Filed for record September 10, 1970 at 2:20 o'clock P. M.

Recorded September 15, 1970

EMMIE M. MUENKER, Clerk

By Margaret Muenker Deputy