

Item: **CLEARVIEW ESTATES UNIT TWO**

(Category: RESTRICTIONS)

Volume 197, Page 211, Volume 205, Page 593, Volume 206, Page 216 and Volume 206, Page 435, Deed 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: **CLEARVIEW ESTATES UNIT TWO**

(Category: Subdivisions)

- a. An undivided non-participating royalty interest reserved by Grantors, as described in instrument from V.P. Tippet and wife, Ergeal B. Tippet to Herman A. Swan, et al, dated March 6, 1962, recorded in Volume 112, Page 139, of the Deed Records of Kerr County, Texas; said deed being corrected by instrument dated May 9, 1962, recorded in Volume 124, Page 100, Deed Records of Kerr County, Texas, reference to which instrument is here made for all purposes, together with all rights, expressed or implied, in and to the property covered by this policy arising out of or connected with said interests and conveyance. **TITLE** to said interest not checked subsequent to date of aforesaid instrument.
  - b. Easements as per the Plat recorded in Volume 3, Page 61, Plat Records of Kerr County, Texas.
  - c. Building Set Back Lines as per the Restrictions recorded in Volume 197, Page 211 and Volume 205, Page 593, Deed Records of Kerr County, Texas.
  - d. Road Easement as per the Resubdivision Plat recorded in Volume 4, Page 133, Plat Records of Kerr County, Texas. (AS PER LOTS 6 & 7 ONLY)
  - e. Utility Easements as per the Resubdivision Plat recorded in Volume 4, Page 133, Plat Records of Kerr County, Texas.
  - f. Road Easement as per the Plat recorded in Volume 3, Page 61 and the Resubdivision Plat recorded in Volume 4, Page 133, Plat Records of Kerr County, Texas. (AS PER LOT ONE ONLY)
  - g. Easement and Restriction Agreement dated March 29, 1988, recorded in Volume 752, Page 767, Real Property Records of Kerr County, Texas. (AS PER LOT 6 ONLY)
  - h. Any visible and/or apparent roadways or easements over or across the subject property.
  - i. Rights of Parties in Possession. (AS PER OWNER POLICY ONLY)
-

772773 RESTRICTIONS  
CLEAR SPRINGS RANCHES #1  
KERR COUNTY, TEXAS

THE STATE OF TEXAS                   §  
COUNTY OF KERR                   §     KNOW ALL MEN BY THESE PRESENTS

WHEREAS, OTHEIL J. ERLUND, JR., and RACHEL R. ERLUND, of the County of Kerr, State of Texas, hereinafter referred to and identified as "Owners", are the owners of the tracts of land in Kerr County, Texas, said tracts of land comprising all of the land which has been subdivided as Clear Springs Ranches #1, a subdivision in Kerr County, Texas, a plat of which subdivision having been heretofore filed in Volume 3, Page 61 of the Plat Records of Kerr County, Texas; and

WHEREAS, it is deemed to be to the best interests of the above described Owners and of the persons who may purchase lots described in and covered by the above mentioned plat that there be established and maintained a uniform plan for the improvement and development of the lots covered as a restricted and modern subdivision; and

WHEREAS, it is desirable that such restrictions apply to Clear Springs Ranches #1, be put of record and include all of the tracts of land in said subdivision,

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that Owners do hereby adopt the following covenants and restrictions, which shall be taken and deemed as covenants to run with the land and shall be binding on Owners and all persons acquiring title under it until January, 1999, at which time said covenants, conditions and restrictions shall be automatically extended for successive periods of ten (10) years unless and until by duly recorded instrument signed by a majority of the property owners in said subdivision it is agreed to change said covenants, conditions and restrictions, in whole or in part.

If Owners, or any of its respective successors or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any of the real property situated in the above referred to subdivision to prosecute any proceedings at law or in equity against any person or persons violating or attempting to violate any such covenants and either to prevent him or them from so doing or to recover damages or other dues for such violation.

Invalidation of any one of these covenants by judgment or court order shall in nowise affect any of the other provisions hereof, which shall remain in full force and effect.

Such restrictions, reservations, covenants and easements are as follows, to-wit:

1. Land Use: Except as herein noted, no lot shall be used for anything other than residential purposes. The term "residential purpose", as used herein shall be held and construed to exclude hospitals, clinics, apartment houses, boarding houses, hotels and to exclude commercial and professional uses whether from homes, residences, or otherwise, and all such uses of said property are hereby expressly prohibited. The term "residential purposes", means for single family residence purposes. Duplex houses may be constructed with written consent of the Owners or the Building Board as hereinafter provided. Owners may maintain a mobil home as a residence and/or sales office on any lot in said subdivision.

2. Signs: No sign of any kind shall be displayed, erected, or maintained on any lot except one sign of not more than five (5) square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sale, or signs used by Owners in connection with the development of Clear Springs Ranches #1.

3. Animals: No swine, livestock, poultry, or any other animals of any kind shall be bred, raised, or kept on any lot, except dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial or food producing purposes. Pets must be sheltered and the areas where they are kept must be clean at all times. Livestock that

is raised for the purpose of showing in livestock shows, is permissible with the written consent of the Owners herein or written consent from any committee designated by the said Owners for the purpose of enforcing the covenants and conditions of the restrictions herein set out.

4. Legal and Noxious Uses: No premises or any part thereof shall be used for illegal or immoral purposes. Nothing shall be done upon any premise that may be or become obnoxious to the occupants or owners of any other premises by reason of smoke, odor, noise, fumes, vapors, glare, radiation, vibration or unsightliness.

5. Other Buildings: No house trailer, mobile home, truck body, basement, tent, shack, garage, barn or other building, (other than the main residence), shall at any time be used for dwelling purposes or for any other permanent purpose, nor shall any residence of any temporary character be permitted. Travel trailers, and other small trailers, belonging to individual owners of said property must be stored at the rear of the main residence upon said premises provided they are not used for dwelling purposes. Servants' quarters may be constructed as long as they are not the main dwelling.

6. Temporary Buildings: No temporary building shall be erected or maintained on any lot except during actual construction of a dwelling being erected thereon, and then such temporary building must be on the lot on which construction is in progress and not on adjoining lots, streets, or easements; and at completion of construction, the temporary building must be removed immediately. No such temporary building shall be used for residential purposes during construction. All buildings constructed upon residential lots shall be completed within a reasonable time.

7. Septic Tanks and Water Supply: No outside toilets or outdoor privies will be permitted.

8. Hunting: No hunting shall be allowed on any part of the Clear Springs Ranches #1.

9. Easements: The use of easements as shown on the recorded plat is granted to the public and to the utility companies as set forth on said plat for the purposes of drainage, sanitary and

storm sewer lines, the location of gas, water, electrical, television cable, and telephone lines and conduits, and the maintenance thereof. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owners of the lot, except for those improvements for which a public authority or utility company is responsible.

10. Storage of Materials: Storage of any type or kind of material or products is prohibited upon all lots except that building material may be placed or stored upon a lot when the builder is ready to commence improvements and then such materials shall be placed within the property lines of the lot or parcel of land upon which improvements are to be erected, and shall not be placed in the street or between the pavement or property line. No stumps, trees, underbrush, or any refuse of any kind, or scrap metal from the improvements being erected on any lot shall be placed on any adjoining lots, streets, or easements. All such material, if not disposed of immediately, must remain on the property upon which construction work is in progress, and at the completion of such improvements, such material must be immediately removed from the property.

11. Abandoned Wrecked Vehicles: No abandoned or wrecked vehicles. It shall be a violation of the restriction herein to park, store, or leave, or to permit the parking, storing, leaving of any licensed or unlicensed motor vehicle of any kind or parts thereof which is in a rusted, wrecked, junked, partly dismantled, inoperative, or abandoned condition, whether attended or not upon any lots or lots in Clear Springs Ranches #1 for a period of time in excess of thirty (30) days unless such vehicle or parts thereof are completely enclosed within a building.

12. Dumping: No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept except in sanitary containers. All incinerators or other

equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition.

13. Building Set Back Lines: No dwelling or outbuilding on a residential lot shall be closer to the front line than twenty-five (25) feet or the building set back line shown upon the plat of said subdivision, whichever may be the greater. On interior lots no dwelling or outbuilding shall be closer than six (6) feet to a side lot line. On corner lots no dwelling or outbuilding shall be closer than fifteen (15) feet or the building set back line shown upon the plat of said subdivision whichever may be the greater, to the street forming the side lot line of the lot. No outbuilding shall be constructed nearer than 75 feet from such street. Nothing in these restrictions shall be construed to prohibit the installation of one or more swimming pools with pertinent and necessary equipment and buildings except that the same shall not be constructed nearer than fifth (50) feet from such street.

14. Dwelling Size: The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than one thousand (1,000) square feet of heated area.

15. Resubdivision: No lot may be subdivided or resubdivided into less than 75/100 of an acre. No lot shall contain less than 75/100 of an acre after subdivision or resubdivision.

16. Prohibition Against Moving in Houses: No dwelling house or other structure shall be moved upon the premises from outside said subdivision, except with the express consent of a majority of the lot owners, each lot to be allowed one vote.

17. Future Remodeling and Reconstruction: All restrictive covenants and conditions herein shall apply to future remodeling of building and to rebuilding in case of destruction by fire or the elements.

18. Building Board: Prior to the construction or erection of any residential building and all outbuildings in connection therewith, the plans of construction shall first be approved in writing by the Clear Springs Ranches #1 Building Board. Said Clear Springs Ranches #1 Building Board is composed of OTHEIL J. ERLUND, JR., and RACHEL R. ERLUND, their heirs, executors, succes-

sors, and assigns, or designees in writing.

IN WITNESS WHEREOF, the undersigned have cause these presents to be executed, this the 13<sup>th</sup> day of May, 1977

FILED FOR RECORD

at 4:40 P.M.

MAY 26 1977

County Clerk  
Kerr County, Texas  
By Edna M. Muenker, Deputy

Otheil J. ERLUND, JR.

RACHEL R. ERLUND

THE STATE OF TEXAS §

THE COUNTY OF KERR §

BEFORE ME, the undersigned authority, on this day personally appeared OTHEIL J. ERLUND, JR., 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 the 13<sup>th</sup> day of May, 1977.



JIMMIE PESCHEL  
Notary Public  
Kerr County, Texas

Jimmie Peschel  
Notary Public, Kerr County, Texas

THE STATE OF TEXAS §

THE COUNTY OF KERR §

BEFORE ME, the undersigned authority, on this day personally appeared RACHEL R. ERLUND, 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 the 13<sup>th</sup> day of May, 1977.



JIMMIE PESCHEL  
Notary Public  
Kerr County, Texas

Jimmie Peschel  
Notary Public, Kerr County, Texas

6.

Filed for record May 26, 1977 at 4:40 o'clock P.M.

Recorded May 31, 1977  
EDNA M. MUENKER, Clerk

By Delinda A. Allen, Deputy

791404

AMENDMENT TO RESTRICTIONS  
CLEAR SPRINGS RANCHES #1  
KERR COUNTY, TEXAS

VOL 205 PAGE 593

THE STATE OF TEXAS §  
§  
THE COUNTY OF KERR §

KNOW ALL MEN BY THESE PRESENTS:

The restrictions to Clear Springs Ranches #1, Kerr County, Texas, recorded in Volume 197, page 211 of the Deed Records of Kerr County, Texas, are hereby amended as follows:

Paragraph Number 5, on page 3 of said Restrictions entitled "Other Buildings" is hereby amended to read as follows; No house trailer, mobile home, truck body, basement, tent, shack, garage, barn or other building, (other than the main residence), shall at any time be used for permanent dwelling purposes. Servants' quarters may be constructed as long as they are not the main dwelling.

Paragraph Number 13, on page 5 of said Restrictions entitled "Building Set Back Lines" is hereby amended to read as follows; No dwelling or outbuilding on a residential lot shall be closer to the front line than twenty-five (25) feet or the building set back line shown upon the plat of said subdivision, which ever may be the greater. On the interior lots no outbuilding shall be closer than three (3) feet from the dripline of said outbuilding to a side lot line. On corner lots no dwelling or outbuilding shall be closer than fifteen (15) feet or the building set back line shown upon the plat of said subdivision whichever may be the greater, to the street forming the side lot line of the lot. No outbuilding shall be constructed nearer than twenty-five (25) feet from such street. Nothing in these restrictions shall be construed to prohibit the installation of one or more swimming pools with pertinent and necessary equipment and buildings except that the same shall not be constructed nearer than fifty (50) feet from such street.

The above mentioned amendments are hereby adopted by a majority of the property owners in Clear Springs Ranches #1, pursuant to the authority granted them on Page 1 of said Restriction.



tions to Clear Springs Ranches #1, Kerr County, Texas.

SIGNED this 17<sup>th</sup> day of February, 1978.

*Curtis Meade*

CURTIS MEADE  
1402 Clear Springs Dr.  
Kerrville, Texas 78028

*Patsy Meade*

PATSY MEADE  
1402 Clear Springs Dr.  
Kerrville, Texas 78028

ALBERT L. GRUDZINSKI  
1406 Clear Springs Dr.  
Kerrville, Texas 78028

SANDRA D. GRUDZINSKI  
1406 Clear Springs Dr.  
Kerrville, Texas 78028

DR. THOMAS G. MATTHEWS  
V. A. Hospital  
Kerrville, Texas 78028

JUDY COOK MATTHEWS  
V. A. Hospital  
Kerrville, Texas 78028

*Othel E. Erlund, Jr.*

OTHEL E. ERLUND, JR.  
1601 Ranchero Rd.  
Kerrville, Texas 78028

*Rachel R. Erlund*

RACHEL R. ERLUND  
1601 Ranchero Rd.  
Kerrville, Texas 78028

*Don Heskew*

DON HESKEW  
4030 Kingston  
Corpus Christi, Texas 78411

*Anne Heskew*

ANNE HESKEW  
4030 Kingston  
Corpus Christi, Texas 78411

*Clifford England*

CLIFFORD ENGLAND  
1611 Ranchero Rd.  
Kerrville, Texas 78028

*Helen England*

HELEN ENGLAND  
1611 Ranchero Rd.  
Kerrville, Texas 78028

DARYL C. FREED  
1410 Clear Springs Dr.  
Kerrville, Texas 78028

PHYLLIS FREED  
1410 Clear Springs Dr.  
Kerrville, Texas 78028

*Robert L. Robbins*

ROBERT L. ROBBINS  
960 Barnett  
Kerrville, Texas 78028

*Rose Marie Robbins*

ROSE MARIE ROBBINS  
960 Barnett  
Kerrville, Texas 78028

HELEN WILSON  
Kerrville, Texas 78028

ROY WILSON  
Kerrville, Texas 78028

*William B. Bird*

JOSEPH C. SMITH  
By: WILLIAM B. BIRD  
611-C Harper Rd.  
Kerrville, Texas 78028

*Filed*  
Day of Nov. A.D. 1978 at  
Kerrville, Texas  
County Clerk, Kerr County, Texas  
By: *William B. Bird*

THE STATE OF TEXAS §

COUNTY OF KERR §

VOL. 205 PAGE 595

Before me, the undersigned authority, on this day personally appeared CURTIS MEADE and wife, PATSY MEADE, known to me to be the persons whose names 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 on this the 17th day of February, A.D., 1978.

Virginia Storms  
Notary Public in and for  
Kerr County, Texas

THE STATE OF TEXAS §

COUNTY OF KERR §

Before me, the undersigned authority, on this day personally appeared ALBERT L. GRUDZINSKI and wife, SANDRA D. GRUDZINSKI known to me to be the persons whose names 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 on this the \_\_\_\_ day of February, A.D., 1978.

\_\_\_\_\_  
Notary Public in and for  
Kerr County, Texas

THE STATE OF TEXAS §

COUNTY OF KERR §

Before me, the undersigned authority, on this day personally appeared DR. THOMAS G. MATTHEWS and wife, JUDY COOK MATTHEWS, known to me to be the persons whose names 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 on this the \_\_\_\_ day of February, A.D., 1978.

\_\_\_\_\_  
Notary Public in and for  
Kerr County, Texas

THE STATE OF TEXAS §

COUNTY OF KERR §

VOL 205 PAGE 596

Before me, the undersigned authority, on this day personally appeared OTHEIL J. ERLUND and wife, RACHEL R. ERLUND, known to me to be the persons whose names 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 on this the 17<sup>th</sup> day of February, A.D., 1978.

*Virginia Storms*  
Notary Public in and for  
Kerr County, Texas

THE STATE OF TEXAS §

COUNTY OF KERR §

Before me, the undersigned authority, on this day personally appeared DON HESSKEW and wife, ANNE HESSKEW, known to me to be the persons whose names 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 on this the 18<sup>th</sup> day of February, A.D., 1978.

*Virginia Storms*  
Notary Public in and for  
Kerr County, Texas

THE STATE OF TEXAS §

COUNTY OF KERR §

Before me, the undersigned authority, on this day personally appeared CLIFFORD ENGLAND and wife, HELEN ENGLAND, known to me to be the persons whose names 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 on this the 17<sup>th</sup> day of February, A.D., 1978.

*Virginia Storms*  
Notary Public in and for  
Kerr County, Texas

THE STATE OF TEXAS §

COUNTY OF KERR §

VOL. 205 PAGE 597

Before me, the undersigned authority, on this day personally appeared DARYL C. FREED and wife, PHYLLIS FREED, known to me to be the persons whose names 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 on this the \_\_\_\_ day of February, A.D., 1978.

\_\_\_\_\_  
Notary Public in and for  
Kerr County, Texas

THE STATE OF TEXAS §

COUNTY OF KERR §

Before me, the undersigned authority, on this day personally appeared ROBERT L. ROBBINS and wife, ROSE MARIE ROBBINS, known to me to be the persons whose names 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 on this the 18<sup>th</sup> day of February, A.D., 1978.

*Virginia Stearns*  
\_\_\_\_\_  
Notary Public in and for  
Kerr County, Texas

THE STATE OF TEXAS §

COUNTY OF KERR §

Before me, the undersigned authority, on this day personally appeared ROY WILSON and wife, HELEN WILSON, known to me to be the persons whose names 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 on this the \_\_\_\_ day of February, A.D., 1978.

\_\_\_\_\_  
Notary Public in and for  
Kerr County, Texas

Before me, the undersigned authority, on this day personally appeared WILLIAM R. BYRD, Attorney in Fact for JOSEPH C. SMITH, known to me to be the person whose name 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 on this the 17<sup>th</sup> day of February, A.D. 1978.



Virginia Storms  
Notary Public in and for  
Kerr County, Texas

PAGE 6

Filed for record March 1, 1978 at 8:05 o'clock A.M.  
Recorded March 7th, 1978  
ESMIE M. MUENKER, Clerk

By Maximilian Daniel Deputy

781797

AMENDMENT TO RESTRICTIONS  
CLEAR SPRINGS RANCHES #1  
KERR COUNTY, TEXAS

VOL 206 PAGE 216

THE STATE OF TEXAS §  
§  
THE COUNTY OF KERR §

KNOW ALL MEN BY THESE PRESENTS:

The restrictions to Clear Springs Ranches #1, Kerr County, Texas, recorded in Volume 197, page 211 of the Deed Records of Kerr County, Texas, are hereby amended as follows:

Paragraph Number 5, on page 3 of said Restrictions entitled "Other Buildings" is hereby amended to read as follows; No house trailer, mobile home, truck body, basement, tent, shack, garage, barn or other building, (other than the main residence), shall at any time be used for permanent dwelling purposes. Servants' quarters may be constructed as long as they are not the main dwelling.

Paragraph Number 13, on page 5 of said Restrictions entitled "Building Set Back Lines" is hereby amended to read as follows; No dwelling or outbuilding on a residential lot shall be closer to the front line than twenty-five (25) feet or the building set back line shown upon the plat of said subdivision, which ever may be the greater. On the interior lots no outbuilding shall be closer than three (3) feet from the dripline of said outbuilding to a side lot line. On corner lots no dwelling or outbuilding shall be closer than fifteen (15) feet or the building set back line shown upon the plat of said subdivision whichever may be the greater, to the street forming the side lot line of the lot. No outbuilding shall be constructed nearer than twenty-five (25) feet from such street. Nothing in these restrictions shall be construed to prohibit the installation of one or more swimming pools with pertinent and necessary equipment and buildings except that the same shall not be constructed nearer than fifty (50) feet from such street.

The above mentioned amendments are hereby adopted by a majority of the property owners in Clear Springs Ranches #1, pursuant to the authority granted them on Page 1 of said Restriction.

tions to Clear Springs Ranches #1, Kerr County, Texas.

SIGNED this 15th day of March, 1978.

*Lynn Michalk*  
LYNN MICHALK  
Houston, Texas

THE STATE OF TEXAS §

COUNTY OF HARRIS §

Before me, the undersigned authority, on this day personally appeared LYNN MICHALK, 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 on this the 15 day of ~~February~~ March, A.D., 1978.

FILED FOR RECORD

11:20 o'clock A.M.

MAR 20 1978

EMMIE M. MUENKER  
Clerk of Court, Kerr County, Texas  
*Emma M. Muenker* Deputy

*Notary Public*  
Notary Public in and for  
Harris County, Texas.

PAGE 2

Filed for record March 20, 1978 at 11:20 o'clock A.M.  
Recorded March 23rd, 1978  
EMMIE M. MUENKER, Clerk

By *Emma M. Muenker* Deputy

781999

AMENDMENT TO RESTRICTIONS  
CLEAR SPRINGS RANCHES #1  
KERR COUNTY, TEXAS

VOL 206 PAGE 435

THE STATE OF TEXAS §  
§  
THE COUNTY OF KERR §

KNOW ALL MEN BY THESE PRESENTS:

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The above mentioned amendments are hereby adopted by a majority of the property owners in Clear Springs Ranches #1, pursuant to the authority granted them on Page 1 of said Restriction.



tions to Clear Springs Ranches #1, Kerr County, Texas.

SIGNED this 23<sup>d</sup> day of March, 1978.

Joseph C. Smith  
 JOSEPH C. SMITH  
 P.O. Box 1015  
 Cristobale, Canal Zone

Dalia L. Smith  
 DALIA SMITH  
 P.O. Box 1015  
 Cristobale, Canal Zone

THE STATE OF

COUNTY OF

S Margate, Canal Zone

Before me, the undersigned authority, on this day personally appeared JOSEPH C. SMITH and wife, DALIA SMITH, known to me to be the persons whose names 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 on this the 23<sup>d</sup> day of March, A.D., 1978.

March 23, 1978

Ruthie Lane  
 Notary Public in and for  
 County, Canal Zone

FILED FOR RECORD

at 11:00 o'clock A.M.

MAR 30 1978

EMMIE M. MUENKER  
 Clerk County Court, Kerr County, Texas  
 By Lisa Hudson Deputy

my Commission expires  
11/4/80

PAGE 2

Filed for record March 30, 1978 at 11:00 o'clock A.M.  
 Recorded April 4th, 1978  
 EMMIE M. MUENKER, Clerk

By Lisa Hudson Deputy