

Item: **BEE CAVES RANCH**

(Category: RESTRICTIONS)

Volume 165, Page 235 and Volume 209, Page 317, Deed Records of Kerr County, Texas; Volume {PR,"insert volume number",IN1,1}, Page {PR,"insert page number",IN1,2}, {PR,"insert type of records",ST1,3} 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: **BEE CAVES RANCH**

(Category: Subdivisions)

- a. Easement and Right Of Way dated December 11, 1967 to L.C.R.A., recorded in Volume 5, Page 43, Easement Records of Kerr County, Texas.
 - b. Roadway Easement dated December 9, 1977 to RAW Investments, Inc., recorded in Volume 9, Page 487, Easement Records of Kerr County, Texas.
 - c. Road and Utility Easements as per the Plat recorded in Volume 4, Page 113, Plat Records of Kerr County, Texas, and as per the Amended Plat recorded in Volume 4, Page 120, Plat Records of Kerr County, Texas.
 - d. Right-Of-Way Easement dated May 16, 1978 to Bandera Electric Cooperative, Inc., recorded in Volume 10, Page 20, Easement Records of Kerr County, Texas.
 - e. Annual assessments and/or current maintenance charges as set forth in instrument dated {PR,"need date of instrument",DT2,1}, recorded in Volume {PR,"need volume number",IN1,2}, Page {PR,"need page number",IN1,3}, {PR,"need type of records",ST1,4} Records of Kerr County, Texas.
 - f. Mineral reservation by Grantor, as described in instrument from {PR,"Name of Grantor",ST1,1} to {PR,"Name of Grantee",ST1,2}, dated {PR,"Date of Instrument",DT2,3}, recorded in Volume {PR,"Number/Letter of Volume",ST1,4}, Page {PR,"Number/Letter of Page",ST1,5}, {PR,"Type of Records",ST1,6} 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.
 - g. Perpetual easements reserved in the restrictions in deed dated {PR,"insert date of deed",DT2,11}, recorded in Volume {PR,"insert volume number",IN1,12}, Page {PR,"insert page number",IN1,13}, {PR,"insert type of records",ST1,14} Records of Kerr County, Texas.
 - 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)
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CERTIFICATE OF AUTHORIZATION
 THE STATE OF TEXAS: Know all men by these presents that Energy Land, Inc., a Texas corporation, has caused this certificate to be recorded as a subdivision of Kerr County, Texas, to be known as BEE CAVES RANCH, and that the same is a true and correct copy of the original filed in the Public Records of Kerr County, Texas, to wit: Book 10, Page 113, and that the same is a true and correct copy of the original filed in the Public Records of Kerr County, Texas, to wit: Book 10, Page 113, and that the same is a true and correct copy of the original filed in the Public Records of Kerr County, Texas, to wit: Book 10, Page 113.

E. E. Johnson
 Vice-President of Energy Land, Inc.

THE STATE OF TEXAS: Before me, the undersigned authority, to-wit: for said County, Clerk of said County, on this day personally appeared E. E. Johnson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me for the purposes and consideration therein expressed that he executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this 30th day of March, A.D. 1978.



E. E. Johnson
 Notary Public, Kerr County, Texas

DESCRIPTION

BEE CAVES RANCH comprises 59 tracts, No. 1 through No. 59, being 926.97 acres of land, more or less, situated in the County of Kerr, State of Texas, and is more particularly described as follows: Tracts No. 1 through No. 10, 52.3 acres out of Original Survey No. 157, C.R. Perry, Abstract No. 780; Tracts No. 11 through No. 20, 10.01 acres out of Original Survey No. 157, C.R. Perry, Abstract No. 780; Tracts No. 21 through No. 30, 10.01 acres out of Original Survey No. 157, C.R. Perry, Abstract No. 780; Tracts No. 31 through No. 40, 10.01 acres out of Original Survey No. 157, C.R. Perry, Abstract No. 780; Tracts No. 41 through No. 50, 10.01 acres out of Original Survey No. 157, C.R. Perry, Abstract No. 780; Tracts No. 51 through No. 59, 54 acres out of Original Survey No. 25, J. P. Patterson, Abstract No. 421.

J. Louis Doughton, Registered Professional Engineer No. 1633, Licensed Public Surveyor No. 222, a Licensed State Land Surveyor and County Surveyor of Kerr County, Texas, do hereby certify that I made the survey represented by the plat on which this instrument is based, and that the same is a true and correct copy of the original filed in the Public Records of Kerr County, Texas, to wit: Book 10, Page 113, and that the same is a true and correct copy of the original filed in the Public Records of Kerr County, Texas, to wit: Book 10, Page 113.

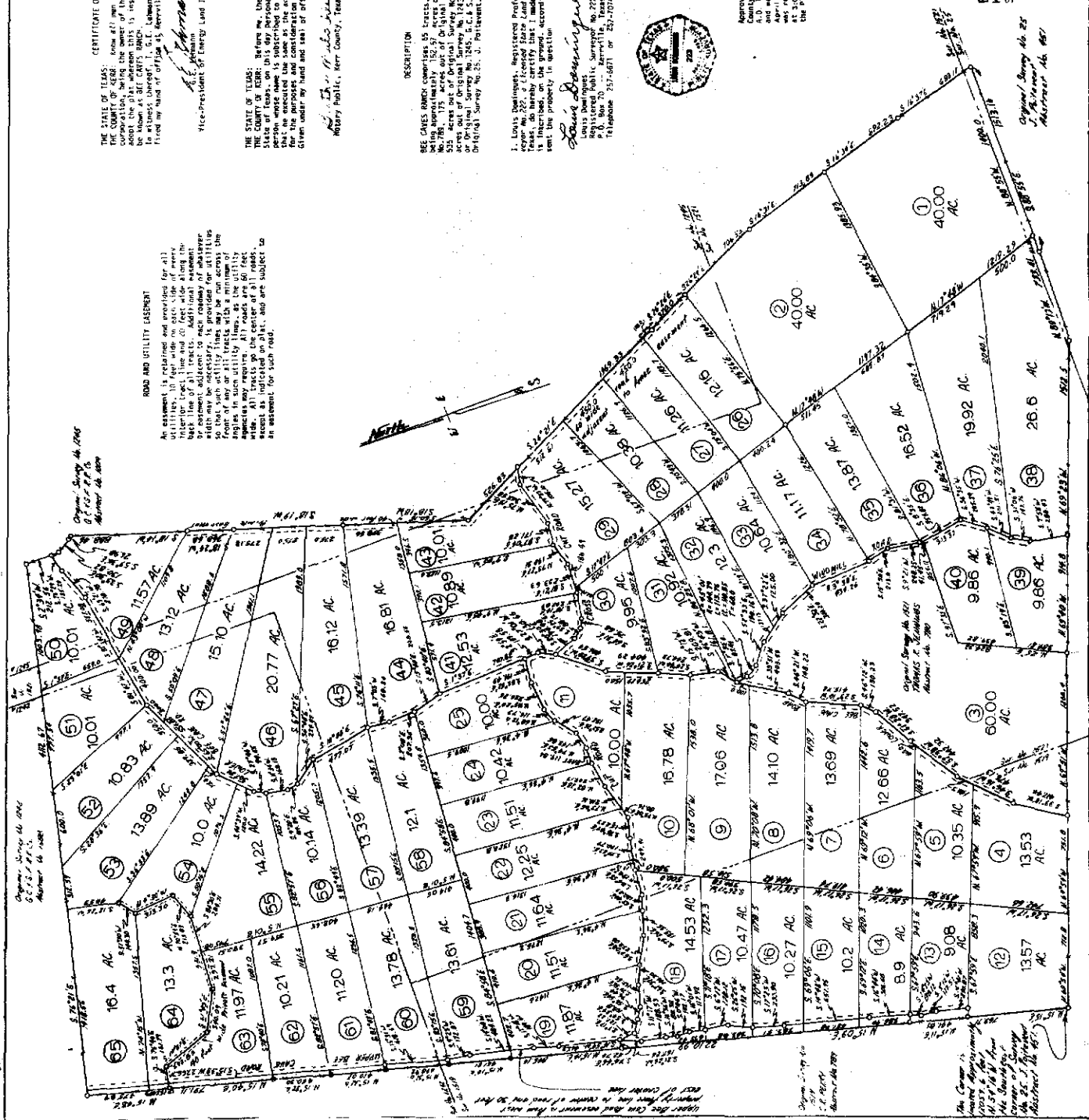
Charles B. Doughton
 J. Louis Doughton
 Registered Professional Engineer No. 1633, Licensed Public Surveyor No. 222, a Licensed State Land Surveyor and County Surveyor of Kerr County, Texas, do hereby certify that I made the survey represented by the plat on which this instrument is based, and that the same is a true and correct copy of the original filed in the Public Records of Kerr County, Texas, to wit: Book 10, Page 113, and that the same is a true and correct copy of the original filed in the Public Records of Kerr County, Texas, to wit: Book 10, Page 113.



Approved by the Commissioners Court of Kerr County, Texas, on the 10th day of April, A.D. 1978, by Order No. 12897, and was filed for record on the 10th day of April, A.D. 1978, and was recorded on the 10th day of April, A.D. 1978, at 2:05 P.M., in Volume 4 at Pages 113 of the Plat Records of Kerr County, Texas.

James H. Williams
 County Clerk, Kerr County, Texas

PLAT OF
 BEE CAVES RANCH
 KERR COUNTY, TEXAS
 SCALE 1"=400' FEET
 MARCH 30, 1978



3030

RESTRICTIONS
EASTERN HALF OF CULLUM RANCH

KERR COUNTY, TEXAS

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF KERR §

WHEREAS, BEAR HOLLOW, INC., a Texas Corporation, of the County of Kerr, State of Texas, hereinafter referred to and identified as "Owner", is the owner of the tract of land in Kerr County, Texas, said tract of land consisting of all that certain 4,034.002 acres of land known as the Eastern half of the Cullum Ranch more fully described in that certain deed dated the 6th day of July, 1973, from Edith Cullum Wagner, Landon H. Cullum and Darrell G. Lochte, Trustees of the Frank P. Cullum, Sr., Trust, to Bear Hollow, Inc., recorded in Volume , Page , of the Deed Records of Kerr County, Texas, to which instrument and its record reference is here made for all purposes; and,

WHEREAS, it is deemed to be to the best interests of the above described Owner and of the persons who may hereafter purchase all or any part of said lands above described that there be established and maintained a uniform plan for the improvement and development of the land covered as a restricted and modern land development to preserve the character and natural beauty of said land; and,

WHEREAS, it is desirable that such restrictions applying to said 4,034.002 acres of land be put of record and include all or any part of the said land in said tract,

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that Owner does 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 the Owner and all persons acquiring title under it until January 1, 1992, 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 tract it

is agreed to change said covenants, conditions and restrictions, in whole or in part.

If Owner, or any of its respective successors or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for Owner or any other person or persons owning any of the real property situated in the above referred to tract 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 and covenants are as follows, to-wit:

FIRST. That the above said property herein shall not be used for business purposes of any character nor have any commercial or manufacturing purpose.

SECOND. That no swine shall be allowed.

THIRD. That no automobile, truck, trailer or other vehicles shall be abandoned on this property, if it is visible from a public road.

FOURTH. That no dumping or placing of unsightly objects of any kind shall be allowed on the property if it is visible from a public road.

FIFTH. That no disposal of any kind shall be allowed that would pollute any body of water or stream.

SIXTH. That any sewerage disposal system constructed on this property shall be built in compliance with State Health Department specifications.

SEVENTH. That no deviations of any kind shall be allowed from these restrictions without permission in writing from the Owner.

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed, and its corporate seal affixed, this 6th day of July, A. D. 1973.

BEAR HOLLOW, INC.

By G. E. Lehmann
G. E. Lehmann, President

ATTEST:

Bertha Malochleb
Bertha Malochleb, Secretary

FILED FOR RECORD

at 4:45 o'clock P.M.

JUL 6 1973

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

By Estelle Witt Deputy

THE STATE OF TEXAS §

COUNTY OF KERR §

BEFORE ME, the undersigned authority, on this day personally appeared G. E. Lehmann, President of Bear Hollow, Inc., a corporation, 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, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this the 6th day of July, A.D. 1973.

Gertrude B. Andrus
Notary Public in and for
Kerr County, Texas

GERTRUDE B. ANDRUS
Notary Public
Kerr County, Texas

AMENDED RESTRICTIONS
EASTERN HALF OF CULLUM RANCH

VOL 209 PAGE 317

783695

KERR COUNTY, TEXAS

THE STATE OF TEXAS §

THE COUNTY OF KERR §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by instrument dated July 6, A. D. 1973, BEAR HOLLOW, INC., a Texas Corporation, acting by and through its President, G. E. Lehmann, placed certain restrictions against a tract of land in Kerr County, Texas, known as the Eastern Half of Cullum Ranch and consisting of 4,034.002 acres of land more fully described in that certain deed dated July 6, 1973, from Edith Wagner (formerly Edith Y. Cullum), Landon H. Cullum and Darrell G. Lochte, Testamentary Trustees of the Frank P. Cullum, Sr. Trust created under the Last Will and Testament of Frank P. Cullum, Sr., deceased, to Bear Hollow, Inc., recorded in Volume 165, Page 226, of the Deed Records of Kerr County, Texas, to which instrument and its record reference is here made for all purposes; and,

WHEREAS, said instrument is recorded in Volume 165, Page 235, Deed Records of Kerr County, Texas; and,

WHEREAS, it is the desire of the undersigned to amend said restrictions on said property as follows, to-wit:

That the restrictions numbered FIRST be deleted and the following substituted therefor;

FIRST: That the above described property shall not be used for commercial and manufacturing purposes. However, it is specifically understood that there is excluded from the term "commercial" the business of raising livestock, hunting, recreational enterprises, summer camps, tennis camps, youth camp and church camp type operations.

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed this the 5th day of June, A. D. 1978.

ENERGY/LAND, INC.

BY: 

G. E. LEHMANN

Its Attorney-in-Fact

THE STATE OF TEXAS §

COUNTY OF KERR §

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BEFORE ME, a Notary Public in and for said county and state, on this day personally appeared G. E. LEHMANN, known to me to be the person whose name is subscribed to the foregoing instrument as attorney in fact for ENERGY/LAND, INC., and acknowledged to me that he executed the same as attorney in fact for the said ENERGY/LAND, INC., and that the said ENERGY/LAND, INC. executed the same by and through him, for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 6th day of June, A. D. 1978.

Betty M. Muenker
Notary Public in and for
Kerr County, Texas

Return to: LAVERN D. HARRIS A PROFESSIONAL CORPORATION ATTORNEY AT LAW REALTY AND TRUST BUILDING KERRVILLE, TEXAS 78028	EMMIE M. MUENKER Clerk County Court, Kerr County, Texas 802 Ave. Hudson Deputy	FILED FOR RECORD at 3:25 o'clock P.M. JUN 6 1978	AMENDED RESTRICTIONS EASTERN HALF OF CULLUM RANCH KERR COUNTY, TEXAS	TO	Cullum Ranch ENERGY/LAND, INC.
				THE PUBLIC	

783495

Filed for record June 6, 1978 at 3:25 o'clock A.M.
Recorded June 8th, 1978
EMMIE M. MUENKER, Clerk

By Betty M. Muenker Deputy