## 03-14-08 GUADALUPE HEIGHTS NO. ONE

## RESTRICTIONS

Volume 2, Page 10, Plat Records of Kerr County, Texas and Volume 112, Page 27 and Volume 121, Page 93, 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.

## OTHER EXCEPTIONS

- Easement to Texas Power & Light Co., dated September 14, 1927, recorded in Volume 47, Page 561, Deed Records of Kerr County, Texas. (Affects Sur. 69)
- Easement to L.C.R.A., dated November 30, 1943, recorded in Volume 72, Page 60, Deed Records of Kerr County, Texas. (Affects Sur. 68 & 69)
- Easement to L.C.R.A., dated December 22, 1944, recorded in Volume 75, Page 217, Deed Records of Kerr County, Texas. (Affects Sur. 70 only)
- Easement to L.C.R.A., dated November 14, 1947, recorded in Volume 1, Page 37, Easement Records of Kerr County, Texas. (Sur. 69)
- Easement to L.C.R.A., dated January 19, 1948, recorded in Volume 1, Page 53, Easement Records of Kerr County, Texas. (Sur. 69)
- Easement to L.C.R.A., dated June 27, 1949, recorded in Volume 1, Page 176, Easement Records of Kerr County, Texas. (Sur. 69)
- Easement to L.C.R.A., dated January 10, 1951, recorded in Volume 1, Page 425, Easement Records of Kerr County, Texas. (Sur. 69 & 70)
- Easements per plat recorded in Volume {PR,"insert volume number",IN1,1}, Page {PR,"insert page number",IN1,2}, Plat Records of Kerr County, Texas.
- Building Set Back Lines as per the Restrictions recorded in Volume {PR,"insert volume number",IN1,3}, Page {PR,"insert page number",IN1,4}, Deed Records of Kerr County, Texas.
- Provisions for, but not limited to, a water system and easements as per deed recorded in Volume 120, Page 527, Deed Records of Kerr County, Texas, executed by Ace Ranch-O-Tel, Inc., a Texas corporation, to J.D. Brance. Title to said interest not checked subsequent to date of aforesaid instrument.
- Certified Service Area Map For Harper Water Company, Inc. CCN #11421, recorded in Volume 1573, Page 820 and refiled in Volume 1599, Page 325, Official Public Records of Kerr County, Texas.
- Any visible and/or apparent roadways or easements over or across the subject property.
- Rights of Parties in Possession. (AS PER OWNER POLICY ONLY)

KNOW ALL MEN BY THESE PRESENTS:

certein lot as shown on the plat hereto attached, known as Lot No. 5, in Gusdalupe Heights, for their use as a park and to the use of all of the persons who shall hereafter purchase and own property in said sabdirision that shall hereafter be known as "GWADALUFE REIGHTS", and I do bereby dedicate to the public use, all of said atrects, property, have caused the same to be surveyed and subdivided into Lots, Blooks, and Streets, which seld subdivision That we, A. G. Erwin, and wife, Harrietta E. being the owners in fee simple of the bereinsfee described

The following is a particular description on said subdivision and of the land comprising same.

METCHTS" a subdivision of part of the two surreys mentioned above. #69. Wa. Watt and 20.6 acres out of original Survey #70, W. T. Crook, to be hereinafter known as "GUADAUFS All that certain tract of land situated in Kerr County, Texas and being 89.35 acres out of original survey

a total of 49,95 seres of land. Tar. 10 deg. E. Nile deg. 55' E. 100.9 feet and H. 19deg. Od' R. 99.7 feet to the place of beginning. This tract containing 14 deg. 30' Z. 100,576et, N. 104gg. 36' E. 174.5 feet, N. 2 deg. 41' E. 100.5 feet, N. 8 deg. 56' E. 99.6 feet, 50' S. 100,8 feet, N. 8 deg. 58' E. 105,4 feet, N. 11 deg. 85' S. 100 feet, N. 15 deg. 92'E. 100,1 feet, N. E. 134.5 feet, N. 25 deg. 52' E. 125.7 feet, N. 25 deg. 01' E. 101.5 feet N. 27 deg. 30' E. 100 feet, N. 13deg. on top of bluff above the Guadalups River. THENCE with the meanders of the top of said bluff, N. 27 deg. 13' feet, N. 70 deg. 54' W. 50E.B feet, N. 71 deg. Od' W. 1100 feet and N. 70 deg. 50' W. 370 feet to en iron stake to a fence corner set for the S. E. corner of this tract. THENCE with the fence line N. 71 deg. 42' W. 381,5 of a curve to the left. THENCE with the are of said curve to the left, whose radius is 2914,93 feet, 229,2 feet Onk Way (a street in this subdivision), and at 970.2 feet a concrete right-of-way marker set at the beginning 13' E. at 243 feet the center line of Ela Warfe street in this subdivision), at 790.4 feet the center line of stake in the West line of Texas State Highway \$27, set for a N. E. corner of this subdivision. THENOE S. 10 deg. feat and S. 29 dag. ON' E. 162 feet to an Iron state for corner: THENCE S. 81 dag. 09' E. 1056.5 feet to an Iron stake in fence line set for corner. THENCE with the fence line S. 13 dag, 38' E. 287 feet, S. 18 dag, 09' E. 62 subdivision. THENCE S. 61 dog. 42' E. at 50 feet the M. E. corner of said Hilltop Drive and at 242.2 feet an iron 3. 6 deg. 04' W. 100 feet to an Iron stake at the N. W. corner of Hilltop Drive as is to be dedicated in this to an iron stake set for corner. THENCE S. 20 deg. 14' W. 102.1 fest to an iron stake set for corner. THENCE 42' H. 240 feet to an iron stake set for a N. E. corner of this subdivision. THENEE S. 6 dog. 04' N. 200 feet from the weet or upper river corner of Sur. #69, Mr. Wett for the M. W. corner of this tract, THINGS S. 81 deg. BEGINNING at an iron stake on top of bluff set 888 feet 8. 124eg. 30' E. and 530 feet 8. 82 deg. 15' E.

THIS SUBDIVISION to contain three (3) streets the center of which are described as follows: THIS SUBDITISION to contain 81 lots the circ and discusions of which are shown on the accompaning plat-

entire length plus a triangular tract lying 3, W. of and immediately adjacent to Site #77, as shown on the ecocmpaning East line of Hilltop Drive. This street to be 85 feet in width on each side of this center line throughout its feet, N. 87 deg. 50' W. 221.7 feet, W. 78 deg. 14' W. 70 feet and M. 74 deg. 35' W. 100 feet to a point in the E. from the H. E. corner of this subdivision. THINCE H. 85 deg. 20' W. 250.3 feat, M. 79 deg. 30' W. 211.5 KIM WAY - - - BEGINNING at a point in the West line of Texas State Highway \$37, 243 feet S. 10 deg. 13'

center line throughout it\_ entire length, feet to a point in the East line of Hilltop Prive. This street to be 25 feet in width on each eide of this S. from the N. E. corner of this subdivision. THENGS N. 83 deg. OS' W. 581.4 feet and N. 71 deg. OS' W. 1195.2 OAK WAY - - BEGINNING at a point in the West line of Terms State Highway #27, 790.4 feet S. 10 deg. 15'

to be dedicated to the public further than this point at this time. Site I to 4 inclusive is to receive right of egress and gagress over a private readway but that no readway is feat in width on the West side of this center line only. It being expressly understood that any purchaser of 25 feet in width on each side of this center line except for the first 60 feet which part of this street is 25 43' E. from the N. E. corner of Site #6 and the S. E. corner of Site #4 of this subdivision. N. 13 deg. 04' E. 310.6 feet and N. 20eg. 04' E. 475 feet to the and of this street at a point 25 feet S. Bl dag. 25 fast N. 71 dag. 05' E. from the end of the nenter line of Oak Way and at 275 feet an angle point. THENCE W. from its N. M. corner. THENCE M. 18 deg. 54' B. at 60 feet the M. W. corner of Site #15, at 85 feet a point HILLTOP DRIVE - - - EEGINBUING at an iron stake in the West line of Site #15 set 60 feet S. 18 dag. 54' This street being

described, hereby declare that said subdivision, and every purt thereof, shall be subject to the following and we A. G. Erwin, and wife Harristta E. the owners and subdividers of said Guadalups Heights bereinbefors

> any pert of said subdiviston, his beirs, essigns, legal representatives and every other person using or cooupying restrictive coverants, which shall be covenents running with the land and binding upon each and every owner or same with the consent of any owner.

- Said property and every part thereof, (except Lot No. 5 hereinabore mentioned), shall be used for residen-
- None of said property shall ever be used for any business or commercial purposes, and neither beer, whiskey
- or fishing camp or any commercial boat dock. nor any other intoxicating bewerage shall ever be wold on any of said property. 5. Wone of said property shall ever be used for the conducting or operating of a tourist court, trailer camp
- tuberculosis, or other infectious or contagious discases. 4. Your of said property chall be used for the purpose of boarding or keeping for hire persons affiliated with
- ing or constructed separately therefrom. tains less than 1200 aquare feet of floor space, exclusive of garage, whether such garage is attached to the dwellfeet of floor space; and no "duplex" or other two family type of dwelling shall be constructed thereon which con-5. No dwelling house shall be constructed upon any part of said property which contains less than 800 square
- Every dwelling constructed upon said property shall be provided with sanitary, indoor plumbing.
- gurage apartment attached thereto, hearer than 75 feet from the street upon which said property fronts. ?. We outbuilding abail be constructed upon any of said property, except a garage with store-room and/or
- 6. So dwelling house shall be constructed nearer than 40 fast from the street in front thereof.
- are not used for dwelling purposes. erospt that trailers belonging to individual owners of said property may be kept upon the premisee provided they 9. No shack, trailer or tent shell ever be placed upon any of said property for dwelling or any other purpose,
- except with the express concent of the "Conelitee" as hereinafter provided. 10. Ho dwelling house or other structures shall be moved upon the premises from outside said subdivision.
- Erwin shall have the right at any time and without notice, to substitute members to serve upon said Cosmittee. the plans and specifications therefore shall be first submitted to the "Committee" and by it approved, which Committee shall consist of A. C. Erwin, A. E. Erwin and Derrell C. Lochts. And it is provided that the said A. C. 11. Before the construction of any dwelling (or any outbuilding permitted by these restrictions) is conmenced,
- for the occupancy of such servants, except as servents of white persons owning or occupying maid property, and then separate quarters shall be provided 12. Ho part of said property shall ever be owned, used or occupied by persons of the negro or mexican race,
- shall be observed; and provided that Lot No. 77 shall be deemed to front on Elm Way. 14, may face either the street in front of said lots or the river bluff, provided that all building set-backs Lots Mos. 30, 31, 32, 33, 34, 53, 54 and 65; The dwellings constructed upon Lots Mos. 1 throught 4, and 6 through following: Dwellings cometructed upon the following lots shall face the Highway (Yexas State Highway No. 27): 18. All dwalling bouses constructed upon eaid property shall face the street in front thereof, except the
- in contravention thereof. Ecuaver, and itenholder taking title to any of said property, or any person acquiring of the reversionary clause berein, such forfeiture shall be subject to the rights of eny such lienholder and not by any owner of any of said property, or by his beirs, legal representatives or other person using or occupying covenants above named and the methods of enforcement thereof. title from such liembolder, through the foreclosure of any lien, shall take title subject to all of the restrictive terest in any of said property by reason of the lien held thereon; and in the erent of a forfeiture under the terms Erwin and wife, Harriette E. shall be, and are bereby subordinated to the rights of any lienholder having an inwided, however, that all of the rights of reversion, and rights to forfeiture havein retained unto the said A. C. the said A. C. Brwin and wife, Marrietta E. that no such forfigure be had except upon proof thereof. It is prorepresentatives, upon proof of such default being had in a court of competent jurisdiction, it being the intent of thereto shall immediately revert to and revest in the said A. C. Erwin and wife, Harrietta E. their heire or legal said property with his consent, then such default shall work a for the title to such property, and title 14. In the event of default in the keeping and parforming of the above restrictive covenants, or any of these

EXECUTED this 6th day of August, A. D. 1950.

Harriette E. Erwin A. C. Erwin

THE STATE OF TELAS:

for the purposes and consideration therein expressed, and that she did not wish to retract it. Erwin acknowledged such instrument to be her not and deed, and declared that she had willingly signed the same by se, privily and spart from her husband, and having the seme fully explained to her, she, the said Earrietta E. eideration therein supressed. And the said Harrietta B. Erwin wife of the said A. C. Erwin bering been examined A. C. Erwin and farrietta E. Erwin wife of sold A. C. Erwin known to me to be then persons whose pames are sub-THE COUNTY OF KNOCK: soribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and con-BEFORE ME, a Notary Public in and for Nerr County, Texas, on this day personally appeared

CITEN under my hand and seel of office, this lath day of August A. D. 1950.

Darrell G. Lochte

Notary Fublic in and for Earr County, Texas

State Licensed Surreyor

F. M. HUXMENDALL

Regratite, Teras

elon of part of the two surveys sentioned above. Watt and 20.6 agrae out of original Survey #70, W. C. Grook, to be hereinafter brown as "GRADALDER REIGHTS" a subdivi-FIELD SCTES to a treat of lend situated in Nerr County, Texas and being 29.55 acres out of original Survey #89, ha.

W.10906'E. 99.7 feat to the place of beginning. This brack containing a total of 49.95 agree of land. War. 100E. Oak Way (a street in this subdivision), and at 970.2 feet a concrete right-of-way marker set at the beginning of Hilltop Drive and at 242.2 feet an iron stake in femose line set for corast: FRENCE with the femos line 3,13°52'7, N.14 20'E. 100.5 feet, H.10°35'E. 174.5 feet, H.2°41'E. 100.5 feet, M.8°55'E. 90.6 feet, H.14°55'E. 100.8 feet and TERMOR with the meandarm of the top of smid bluff, M.29°13'E, 184.5 feet, N.28°08'E, 135.7 feet, N.25°01'E, 101.5 feet, N.27°50'E, 100 feet, N.12°59'E. 100.1 feet, N.28°50'E, 102.5 feet, N.28°50'E, 100 feet, N.28°59'E. 100.1 feet, fance corner set for the 9, 2, corner of this tract. THERCE with the fance line E. 11 42 st. Mai. 5 feet, E. 70 50 st. 502.8 feet, E. 71 00 st. 110 feet and E. 70 50 st. 570 feet to an iron state on top of bluff above the Guidalupe Elver. a curve to the left. INSNOR with the are of said curve to the left, whose radius is 3914.93 feet, 289.8 fast to a 10°13'E. at 245 feet the center line of Mim Way (a street in this subdivision), at 700.4 feet the center line of 227 feat, 9,18009'E, 42 feet and 3.29003'E, 162 feet to an iron stake for corner. THEME 3,81009'E, 1056.3 feet to of Hilltop Drive as is to be dedicated in this subdivision. TREFFCE S. 81 OaF at 10 feet the N. E. corner of said an iron stake in the West line of Texas State Highway \$37, set for a N. S. corpur of this subdivision, THENES S. 20<sup>014'W</sup>. 108.1 fast to an iron stake set for corner. THERCE S.5<sup>004'W</sup>. 100 feet to an iron stake at the W. W. corner set for a R. E. acrast of this subdivision. MERNOR E. 5004 W. 200 feet to an iron stake set for corner. THENCE S. rifer corner of Sur. #60, Wm. Watt for the N. W. corner of this tract, THENCE 6.81 043 H. 240 feet to an iron stake BECITATING at an iron stake on top of bluff act 688 feet S.12° 30°E, and 550 feet S.88°15°E, from the west or upper

THIS SUBDITISION to contain three (5) attreets the center of which are described as follows: THIS SUBDIVISION to contain 81 lots the size and dimensions of which are shown on the accompaning plat.

and immediately adjacent to Site #77, as shown on the accompaning plat. in width on each side of this center line throughout its entire length plus a triangular treet lying S. W. of 78°14'W. 70 feet and M.74°35'W. 100 feet to a point in the East line of Hilltop Drive. This street to be 25 feet N.E. corner of this subdivision. THEROS N.88 2018. 250.3 feet, N.79 5018. 911.6 feet, N.89 3018. 221.7 feet, N. EIM WAT - - BEGINNING at a point in the West line of Tense State Highway #27, 243 feet 5,10°15'E, from the

entire length. East line of Hilltop Erive. This strest to be 25 fest in width on each side of this center line throughout it. the N. E. corner of this subdivision. THENCE N.83008 W. SSL4 fost and N.7106 W. 1195.2 feet to a point in the DAK way - - - ENGINMING at a point in the West line of Texas State Highway \$87, 790,4 feet S.10015'S, from

N. W. corner. TERMOR N.18°54'E. at 50 feet the N. W. corner of Site \$15, at 86 feet a point 25 feet M.71°06'E. egress and gagress over a private foedway but that no rosdway is to be dedicated to the public further than this line only. It being expressly understood that any purphareer of Site 1 to 4 inclusive is to receive right of line except for the first 60 feet which part of this street is 25 feet in width on the West side of this center the S. E. corner of Site #4 of this subdivision. This street being 25 feet in width on each side of this center 6<sup>0</sup>041E. 475 foot to the end of this street at a point 25 feet 5,81°451E. From the M. E. corner of Site #5 and from the end of the center line of Oak Way and at 276 feet an angle point. THENCE N.18°04'S, 310.5 feet and h. MILLYOP DRIVE - - - UNCOUNTING at an iron state in the west line of Site #15 set 50 feet 8.18054'W, from its

> plat represent the results of an actual survey mude on the ground by me and that they do truly describe the I, F. M. Kuykendall, a licensed land surveyor of Texas do certify that these field notes and accompaning

F. M. Kuykendall

June 24, 1850 County Surveyor, Kerr County, Teass.

No. 4858

COUNTY OF MERR : THE STATE OF TREAS:

OF KERR COUNTY, TEXAS IN THE COMMISSIONER'S COURT

which A. G. Erwin is the owner and developer. Texas, and which sold "CUADARDTE HEIGHTS", is fully described in the Flat and dedication filed herein, and of "GUADALIFE MEXCHIS", out of and part of Surveys No.59, Me. Wett and No. 70, W. T. Crook, located in Kerr County, County, Texas, for the approval of a Flat, Field Notes, and Dedication of a certain subdivision to be known as On this the lath day of August, A. D. 1980, came on to be considered the application of A. C. Erwin, of Kerr

soribed in the laws of the State of Texas thereunto appearathing. And it appearing to the Court that said subdivision, plat and dedication mast all of the requirements pre-

payment of the recording fee therefore. records of the County Clerk of Kerr County, Texas, and the same is hareby ordered to be so recorded upon the and DECREED by the Court that said ambdivision, "GUADALUTE HEIGHTS" be admitted to record in the Map and Fist THEREFORE, upon motion made by H. Eckstein and seconded by W. H. Furr, it is unanimously ORDERED, ADVIDUED

of Kerr County, Texas. And it is further ordered that this order be properly estered in the minutes of the Commissioners' Court

Witness our hands this 14th day of August, A. D. 1950.

Chas, H. Molter W. B. Jura

Henry Eckstein Commissioners V. D. Powell

Joe Burkett Jr. County Judge

Attest: Lawrence Stephens Clerk, County Court, and Ex-Officia Clerk, Commissioners' Court, Kerr County, Yesse

Filed for Record August 17, 1930, at 5:00 o'clock P. M.

Becorded on August 50, 1950, at 11:55 o'clock A. M.

County Clark **9** Deputy.

(as)

personally appeared Robert M. Erwin, president of Ace Reach-G-Tel, Inc., 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 as the act and deed of said corporation, and as president thereof.

> Gwen O'Brien Notary Public, Nueces County, Texas. My Commission Expires June 1, 1963

Seal

Filed for record March 9, 1962 at 1:10 o'clock P. M. Recorded March 12, 1962 at 11:00 o'clock A. M. Volume 112, page 26 EMMIE M.MUENKER, County Clerk

195

0-0-0-0-0-0-0-0-0-0-0-0-0-AMENDMENT TO RESTRICTIONS

THE STATE OF TEXAS I COUNTY OF KERR [

WHEREAS, herecofore A. C. Erwin and wife, Harriette E. Erwin caused to be placed of record certain plats, plans and dedications covering subdivisions known as "GUADALUPE HEIGHTS" and "GUADALUTE HEIGHTS NO. 2", situated in Kerr County, Texas, and found of record respectively in Vol. 2, page 12 and Vol. 2, page 36, Kerr County Plat Records, and in connection with the same did adopt and record certain restrictive covenants governing the use and occupancy of the lands in said subdivisions; and,

WHEREAS, one such restrictive covenant provided for the approval by a committee of the plans and specifications for any improvements constructed upon the subdivided lands, naming as such committee A. C. Erwin, Arthur R. Erwin and Parrell G. Lochte, any two of whom might act: and.

WHEREAS, the said A. C. Erwin is now deceased, and all of his rights, powers, authority and title in and to such subdivisions has now vested in ACE RANCH-O-TEL, INC., a Texas Corporation, including the authority to appoint another member of such committee;

NOW, THEREPORE, ACE RANCH -O-TEL, INC., acting herein by and through its officers thereunto duly authorized, has this day appointed, and by these presents does apoint, as the third member of such committee, Hillsbeth Broughton, she to have all such power and authority in the premises as was and is held by the individual members of such original committee; and to the extent of the appointment here made, such restrictions are smended, and as so amended shall continue in full force and effect.

The said restrictions are further amended, so that the minimum living area for any single family dwelling shall hereafter be 1,000 square feet, exclusive of garage and porches, whether attached or detached, and the minimum area for any duplex or two-family dwelling shall be 1,500 square feet, exclusive of such garage and porches; provided, however, that this assendment shall not affect, or impair the rights of any holder or holders of title to any part of such subdivisions, or either of them, holding under deeds date, prior to the execution and filing of this amendment.

Insofar as any prior acts of said Elizabeth Broughton with respect to the approval of plans and specifications are concerned, all such acts are hereby adopted, ratified and confirmed.

EXECUTED this lot day of Pebruary, A. D. 1962.

Corporate Seal /s/ Elizabeth E. Broughton Secy-Tress.

ACE RANCH-O-TEL. INC. By /s/ Robert W. Erwin President

THE STATE OF TEXAS [ COUNTY OF MINCLS ]

BEFORE ME, the undersigned sutherity in and for said County and State.

alfy appeared Robert W. Brwin, President of ACE RANCH-O-TEL, INC., 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, as the act and deed of said Corporation, and as the President thereof.

GIVEN under my hand and soal of office this 3rd day of February, A. D. 1962.

Gwen O'Brien Notary Public in and for Nueces County, Texas. My Commission Expires June 1, 1963

Seal

まる とうしゅう

Filed for record March 9, 1962 at 1:10 o'clock P. M. Recorded March 12, 1962 at 1:20 o'clock P. M. (ma) Volume 112, page 27 EMMIE M.MRENKER, County Clerk

y May Elen A Beputy

0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0

WARRANTY DEED WITH V/L

THE STATE OF TEXAS I

KNOW ALL MEN BY THESE PRESENTS:

That CITRIANA DEVELOPMENT COMPANY, a corporation, acting herein by and through B. B. Wotley, it's President, thereunte duly authorized, of the County of Bidalgo State of Texas for and in consideration of the sum of Ten and No/BOO (\$10.00) Deliars and other good and valuable consideration to it paid and secured to be paid by Curtis D. Morries and wife, Judith Kay Morries AND FOR THE FURTHER CONSIDERATION of the execution and delivery by Crantees herein of that certain note in the original principal sum of \$9,500.60, of even date herewith, payable to the order of Bill Country Federal Savings and Loan Association at Kerrville, Texas, who has this day advanced said sum to Granter herein for the benefit of and at the special instance and request of Grantees herein; said note being payable in monthly installments of \$64.15 each, per month, including interest as is stipulated in said note, containing the usual and customary Vendor's Lien note provisions, and being additionally secured by a Bood of Trust of even date herewith to Glenn Petsch, Trustee, have Granted, Sold and Conveyed, and by these presents de Grant, Soll and Convey, unto the said CURTIS D. MORRIES and wife, JUDITH KAY MORRIES of the County of Kerr State of Texas all that certain tract or parcel of land lying and being situated in Kerr County, Texas, described as follows, to-wit:

Lot No. Seven (7) in Block M of the Motley Hills Subdivision, Section One, in Kerr County, Texas, according to the plat and plan of ubdivision of record in Volume 2, page 32 of the Plat Records of Kerr County, Texas, to whi instrument and the record thereof reference is here made for all purposes.

It is expressly agreed and understood that there is excepted from this conveyance all of the cil, gas and other minerals in, under and that may be produced from the hereinahove described property, it being understood, however, that there is no right of entry on the hereinahove described property for the purpose of drilling, mining or producing said minerals, said mineral reservation having been heretofore made and fully described in that certain deed from W. J. Carter to Citrians Development Company, dated December 26, 1961, and of record in Volume 111, page 394 of the Deed Records of Kerr County, Texas, to which instrument and the record thereof reference is here made for all purposes.

It is further agreed and understood that this conveyance is made by Grantor and accepted by Grantons subject to all utility easements as now exist, whether the same be recorded or unrecorded.

TO HAVE AND TO HOLD the shove described premises, together with all and singular the rights and appartmenters thereto in anywise belonging unto the said CURTIS D. MORRIES and wife, JUDITH

BEGINNING at the intersection of the South line of Flat Rock Road with the West line of Hilltop Drive in Guadalupe Heights No. 2, an iron pin set 50.5 feet S. 17 deg. 29' E. from the SE corner of Lot No. 1, Block No. 6 of said addition; THENCE in a southwesterly direction following the top of a bluff at all points to the North corner of a small tract of land conveyed to E. A. Wright, et ux, by deed recedded in Yol. 114, Page 299, Kerr County Deed Records. THENCE S. 77 deg. 25' E. with line of Wright tract 70 feet to the SW corner of a certain 0.12 acre tract conveyed by Ace Ranch-G-Tel, Inc., to J.D. Brance by deed recorded in Vol. 120, Page 527, Kerr County Deed Records; THENCE N. 3 deg. 28' W. 45 feet to snother corner of said J. F. Brance tract; THENCE N. 86 deg. 3\* W. 91 feet to the NE corner of J. D. Brance tract: 

feet to the place of BEGINNING.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging unto the said The Great Texas Lumber Company, its successors and assigns forever; and it does hereby bind itself, its successors and assigns. to Warrant and Forever Defend all and singular the said premises unto the said The Great Texas Lumber Company, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

WITNESS its hand at Kerrville, Texas, this 14th day of May, A. D. 1965. ACE RANCH-O-TEL, INC.

Corporate Seal lisabeth Broughton Elizabeth Broughton, Secretary

/s/ R. W. Erwin /t/ R. W. Erwin, President

THE STATE OF TEXAS I COUNTY OF KERR I

BEFORE ME, the undersigned authority, in and for said County and State, on this day personally appeared R. W. ERWIN, PRESIDENT OF ACE RANCH-O-TEL, INC., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the case for the purposes and consideration therein expressed as the act and deed of said corporation and as President thereof.

Given under my hand and seal of office, this 14th day of May, A. B. 1905.

Seal

Robert R. Barton Notary Public, Kerr County, Texas.

Filed for record May 14, 1965 at 4:15 o'clock P. N. Recorded May 18, 1965 at 2:35 o'clock P. H. (may Volume 121, page 90 EMMIE M. NUENKER, County Clerk

Ħ

0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0

RELEASE OF REVERSIONARY INTERESTS

413

THE STATE OF TEXAS I COUNTY OF

MIEREAS, heretofore, A. C. Erwin and Harriette E. Erwin, husband \_\_\_\_ wife, caused to be subdivided into lots, blocks and atreets, certain lands in Kerr County, Texas, such subdivisions being known and designated as Guadalupe Heights, and Guadalupe Heights No. 2, plats and dedications of the same appearing of record respectively in Vol. 2, page 12, and Vol.2, Page 36, Kerr County Plat Records; and,

WHEREAS, certain restrictive covenants were incorpc: ated in the aforesaid dedications, with provision that the same might be enforced by reversion of title to the said A. C. and Harriette E. Erwin; and,

WHEREAS, the said A. C. Brwin and wife, Harriette E. Brwin conveyed various lots in said subdivisions to divers persons, rotaining such reversionary rights; and thereafter ACE RANGI-O-TE:. INC., succeeded by deed to all such reversionary rights, as well as portions of such subdivisions; and,

WHEREAS, Said Ace Ranch-O-Tel, Inc., then conveyed to divers persons various lots in such subdivisions. likewise retaining such reversionary rights, which rights said Corporation now owns and holds; and,

WHEREAS, said Ace Ranch-O-Tel, Inc. intends to liquidate its assets and terminate its corporate existence; and to relieve those persons and corporations who presently own, or may hereafter acquire lands in such subdivisions from any burden upon their titles by virtue of such reversionary rights, desires, release, relinquish and abandon the said reversionary rights:

NOW, THEREFORE, KNOW ALL HEN BY THESE PRESENTS: That ACE RANGE-0-TEL, INC., acting herein by and through its officers thereunto duly authorized, for and in consideration of the premises and the sum of \$1.00 to it in hand paid by all of the owners of land in said Guadalupe Heights and Guadalupe Heights No. 2 (hereinafter called Owners) the receipt of which is here acknowledged and confessed, has this day RELEASED and RELINQUISHED, and by these presents does RELEASE and RELINQUISH, unto the said Owners (respectively as to their said lands and not collectively) all of the foregoing reversionary rights, hereby abandoning such rights and declaring the same extinguished as to all of the said lands affected thereby.

PROVIDED, HOWEVER, and it is expressly understood and agreed that all of the said restrictive covenants (which said reversion was intended to enforce) shall remain in full force and effect, and shall in no wise be impaired by the execution and delivery of this instrument, which is intended solely o remove from the lands in such subdivisions any reversionary interest or right thereto which Ace Ranch-0-Tel, Inc., has or may be reafter be entitled to, or which may be asserted by any person or corporation holding under said Ace Ranch-0-Tel, Inc.

TO HAVE AND TO HOLD the same unto the said owners, their heirs and assigns and successors, forever.

EXECUTED at Merryille, lexas, this 14th day of May, A. B. 1965.

Corporate Seal ATTEST: /s/ Elizabeth Broughton Secretary ACE RANCH-O-YEL, INC.,

By /s/ R. W. Brwin
/t/ R. W. Brwin, President

THE STATE OF TEXAS 1

COUNTY OF RERR I

BEFORE ME, the undersigned muthority in and for said County and State, on this day personally appeared R. W. Erwin, President of Ace Ranch -0-Tel, Inc., 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, as the act and deed of said corporation, and as the President thereof.

GIVEN under my hand and seal of office this 14th day of May, A. D. 1965.

Seal

Robert R. Sarton Notary Public in and for Kerr County, Texas

Filed for record May 14, 1965 at 4:15 o'clock P. M. Recorded May 18, 1965 at 3:00 o'clock P. M. (ms) Volume 121, page 93 EMMIE M.MUENKER, Jounty Clerk

By Mayllen Litt Deputy

X