

NORTH CENTER POINT RESTRICTIONS

Volume 95, Page 468 and Volume 100, Page 122, Deed Records of Kerr County, Texas;
ALSO IN FIRST DEED OUT OF DEVELOPER

OTHER EXCEPTIONS

- Easement to Texas Public Utilities Company, dated August 24, 1926, recorded in Volume 46, Page 392, Deed Records of Kerr County, Texas.
- Easement to Texas Public Utilities Company, dated November 2, 1926, recorded in Volume 46, Page 482, Deed Records of Kerr County, Texas.
- Minerals conveyed by Grantor, as described in Royalty Contract from T.R. Lander and Bessie May Lander to Gus F. Schreiner, dated January 7, 1927, recorded in Volume 3, Page 594, Oil & Gas Lease Records of Kerr County
- Minerals conveyed by Grantor, as described in Royalty Contract from T.R. Lander and Bessie Mae Lander to O.G. Bunger and Richard Sanderson, dated January 18, 1927, recorded in Volume 3, Page 609, Oil & Gas Lease Records of Kerr County
- Minerals conveyed by Grantor, as described in Royalty Contract from T.R. Lander and wife, Bessie May Lander to Jno. M. Gaddis, dated February 14, 1927, recorded in Volume 3, Page 641, Oil & Gas Lease Records of Kerr County, Easement dated July 12, 1930, to Texas Power & Light Company, recorded in Volume 52, Page 140, Deed Records of Kerr County, Texas.
- An undivided non-participating royalty interest, reserved by Grantor as described in instrument from Alex Charney and Tennie Westheimer, Independent Executors under the Will of Esther Charney, Deceased, to M.O. Brink and Lee D. Harless, dated October 4, 1945, recorded in Volume 77, Page 111, Deed Records of Kerr County,
- Easement dated October 20, 1947, to L.C.R.A., recorded in Volume 1, Page 35, Easement Records of Kerr County, Texas.
- Easement dated January 29, 1953, to L.C.R.A., recorded in Volume 2, Page 532, Easement Records of Kerr County, Texas.
- Building Set Back Lines as per the Restrictions recorded in Volume 95, Page 468, Deed Records of Kerr County, Texas, **ALSO IN FIRST DEED OUT OF DEVELOPER**
- Mineral reservation by Grantor, as described in instrument from **ALSO IN FIRST DEED OUT OF DEVELOPER**
- Certified Service Area Map For Center Point Water Supply CCN #12052 recorded in Volume 1593, Page 526, Official Public Records of Kerr County, Texas.

95/468

Filed for record on the 3rd day of December, A. D. 1953 at 4:15 o'clock P. M.

Recorded on the 4th day of December, A. D. 1953 at 9:30 o'clock A. M. (bb)

Lawrence Stephens

County Clerk

By Betty Burney

Deputy 38

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WARRANTY DEED

THE STATE OF TEXAS,)

COUNTY OF KERR.)

KNOW ALL MEN BY THESE PRESENTS:

That I, L. D. Harless of the County of Kerr State of Texas for and in consideration of the sum of Ten and No/100 Dollars, and other good and valuable consideration to me in hand paid by Mrs. Kaleta Brink, a widow, the receipt and sufficiency of which is hereby acknowledged and confessed; have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said Mrs. Kaleta Brink, a widow of the County of Kerr, State of Texas, all that certain parcel of land situated in Kerr County, Texas, and described as all of Lot 17, in Block 3, Harless and Brink Subdivision known as North Center Point, to Center Point, Kerr County, Texas, according to the official map and plat of record in the office of the County Clerk of Kerr County, Texas.

This conveyance is made and accepted subject to a certain royalty reservation contained in a deed from Esther Charney, deceased to Harless and Brink, recorded in Volume 77, page 14, Deed Records of Kerr County, Texas, same being described as a 1/16th nonparticipating royalty interest in and to all of the oil, gas and other minerals in, on and under or that may be produced from these premises.

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 Mrs. Kaleta Brink, a widow, her heirs and assigns forever; and I do hereby bind myself, my heirs, executors and administrators, to Warrant and Forever Defend all and singular the said premises unto the said Mrs. Kaleta Brink, a widow, her heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

Witness my hand at Kerrville, Texas this 3rd day of Dec., A. D. 1953.

L. D. Harless

THE STATE OF TEXAS,)

COUNTY OF KERR.)

BEFORE ME, the undersigned, a Notary Public, in and for said County, Texas, on this day personally appeared L. D. Harless 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 3rd day of Dec., A. D. 1953.

(NOTARY SEAL)

Lucille Edens
Notary Public, Kerr County, Texas.

Filed for record on the 4th day of December, A. D. 1953 at 1:10 o'clock P. M.

Recorded on the 5th day of December, A. D. 1953 at 7:50 o'clock A. M. (bb)

Lawrence Stephens

County Clerk

By Betty Burney

Deputy 48

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RESTRICTIONS TO NORTH CENTER POINT

THE STATE OF TEXAS |

THE COUNTY OF KERR |

WHEREAS, L. D. Harless and M. O. Brink, on the 15th day of March, 1947, dedicated a plat known as North Center Point in Kerr County, Texas, as same appears of record in Volume 1, page 96, Plat Records of Kerr County, Texas; and,

WHEREAS, the restrictions applying to the whole of said North Center Point subdivision were not included in the plat and dedication hereinabove referred to; and,

WHEREAS, it is the desire that the restrictions applying to such subdivision be put of

Record and include all land in said North Center Point subdivision in Kerr County, Texas.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That we, L. D. Harless and Anita Kaleta Brink, Individually and as Independent Executrix of the Estate of M. O. Brink, deceased, do hereby stipulate that the addition to Kerr County, Texas known as North Center Point is covered by the following restrictions, to-wit:

That no part of the property hereinafter described shall be used for a business of any type, and shall only be used for residential purposes and no religious or educational institutions are to be erected upon such property or to be used for such purposes, and shall only be used for residential purposes, except Lots 1 and 2, Block 1, Lots 1, 2, 19 and 20, Block 2, and Lots 1 and 2, Block 3; no part of the property hereinafter described shall be used for boarding, treating or keeping tubercular persons or persons suffering from any infectious or contagious disease; none of said property shall ever be sold, leased or rented to colored persons or occupied by colored persons, except as servants of white people living on said land; all plumbing and toilets installed, or to be installed, in or upon the property hereinafter described shall be connected with a septic tank of a size and nature sufficient to be in all ways clean and sanitary; none of said property shall be used for the keeping of livestock or poultry, except that the owner of such property may keep his personal riding horse or horses, a cow, two sheep and not more than eighteen chickens for domestic use; no building or structure of any kind shall be erected upon the property hereinafter described nearer than thirty-five feet to the street on the front thereof, and no garage, barn or other structure than a residence shall be erected nearer than seventy-five feet from the front of the property; all dwelling houses erected shall face the street at the front thereof as shown by the plat of such property and consist of not less than five hundred seventy-six square feet of actual floor space enclosed within the walls; not more than two residences or dwellings shall be built on any one lot or site within fifty years from date of April 1, 1947, without grantors' consent first had thereto, and all houses or structures shall be painted within sixty days after beginning the erection thereon.

WITNESS our hands this 3rd day of December, A. D. 1953.

L. D. Harless
Anita Kaleta Brink, Individually and
as Independent Executrix of the Estate
of M. O. Brink, deceased.

THE STATE OF TEXAS |

THE COUNTY OF KERR | BEFORE ME, the undersigned authority, on this day personally appeared L. D. Harless, 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 3rd day of December, A. D. 1953.

(NOTARY SEAL)

Lucille Edens
Notary Public, Kerr County, Texas.

THE STATE OF TEXAS |

THE COUNTY OF KERR | BEFORE ME, the undersigned authority, on this day personally appeared Anita Kaleta Brink, a widow, 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, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 3rd day of December, A. D. 1953.

(NOTARY SEAL)

Lucille Edens
Notary Public, Kerr County, Texas

Filed for record on the 4th day of December, A. D. 1953 at 1:10 o'clock P. M.

Recorded on the 5th day of December, A. D. 1953 at 8:20 o'clock A. M. (bb)

Lawrence Stephens

County Clerk By *Betty Bunn*

Deputy

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rights and appurtenances thereto in anywise belonging unto the said Mrs. Mildred Sue Lange, her heirs and assigns forever; and Southern Pine Lumber Company does hereby bind itself, its successors and assigns to Warrant and Forever Defend, all and singular the said premises unto the said Mrs. Mildred Sue Lange her heirs and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Southern Pine Lumber Company but not otherwise.

It is understood and agreed that this conveyance is made subject to all the restrictions, reservations, covenants and conditions governing the sale of property in said addition.

It is understood and agreed that taxes on said land for the year 1956 shall be prorated between the Grantor and Grantee herein as of date of this instrument.

Executed this 4th day of June, A.D. 1956.

(Revenue Stamps Cancelled \$1.10
(SPLC \$1.10 6-4-56)

Southern Pine Lumber Company
By D. G. McNair

THE STATE OF TEXAS §

COUNTY OF HARRISS § BEFORE ME, the undersigned a Notary Public in and for Harris County, Texas, on this day personally appeared D. G. McNair, agent and attorney-in-fact for Southern Pine Lumber Company 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 as the act and deed of said Southern Pine Limber Company and for the purposes and consideration and in the capacity therein expressed.

Given under my hand and seal of office this the 4th day of June, A.D. 1956.

Seal

Wesley Wray Thompson
Notary Public in and for Harris County, Texas

Filed for Record the 5th day of July, 1956 at 11:40 o'clock A. M.

Recorded the 5th day of July, 1956 at 4:0'clock P. M. (fr)

MRS. R. V. NICHOLS, COUNTY CLERK

By Edmund W. Wynn Deputy

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RELEASE OF AND
AMENDMENT TO RESTRICTIONS

THE STATE OF TEXAS §

COUNTY OF KERR § WHEREAS, the undersigned L. D. Harless and Anita K. Brink a widow, (also sometimes known as Anita Kaleta Brink) are the owners in fee simple of a certain subdivision in Kerr County, Texas, known as "North Center Point", as evidenced by plat and dedication recorded in Vol. 1, pages 96-97, Kerr County Plat Records; and Whereas, heretofore, on divers occasions the undersigned have conveyed therefrom certain lots, including in the deeds of conveyance restrictive covenants governing the use and occupancy of such property; and WHEREAS, after the 15th day of February, 1950, the undersigned inadvertently continued to include in their conveyances a restriction upon the use and occupancy of said property based on race, creed or color:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That the undersigned, being the sole owners of the remainder of such subdivision and having the power to release portions of such restrictions for and in consideration of the premises have this day and do by these presents release unto their grantees in said subdivision (and the heirs, assigns or legal claimants under such grantees) all of that portion of such restrictions relating or appertaining to use or occupancy of the premises by reason of race, creed or color; and for the same consideration and for all future uses and purposes, do by these presents amend such restrictions so as to delete any and all portions thereof relating or appertaining to use, ownership or occupancy of any part of said subdivision on the basis of race, creed or color.

Witnessed at Kerrville, Texas, this 6 day of March, A.D. 1956.

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P 122

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L. D. Harless
Anita K. Brink

THE STATE OF TEXAS)

COUNTY OF KERR) BEFORE ME, the undersigned authority in and for Kerr County, Texas, on this day personally appeared L. D. Harless and Anita K. Brink, a widow, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 8th day of March, A.D. 1956.

Seal

Mildred Newman
Notary Public in and for Kerr County, Texas

Filed for Record the 5th day of July, 1956 at 11:30 o'clock A. M.

Recorded the 5th day of July, 1956 at 4:30 o'clock P. M. (fr)

MRS. R. V. NICHOLS, COUNTY CLERK

By *Emmie M. Newman* Deputy

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THE KERRVILLE CEMETERY ASSOCIATION
IN CONSIDERATION

Of the sum of FORTY EIGHT AND NO/100 DOLLARS paid by M. W. Cooper the receipt of which is hereby acknowledged and confessed, has granted, bargained, sold and released and by these presents does grant, bargain, sell and release unto the said M. W. Cooper all that certain lot or parcel of real estate situated in Kerr County, Texas described as follows, to-wit:

S. E. 1/2 LOT No. 13, in BLOCK No. 33, a part of Survey No. 114, in the name of Samuel Wallace, according to the Map of the KERRVILLE CEMETERY, filed in the office of the Clerk of the County Court of Kerr County, Dec. 11th, 1942 and recorded in Volume 1, page 34, of the Plat Records of Kerr County, Texas.

TO HAVE AND TO HOLD THE SAME unto the said M. W. Cooper, his heirs and assigns forever.

And the said M. W. Cooper accepts this deed, and holds the said Lot subject to all the Rules and Regulations of the said Cemetery Association, and subject to any amendments of or to said Rules and Regulations that may be made by said association at any future time, which said Rules and Regulations are hereto attached and made a part of this deed and each and all of said Rules and Regulations made a part hereof as aforesaid, are and shall be deemed and treated as conditions subsequent in this deed upon which this grant depends, and failure upon the part of the grantee herein, his heirs, representatives or assigns, to comply with said Rules and Regulations or any one of them, shall defeat this grant and operate to re-invest the grantor herein with title to said Lot and said grantor may then re-enter upon and resume possession of said Lot. IN WITNESS WHEREOF, The Kerrville Cemetery Association has caused this Deed to be signed in its corporate name, by its President and attested by its Secretary, and its corporate Seal affixed, at its office in the city of Kerrville, this 25th day of April, 1944.

CORPORATE SEAL
Attest: L. D. Garrett, Secretary.

THE KERRVILLE CEMETERY ASSOCIATION
By J. L. Pampell, President

STATE OF TEXAS)

COUNTY OF KERR) BEFORE ME, W. G. Garrett, Jr., a Notary Public within and for Kerr County, Texas, duly commissioned and qualified, on this day personally appeared J. L. Pampell, President and L. D. Garrett, Secretary of the KERRVILLE CEMETERY ASSOCIATION known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for, and that same is the act of said Kerrville Cemetery Association, for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND and seal of office, this 25th day of April, 1944.

SEAL

W. G. Garrett, Jr.

Notary Public, Kerr County, Texas