

03/13/08

**DEER HILL ADDITION SECTION THREE
RESTRICTIONS**

Volume 201, Page 482, 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 dated February 7, 1947 to L.C.R.A., recorded in Volume 81, Page 426, Deed Records of Kerr County, Texas.
- Easement dated December 19, 1961 to L.C.R.A., recorded in Volume 3, Page 517, Easement Records of Kerr County, Texas.
- Easement dated August 12, 1966 to L.C.R.A., recorded in Volume 4, Page 336, Easement Records of Kerr County, Texas.
- Easement dated December 8, 1975 to Ingram Water Supply, recorded in Volume 8, Page 736, Easement Records of Kerr County, Texas. (LOT 24, SEC. THREE ONLY)
- Easements as per the Plat recorded in Volume 4, Page {PR,"insert page number of the appropriate plat",IN1,3}, Plat Records of Kerr County, Texas. (AS PER LOTS 13-24 ONLY IN SECTION THREE)
- Easement and Building Set Back Lines as per the Restrictions recorded in Volume {PR,"insert volume number",IN1,1}, Page {PR,"insert page number",IN1,2}, Deed Records of Kerr County, Texas.
- R.O.W. Easement dated September 19, 1978 to VIA Cable, Inc., recorded in Volume 10, Page 123, Easement Records of Kerr County, Texas.
- Telephone Line Right-Of-Way Easement dated May 25, 1973 to Hill Country Telephone Cooperative, Inc., recorded in Volume 17, Page 313, Easement 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)

RESTRICTIONS

DEER HILL ADDITION-UNIT 3

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775816

STATE OF TEXAS

I

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF KERR

I

THAT I, DONALD C. OEHLE, hereinafter called GRANTOR, being the owner of that certain tract of land out of and a part of Survey 128, Jonas Harrison, Abstract 183, Kerr County, Texas, which has heretofore been platted into that certain Subdivision known as Deer Hill Addition-Unit 3 to the Town of Ingram, Kerr County, Texas; said plat being recorded in the Office of the County Clerk of Kerr County, Texas, on the 11th day of July, 1977, under Commissioner's Court Order No. 13042, in Volume 4, Page 84, Plat Records, Kerr County, Texas, to which Plat and its record reference is here made for all purposes, and desiring to create and carry out a uniform plan for the improvement, development, and sale of the lots in said Deer Hill Addition-Unit 3, for the benefit of the present and future owners of said lots, do hereby adopt and establish the following restrictions to apply uniformly on the use, occupancy and conveyance of all lots in Deer Hill Addition-Unit 3, and each contract or deed which may be hereafter executed with regard to any of the lots in said Deer Hill Addition-Unit 3, shall be conclusively held to have been executed, delivered, and accepted subject to the following reservations, restrictions, and covenants regardless of whether or not said reservations, restrictions, and covenants are set out in full in said contract or deed.

1. Lots in said Subdivision shall be used for residential purposes only. Only one one-family residence or duplexes may be erected, altered, placed or permitted to remain on said lot. Said lots shall not be used for business purposes of any kind nor for any commercial, manufacturing or apartment house purposes.
2. No trailer, mobile home, tent, shack, detached garage, garage apartment, stable or barn shall be placed,

- developed, erected or be permitted to remain on said lot, nor shall any structure of a temporary character be used at any time as a residence.
3. No noxious or offensive activity shall be carried on upon said lots, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
 4. No building shall be nearer than six (6) feet to either side property line, and the minimum set-back of all buildings from the property lines shall be thirty (30) feet. The total floor area of the main structure exclusive of porches and garages shall not be less than 1200 square feet, nor less than two (2) bedrooms.
 5. All buildings shall be of no less than fifty-one per cent (51%) masonry construction.
 6. No lot shall be subdivided so as to make any lot smaller than seventy-five (75) front feet.
 7. No livestock, pigs, or pigeons are to be kept on said lots.
 8. An easement is reserved for utility installation and maintenance.
 9. These restrictions and covenants are hereby declared to be covenants running with the land and shall be fully binding upon all persons acquiring property in said subdivision whether by descent, devise, purchase or otherwise, and any person by the acceptance of title to any lot of said subdivision shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants. Invalidity of any one or any part of these restrictions by judgment or court order shall in no wise affect any of the other provisions or parts of provisions.

If the GRANTOR herein, or any of his successors or assigns shall violate or attempt to violate any of the restrictions and covenants herein contained, it shall be lawful for any person or persons owning property in said Subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such restriction or covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation, for the benefit of any owners of sites in said Subdivision as their interest may appear.

The foregoing Restrictions are executed by DONALD C. OEHLER, GRANTOR, owner of said Subdivision, on this the 18th day of October, 1977.

FILED FOR RECORD

at 5:00 o'clock P.M.

OCT 18 1977

EMME M. MATHWEL
Clerk County Court, May County, Texas
Emme M. Mathwel Deputy

Donald C. Oehler
DONALD C. OEHLER

STATE OF TEXAS I

COUNTY OF KERR I

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BEFORE ME, the undersigned authority, on this day personally appeared DONALD C. OEHLER, 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 18th day of

[Signature]
Notary Public
Kerr County, Texas

My Commission Expires: 1-31-79

(3)

Filed for record October 18, 1977 at 5:00 o'clock P.M.
Recorded October 20, 1977
EMILIE M. MUENKER, Clerk

By *[Signature]* Deputy