

03-14-08

GUADALUPE HEIGHTS NO. TWO

RESTRICTIONS

Volume 2, Page 10, and Volume 2, Page 36, Plat Records of Kerr County, Texas; 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.
- Easement to L.C.R.A. dated March 9, 1961, recorded in Volume 3, Page 497, Easement Records of Kerr County, Texas. (Lots 1,7, 14,16,17,17, 18, 19 and 20, Block 3 of Section 2 only)
- 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)

PLAT, INDICATION, FIELD NOTES OR QUADRAT REPORTS AND

THE STATE OF TEXAS:

THE COUNTY OF BEXAR:

That we, A. G. Lewis, and wife, Harriette L. Lewis the owners in fee simple of the hereinafter described properties, have caused the same to be surveyed and subdivided into lots, blocks, and streets, which said subdivision shall hereafter be known as "Hilltop Heights", and do hereby dedicate to the public use, all of said streets, and to the use of all of the persons who shall hereafter purchase and own property in said subdivision that certain lot as shown on the plat hereto attached, known as Lot No. 5, in Hilltop Heights, for their use as a park.

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

(50) Mr. Lewis and 10.6 acres out of original Survey #10, W. N. corner, to be hereinafter known as "RESERVE SUBDIVISION" or subdivision on part of the top of Mtn. 500 feet East S. 28 deg. 15' E.,

from the west or upper river corner of Sec. 86, N. West for the N. W. corner of said tract, whence S. 81 deg. 45' N. 250 feet to an iron stake set for N. E. corner of this subdivision. THENCE S. 6 deg. 94' W. 200 feet to an iron stake set for corner. THENCE S. 80 deg. 34' W. 100.1 feet to an iron stake set for corner. THENCE S. 6 deg. 94' W. 100 feet to an iron stake at the N. W. corner of Hilltop Drive as is to be dedicated in this subdivision. THENCE S. 61 deg. 54' E. 60 feet from the N. E. corner of said Hilltop Drive and N. 50.2 feet east from the same line S. 15 deg. 38' E. 500 feet, N. 38 deg. 09' E. 98.4 feet and S. 80 deg. 100.1 feet to an iron stake set for corner. THENCE S. 81 deg. 09' E. 100.3 feet to an iron stake in the west side of Texas State Highway #57, set for N. E. corner of this subdivision. THENCE S. 10 deg. 32' W. at 245 feet the center line of FM 1960 street in this subdivision, at 900.4 feet the center line of Oak Way (as shown in said subdivision), and at 900.6 feet a concrete right-of-way marker set at the beginning of a curve to the left. THENCE with the arc of said curve to the left, whose radius is 3014.69 feet, N. 89.2 feet to a fence corner set for the N. E. corner of this tract. THENCE with the same line N. 71 deg. 49' W. 261.6 feet, N. 70 deg. 54' W. 100 feet and N. 70 deg. 50' W. 270 feet to an iron stake on top of bluff above the Guadalupe River. THENCE with the measure of the top of said bank, N. 87 deg. 45' N. 144.5 feet, N. 85 deg. 52' W. 120.7 feet, N. 85 deg. 09' W. 101.0 feet N. 87 deg. 50' W. 100 feet, N. 120deg. 50' W. 100.4 feet, N. 84 deg. 59' W. 102.4 feet, N. 81 deg. 59' W. 100 feet, N. 80 deg. 100.1 feet, N. 79 deg. 221.7 feet, N. 79 deg. 211.7 feet, N. 79 deg. 210.4 feet, N. 79 deg. 209.5 feet, N. 79 deg. 209.5 feet to a point in the East line of Hilltop Drive. This street to be 20 feet in width on each side of this center line throughout its entire length please a triangular tract lying N. E. of and immediately adjacent to Site No. 77, as shown on the accompanying plat.

THIS SURVEYOR TO contain at least the size and dimensions of which are shown on the accompanying plat.

THIS SURVEYOR TO contain three (3) streets the width of which are described as follows:

ONE WAY -- BEGINNING at a point in the East line of Texas State Highway #57, N. 85 deg. 09' E. 10 deg. 35' E. From the N. E. corner of this subdivision. THENCE N. 85 deg. 09' W. 100.5 feet, N. 79 deg. 59' W. 911.6 feet, N. 89 deg. 30' W. 221.7 feet, N. 79 deg. 211.7 feet, N. 79 deg. 210.4 feet, N. 79 deg. 209.5 feet to a point in the East line of Hilltop Drive. This street to be 20 feet in width on each side of this center line throughout its entire length please a triangular tract lying N. E. of and immediately adjacent to Site No. 77, as shown on the accompanying plat.

ONE WAY -- BEGINNING at a point in the East line of Texas State Highway #57, N. 85 deg. 09' E. 10 deg. 35' E. From the N. E. corner of this subdivision. THENCE N. 85 deg. 09' W. 100.4 feet and N. 79 deg. 59' E. 100.4 feet to a point in the East line of Hilltop Drive. This street to be 20 feet in width on each side of this center line throughout its entire length.

HILLTOP DRIVE -- BEGINNING at an iron stake in the West line of Site 50, at 90 feet S. 10 deg. 35' E. 100.4 feet to a point in the East line of Hilltop Drive. This street to be 20 feet in width on each side of this center line throughout its entire length.

FROM THE N. W. corner. THENCE N. 10 deg. 54' E. at 90 feet the N. W. corner of Site 50, at 90 feet from a point 85 feet N. 79 deg. 09' E. From the end of the center line of Oak Way and at 675 feet an angle points. THENCE N. 10 deg. 35' E. 100.6 feet and N. 85deg. 09' W. 100.6 feet to the end of this street at a point in Site 50, at 90 feet N. 79 deg. 209.5 feet, N. 79 deg. 211.7 feet and N. 79 deg. 210.4 feet to the N. E. corner of Site 50 and the N. E. corner of Site 50, at 90 feet N. 79 deg. 210.4 feet, N. 79 deg. 209.5 feet to a point in width on each side of this center line except for the first 60 feet which goes to the West side of this center line only. It being expressly understood that any purchase of Site 1 to 4 inclusive is to receive right of ingress and egress over a private roadway just that no roadway is to be dedicated to the public further than this point at this time.

And we, A. G. Lewis, and wife Harriette L. Lewis the owners of said subdivision and every part thereof, shall be subject to the following described, hereby declare that said subdivision, and every part thereof, shall take title subject to all of the restrictions contained above named and the methods of enforcement thereof.

RECORDED THIS DAY OF AUGUST, A. D. 1950.

A. G. Lewis
Harriette L. Lewis

restrictive covenants, which shall be covenants running with the land and binding upon each and every owner of any part of said subdivision, its heirs, executors, legal representatives and every other person using or occupying same with the consent of any owner.

1. Said property and every part thereof, (except Lot No. 6 hereinafter mentioned), shall be used for residential purposes only.

2. None of said property shall ever be used for any business or commercial purpose, and neither beer, whiskey nor any other intoxicating beverage shall ever be sold on any of said property.

3. None of said property shall ever be used for the conducting or operating of a tourist court, trailer camp or trailer camp or any commercial host hotel.

4. None of said property shall be used for the purpose of handling or keeping for hire persons affiliated with churches, or other religious or ecclesiastic assemblies.

5. No dwelling house shall be constructed upon any part of said property which contains less than 800 square feet of floor space; and no "duplex" or other two family type of dwelling shall be constructed thereon which contains less than 1800 square feet of floor space, exclusive of garage, whether such garage is attached to the dwelling or constructed separately therefrom.

6. Every dwelling constructed upon said property shall be provided with sanitary, indoor plumbing.

7. No dwelling house shall be constructed upon any or said property, except a garage with store-room and/or garage apartment attached thereto, nearer than 75 feet from the street upon which said property fronts.

8. No dwelling house shall be constructed nearer than 40 feet from the street in front thereof.

9. No shack, trailer or tent shall ever be placed upon any of said property for dwelling or any other purpose, except that trailers belonging to individual owners of said property may be kept upon the premises provided they are not used for dwelling purposes.

10. No dwelling house or other structures shall be served upon the premises from outside said subdivision, except with the express consent of the "Committee" as hereinafter provided.

11. Before the construction of any dwelling (or any outbuilding purified by these restrictions) is commenced, the plans and specifications therefore shall be first submitted to the "Committee" and by its approved, which Committee shall consist of A. G. Lewis, A. R. Lewis and Darrell G. Locklear. And it is provided that the said A. G. Lewis shall have the right at any time and without notice, to nominate members to serve upon said Committee.

12. No part of said property shall ever be owned, used or occupied by persons of the negro or Mexican race, except as servants or white persons riding or driving said property, and then separate quarters shall be provided for the occupancy of such servants.

13. All dwelling houses constructed upon said property shall face the street in front thereof, except the following: Dwelling constructed upon the following lots shall face the Highway (Texas State Highway No. 89): Lots No. 50, 51, 52, 53, 54, 55, 56 and 57; the dwelling constructed upon Lots Nos. 1 through 4, and 6 through 14, may face either the street in front of said lots or the river bluff, provided that all buildings on backs

shall be obscured; and provided that Lot No. 77 shall be deemed to front on the river.

14. In the event of default in the keeping and preserving of the above restrictive covenants, or any of them by any owner or any of said property, or by his heirs, legal representatives or other person using or occupying said property with his consent, then such default shall work a forfeiture of the title to such property, and such title shall immediately revert to and interest in the said A. G. Lewis and wife, Harriette L. Lewis or legal representatives, upon proof of such default being had to a court of competent jurisdiction, it being the intent of the said A. G. Lewis and wife, Harriette L. Lewis, that no such forfeiture be had except upon proof thereof. It is provided, however, that all of the rights of reversion, and rights to retitlement herein retained under the said A. G. Lewis and wife, Harriette L. Lewis, shall be, and are hereby subordinated to the rights of any lesseeholder having an interest in any of said property by reason of the leasehold character; and in the event of a forfeiture under the terms or the reversionary clause herein, such forfeiture shall be subject to the rights of any such lesseeholder and not to the reversioner thereof. However, said lesseeholder failing title to any of said property, or any person requiring title from such lesseeholder, through the foreclosure of any lien, shall take title subject to all of the restrictive covenants above named and the methods of enforcement thereof.

THE STATE OF TEXAS:

THE COUNTY OF KERR: HENRY H. A. HOLLOWAY, Notary Public in and for Kerr County, Texas, on this day personally appeared A. G. Erwin and Harrietta H. Erwin wife of said A. G. Erwin known to me to be two persons whose names are subscribed to the foregoing instrument, and acknowledged the same for the purpose and intention expressed. And the said Harrietta H. Erwin wife of the said A. G. Erwin having been examined by me, privately and apart from her husband, and having the same fully explained to her, she, the said Harrietta H. Erwin acknowledged upon oath to me that she had willingly signed the same for the purposes and considerations therein expressed, and that she did not wish to retract it.

Given under my hand and seal or office, this 14th day of August A. D. 1950.

Darrell G. Deaton
Notary Public to and for Kerr County, Texas

P. M. KIRKENDALL

State Licensed Surveyor
918 Oak Ave.,
Kerrville, Texas

A. G. Erwin
Kerrville, Texas

FRIENDS to a tract of land situated in Kerr County, Texas and having 29.50 acres out of original Survey #6, No. West and 20.6 acres out of original Survey #70, N. E. tract, to be herein referred to as "SUBDIVISION #1" a subdivision of part of the two surveys mentioned above.

BROUGHTON et al iron stake on top of bluff set 6,120' S. 20'E. and 250 feet N. 80'E. from the main or upper river corner of Darrell G. Erwin, No. West of corner of this tract, THENCE S. 80'E. 140 feet to an iron stake set for N. E. corner of this subdivision, THENCE S. 60'E. 200 feet to an iron stake set for corner, THENCE S. 80'E., 100.1 feet to an iron stake at the N. W. corner of Hilltop Drive as is to be delineated in this subdivision, THENCE S. 90'E. 17.1 feet to 50 feet from N. E. corner of Hilltop Drive and at 45.2 feet on iron stake in fence line set for corner, THENCE with the fence line S. 15°38' E. 140' feet, N. E. corner, 45 feet and 7,300' E. 168 feet to an iron stake to an iron stake on corner, THENCE S. 80'E. 21.0 feet to an iron stake in the West line of this subdivision, THENCE S. 150' E. 243 feet to the center line of Elm Way (a street in this subdivision), at 700.4 feet the center line of Elm Way (a street in this subdivision), and at 970.4 feet a separate right-of-way marker set at the beginning of a curve to the left, THENCE with the arc of said curve to the left, where radius is 400.0 feet, S. 20'E. 100' feet and 80' feet, N. E. corner, 45 feet and 7,300' E. 168 feet to an iron stake which has fence line N. 75°24' E. 201.0 feet, N. 70°45' E. 100.4 feet, N. 75°24' E. 210.0 feet and 7,300' E. 168 feet, S. 20'E. 200.5 feet, N. 70°30' E. 911.6 feet, N. 75°30' E. 221.7 feet, N. 70°30' E. 475 feet and N. 77.0 feet and N. 77.0 feet, 100 feet, N. 75°24' E. 200.5 feet, N. 70°30' E. 100 feet, N. 75°30' E. 100.4 feet, N. 70°30' E. 100.5 feet, N. 75°24' E. 99.8 feet, N. 70°30' E. 100.0 feet and N. 75°24' E. 99.7 feet to the place of beginning. This tract containing total of 49.00 acres of land. Faz. 107.

THIS SUBDIVISION no contains 61 lots the size and dimensions of which are shown on the accompanying plan.

THIS SUBDIVISION to contain thereon 151 acres the number of which are described as follows:

ELM WAY -- a road running at a point in the West line of Texas State Highway #70, 243 feet N. 10°21' E., from the N. E. corner of this subdivision, THENCE N. 06°20' W. 250.5 feet, N. 06°30' W. 911.6 feet, N. 05°30' W. 421.7 feet, N. 04°45' W. 70 feet and N. 77.0 feet, 100 feet, N. 75°24' E. 200.5 feet, N. 70°30' E. 100.4 feet, N. 75°30' E. 100.3 feet, N. 70°30' E. 100.5 feet, N. 75°24' E. 100.5 feet, N. 70°30' E. 99.8 feet, N. 75°30' E. 100.0 feet and N. 75°24' E. 99.7 feet to a point in the East line of Hilltop Drive. This street to be 25 feet in width on each side of this center line throughout its entire length.

HILLTOP DRIVE -- beginning at an iron stake in the West line of Elm Way, 243 feet N. 10°21' E., from the N. W. corner, THENCE S. 15°24' E., at 60 feet the N. E. corner of Site #15, at 60 feet a point 22 feet N. 72°30' E., from the end of the center line of Oak Way and at 275 feet from an angle point, THENCE N. 15°24' E., 310.6 feet and N. 04°45' E., 475 feet to the end of this street at a point 22 feet S. 15°24' E., from the N. E. corner of Site #16 and the N. E. corner of Site #4 of this subdivision. This street being 25 feet in width on each side of this center line except for the first 60 feet which part of this street is 35 feet in width on the West side of this center line only. It being expressly understood that any public way or easement of site 1 to 4 inclusive is to receive right of ingress and egress over a private roadway but that no roadway is to be indicated to the public further than this point at this time.

I, F. M. Kirkendall, a licensed land surveyor or person to certify that these field notes and accompanying plan represent the results of an actual survey made on the ground by me and that they do truly describe the property in question.

F. M. Kirkendall
County Surveyor, Kerr County, Texas.
Date 24, 1950

IN THE COMMISSIONER'S COURT
OF KERR COUNTY, TEXAS

On this the 15th day of August, A. D. 1950, came on to be considered the application of A. G. Erwin, of Kerr County, Texas, for the approval of a Plat, Field Notes, and Description of a certain subdivision to be known as "SUBDIVISION #1", one of and part of Survey #6, N. E. tract and No. 70, N. E. corner, located in Kerr County, Texas, and which said "SUBDIVISION #1", is fully described in the Plat and description filed herein, and of which A. G. Erwin is the owner and developer.

And it appearing to the Court that said subdivision, plat and description meet all of the requirements prescribed in the laws of the State of Texas relating to subdivisions.

Therefore, upon action made by H. Rosenstein and seconded by W. H. Purk, it is unanimously ordered, ADJUDGED and DECREED by the Court that said subdivision, "SUBDIVISION #1", be admitted to record in the Map and Plat records of the County Clerk of Kerr County, Texas, and the same is hereby ordered to be so recorded upon the payment of the recording fee thereto.

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

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

Geo. H. Walker
W. H. Purk

V. D. Powell

Henry Rosenstein
Commissioner

Joe Burkett, Jr.
County Judge

Attest: Lawrence Stephen

County Clerk, and Esmeralda Clark,

Commissioner's Clerk, Kerr County, Texas

Filed for Record August 19, 1950, at 500 o'clock P. M.

Recorded on August 30, 1950, at 11:00 o'clock A. M.

(See)

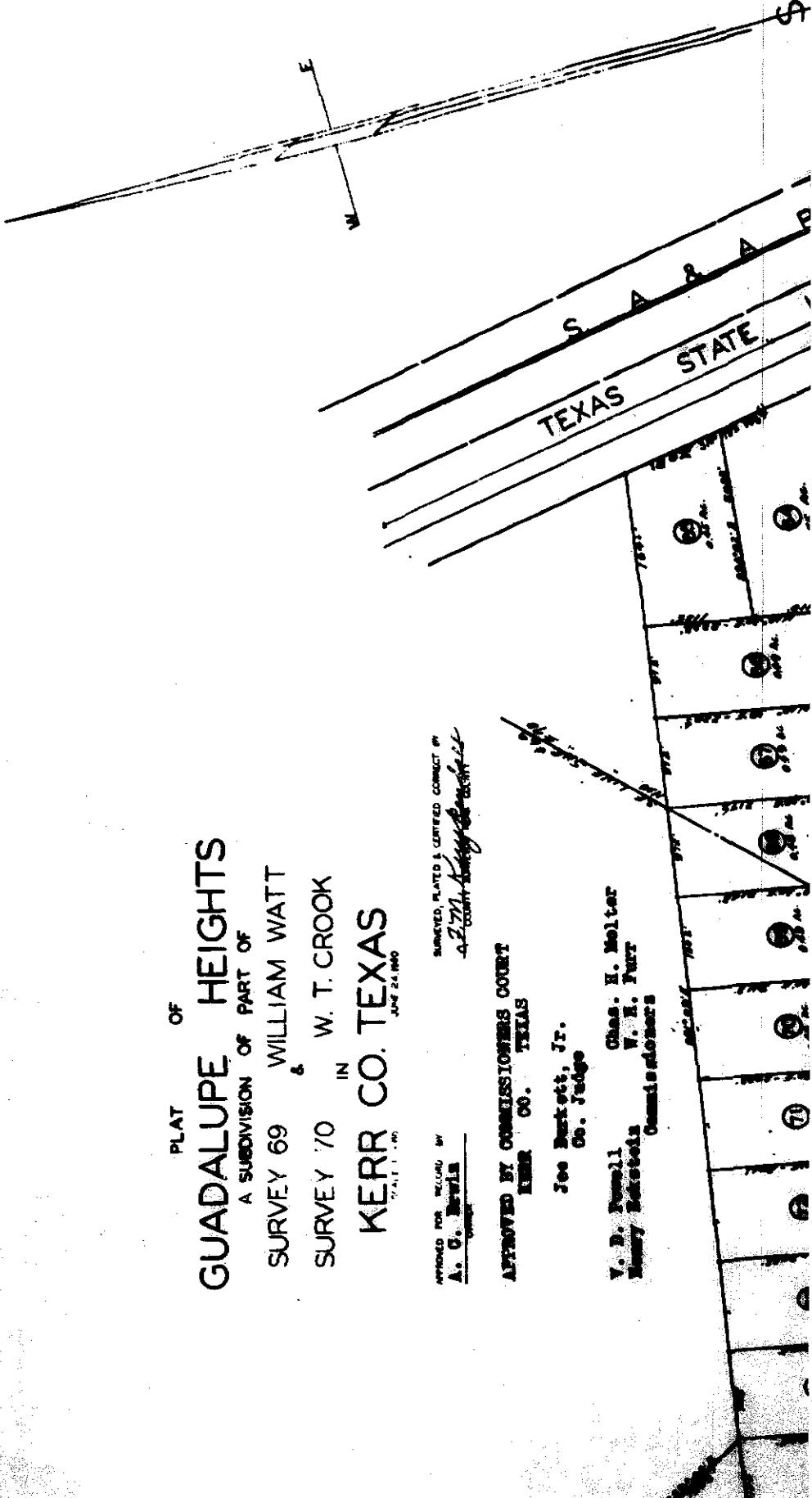
County Clerk

GUADALUPE OF HEIGHTS
A SUBDIVISION OF PART OF
SURVEY 69 WILLIAM WATT
SURVEY '70 IN W. T. CROOK
KERR CO. TEXAS

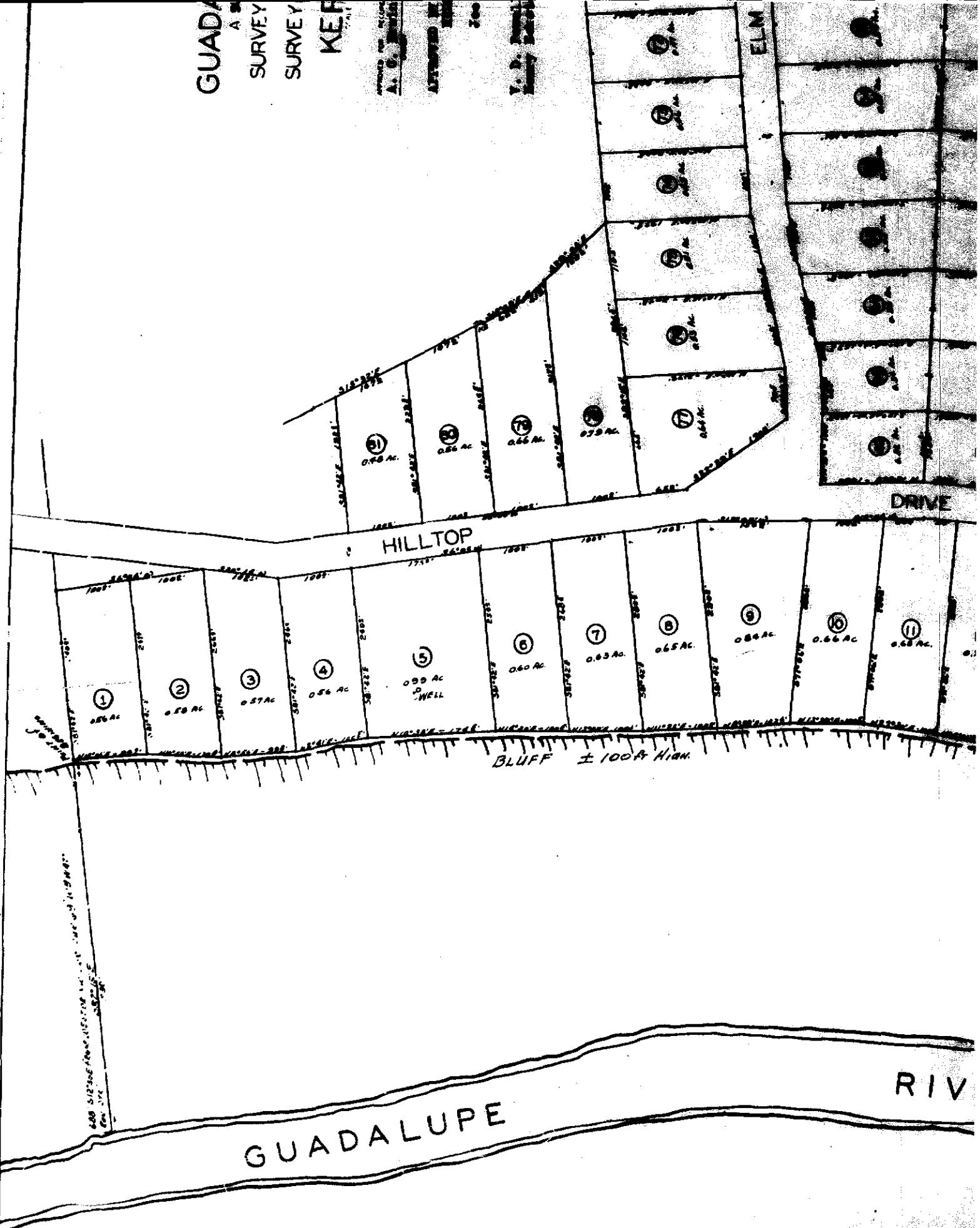
APPROVED & CERTIFIED CORRECT BY
A. G. Lewis

APPROVED BY COMMISSIONERS COURT
KERR CO. TEXAS
Joe Burkett, Jr.
Co. Judge

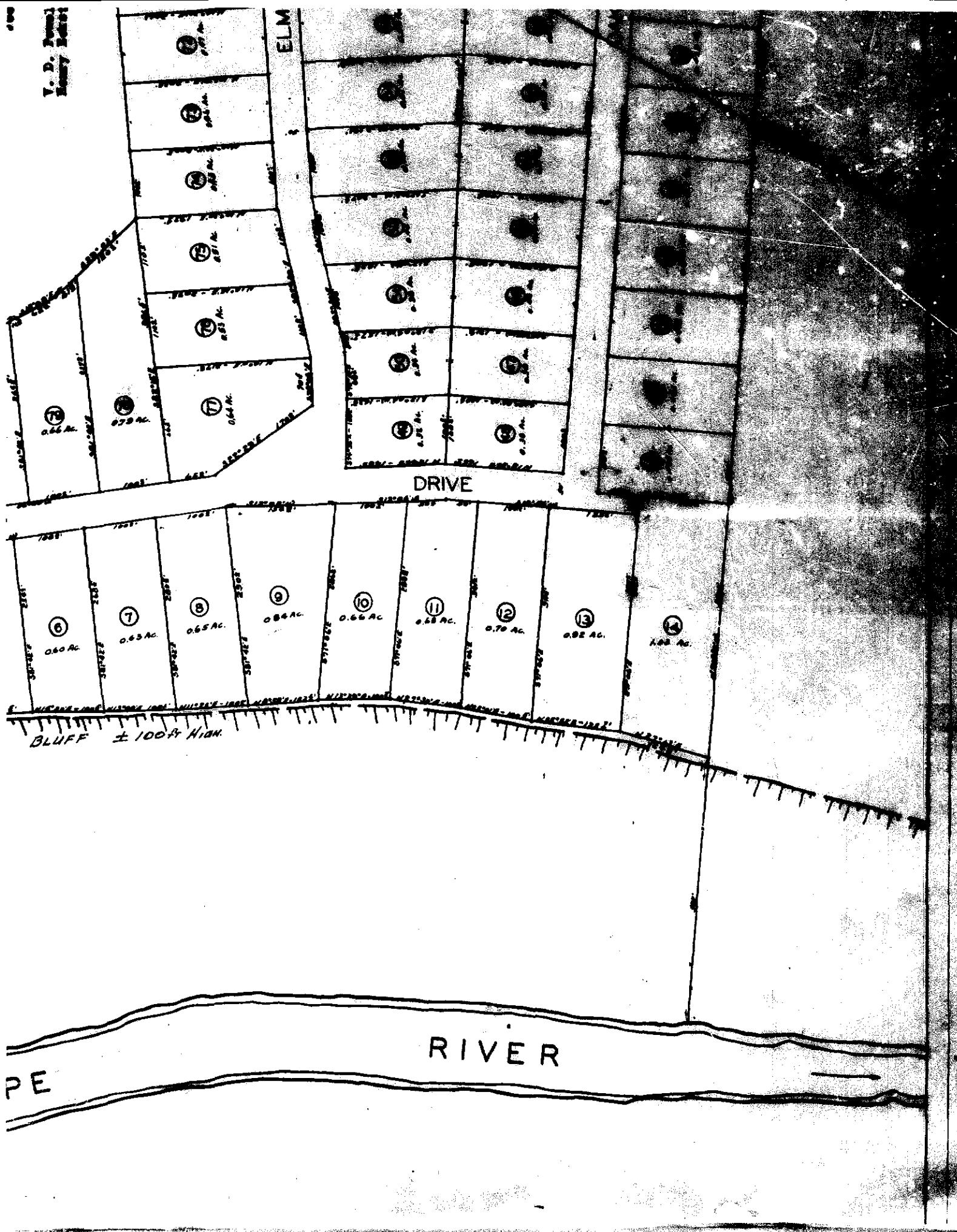
V. D. Jones, Chairman
W. H. Moller
Commissioners
V. H. Furr



GUADALUPE
A
SURVEY
SURVEY
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S A B A P H R
TEXAS STATE HIGHWAY NO. 27

Joe Burkett, Jr. Chas. H. Molter
Co. Judge W. H. Furr
V. D. Powell, County Engineer Commissioner
Burkett, Furr & Powell

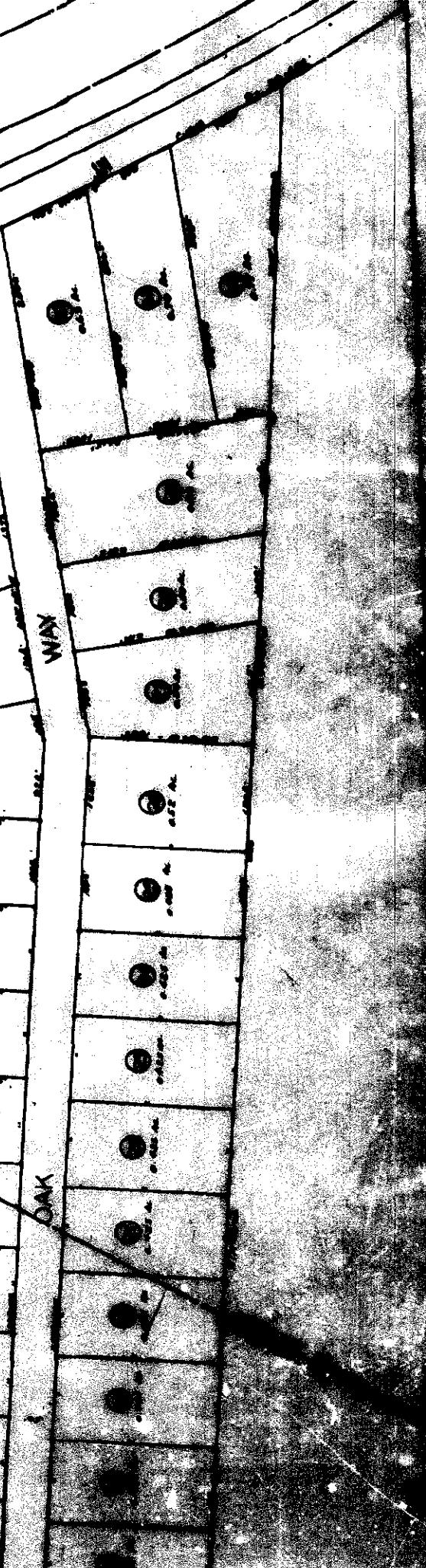
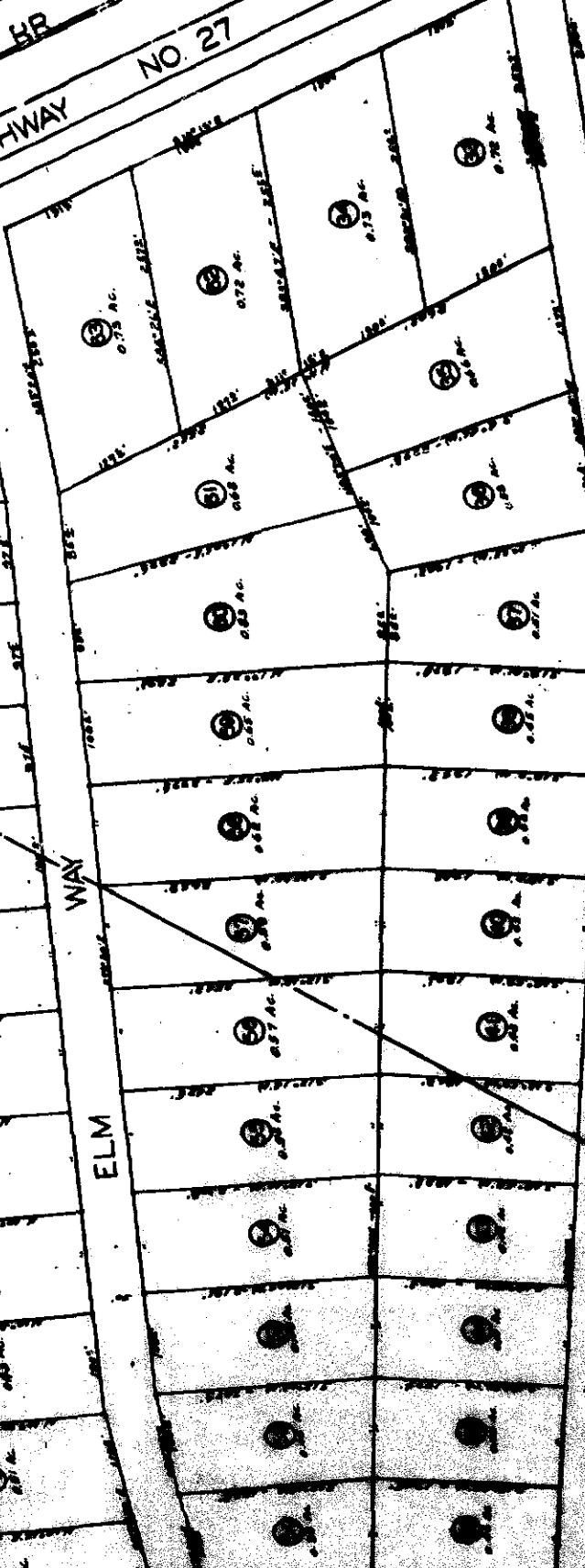
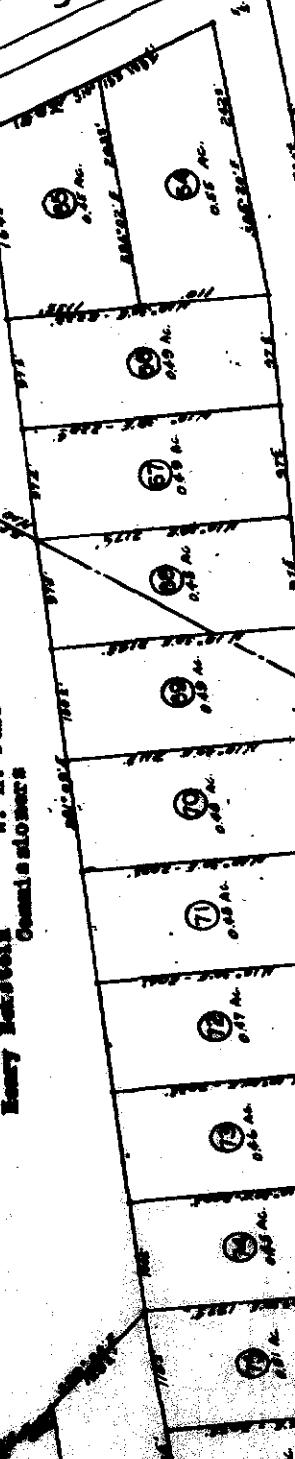
1000' 1000' 1000'

ELM

OAK

WAY

WAY



GUADALUPE HEIGHTS No.2
A SUBDIVISION OF PART OF
SURVEY No 69 WILLIAM WATT
IN
KERR CO TEXAS

— GUADALUPE RIVER

FLATROCK

PARK

© 1970 by the Surveyor

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personally appeared Robert 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 same for the purposes and consideration therein expressed as the act and deed of said corporation, and as president thereof.

Seal

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

Filed for record March 9, 1962 at 1:10 o'clock P. M.
Recorded March 12, 1962 at 11:00 o'clock A. M. (ms)
Volume 112, page 26

EMMIE M. MUENKER, County Clerk

By Wm. H. McLean Deputy

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

AMENDMENT TO RESTRICTIONS

THE STATE OF TEXAS]

COUNTY OF KERR]

WHEREAS, heretofore 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 "GUADALUPE 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 Darrell 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, THEREFORE, ACE RANCH -O-TEL, INC., acting herein by and through its officers thereunto duly authorized, has this day appointed, and by these presents does appoint, as the third member of such committee, Elizabeth 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 amended, 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 amendment 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 dated 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 1st day of February, A. D. 1962.

Corporate Seal

ATTEST:

/s/ Elizabeth E. Broughton
Socy-Treas.

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

THE STATE OF TEXAS]

COUNTY OF NUECES]

REPOSE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE, ON THIS DAY SIGNED.

alby appeared Robert 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 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 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

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

By Mary Elizabeth Deputy

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WARRANTY DEED WITH V/L

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

That CITRIANA DEVELOPMENT COMPANY, a corporation, acting herein by and through B. H. Motley, its President, therunto duly authorized, of the County of Hidalgo State of Texas for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration to it paid and secured to be paid by Curtis D. Morris and wife, Judith Kay Morris AND FOR THE FURTHER CONSIDERATION of the execution and delivery by Grantees herein of that certain note in the original principal sum of \$9,500.00, of even date herewith, payable to the order of Hill Country Federal Savings and Loan Association at Kerrville, Texas, who has this day advanced said sum to Grantor 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 Deed of Trust of even date herewith to Glenn Potsch, Trustee, have Granted, Sold and Conveyed, and by these presents do Grant, Sell 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 4 of the Motley Hills Subdivision, Section One, in Kerr County, Texas, according to the plat and plan of subdivision of record in Volume 2, page 82 of the Plat Records of Kerr County, Texas, to which 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 oil, gas and other minerals in, under and that may be produced from the hereinabove described property, it being understood, however, that there is no right of entry on the hereinabove 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 Citriana 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 Grantee subject to all utility easements as now exist, whether the same be recorded or unrecorded.

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 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 recorded in Vol. 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-C-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 another corner of said J. F. Brance tract; THENCE N. 86 deg. 3' W. 91 feet to the NE corner of J. D. Brance tract: -----, THENCE N. 17 deg. 29' W. 87.2 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

ATTEST:

/s/ Elizabeth Broughton
/t/ 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 author-
ally appeared R. W. ERWIN, PRESIDENT
whose name is subscribed to the foreg-
the name for the purposes and conside-
eration and as President thereof.

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

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

Filed for record May 14, 1965 at 4:15 o'clock P. M.
Recorded May 18, 1965 at 2:35 o'clock P. M. (ms)
Volume 121, page 90
ENNIE N. BUECKER, County Clerk

By Mary Ellen Smith Deputy

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RELEASE OF REVERSIONARY INTERESTS

THE STATE OF TEXAS

COUNTY OF KERR I

COUNTY OF KERR !
WHEREAS, heretofore, A. C. Erwin and Harriette E. Erwin, husband ____ wife, caused to be subdivided into lots, blocks and streets, 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 incorporated 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. Erwin and wife, Harriette E. Erwin conveyed various lots in said subdivisions to divers persons, retaining such reversionary rights; and thereafter ACE RANCH-O-TEK, 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 MEN BY THESE PRESENTS: That ACE RANCH-U-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 to remove from the lands in such subdivisions any reversionary interest or right thereto which Ace Ranch-O-Tel, Inc., has or may hereafter be entitled to, or which may be asserted by any person or corporation holding under said Ace Ranch-O-Tel, Inc.

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

EXECUTED at Kerrville, Texas, this 11th day of May, A. D. 1965.

Corporate Seal
ATTEST:
/s/ Elizabeth Broughton
Secretary

ACE PRACTICE TEST - 136

by /s/ R. W. Irwin
/t/ R. W. Irwin, President

THE STATE OF TEXAS.

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 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. 1905.

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Robert R. Barton
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 H. MUENKER, County Clerk

By Mary Ellen Smith, Deputy

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 recorded in Vol. 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-C-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 another 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.

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. 1903.

ACE RANCH-O-TEL, INC.

Corporate Seal

ATTEST:

/s/ Elizabeth Brough

/t/ Elizabeth Broughton, Secretary

/s/ R. W. Erwin President

/t/ R. W. Erwin, President

THE STATE OF TEXAS I

COUNTY OF KERR I

BEFORE ME, the undersigned authority, in and for the County of San Joaquin, State of California, on the 15th day of May, A. D. 1965, personally appeared R. W. ERWIN, PRESIDENT OF ACE RANCH-U-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.

Given under my hand and seal of office, this 14th day of May, A. D. 1965.
Robert R. Barton

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

Seal

Filed for record May 14, 1965 at 4:15 o'clock P. M.
Recorded May 18, 1965 at 2:35 o'clock P. M. (ms)
Volume 121, page 90
CLERK, WISCONSIN COUNTY CLERK B

By Mary Ellen Smith Deputy

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THE CASE OF REVERSIONARY INTERESTS

THE STATE OF TEXAS I

COUNTY OF KERR I

COUNTY OF KERR I
WHEREAS, heretofore, A. C. Erwin and Harriette B. Erwin, husband ____ wife, caused to be subdivided into lots, blocks and streets, 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. 1, page 12, and Vol. 2, Page 36, Kerr County Plat Records; and,

County Plat Records; and,
WHEREAS, certain restrictive covenants were incorporated 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. Erwin and wife, Harriette E. Erwin conveyed various lots in said subdivisions to divers persons, retaining such reversionary rights; and thereafter ACE RANCH-0-TER, 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 MEN BY THESE PRESENTS: That ACE RANCH-O-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 to remove from the lands in such subdivisions any reversionary interest or right thereto which Ace Ranch-O-Tel, Inc., has or may hereafter be entitled to, or which may be asserted by any person or corporation holding under said Ace Ranch-O-Tel, Inc.

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

EXECUTED at Kerrville, Texas, this 14th day of May, A. D. 1963.

Corporate Seal
ATTEST:
/s/ Elizabeth Broughton
Secretary

ACE RANCH-O-TEL, INC.,
By /s/ R. W. Erwin
/t/ R. W. Erwin, President

THE STATE OF TEXAS

COUNTY OF KERR I

BEFORE ME, the undersigned authority in and for said County and State, on the personally appeared R. W. Erwin, President of Ace Ranch -O-Lel, Inc., known to me person whose name is subscribed to the foregoing instrument, and acknowledged to have executed the same for the purposes and consideration therein expressed, as the aforesaid 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. Barton
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 N. HUENKER, County Clerk

By Mary Ellen Smith, Deputy