

## **CASTLE HILLS SUBDIVISION**

### **RESTRICTIONS**

Volume 63, Page 383 and Volume 67, Page 519, Deed Records of Kerr County, Texas; Volume 4, Page 123, Plat 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.

Reversionary rights as described in deeds dated October 24, 1938 and April 11, 1941, and recorded, respectively, in Volume 63, Page 383 and Volume 67, Page 519, Deed Records of Kerr County, Texas.

### **OTHER EXCEPTIONS**

- Blanket Easement dated December 4, 1929 to Texas Power & Light Company, recorded in Volume 51, Page 187, Deed Records of Kerr County, Texas.
- Easement and Right Of Way dated December 14, 1937 to Texas Power & Light Company, recorded in Volume 61, Page 50, Deed Records of Kerr County, Texas.
- Easement and Building Set Back Lines as per the Plat recorded in Volume 4, Page 123, Plat 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)

and considerations therein expressed.

Given under my hand and seal of office this 28th day of August, A. D. 1938.

(SEAL)

A. A. Hartmann

Notary Public, Kerr County, Texas.

Filed for record Oct. 28, 1938, at 11:40 o'clock A. M.

Recorded October 29, 1938, at 11:50 o'clock A. M.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

WARRANTY DEED

THE STATE OF TEXAS }  
COUNTY OF KERR }

KNOW ALL MEN BY THESE PRESENTS: That we, A. L. Starkey and wife Pattie R. Starkey of the County of Kerr, State of Texas for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars and other valuable considerations to us in hand paid by Virgil Merrell and wife Velma Merrell, the receipt of which is hereby acknowledged and confessed; and the further consideration that the property hereinafter described and conveyed, nor any part thereof, shall never be granted, sold, conveyed or leased by the said Virgil Merrell and wife Velma Merrell, their heirs, assigns to any negro whatsoever, as the term negro is defined in the Statute Laws of the State of Texas; that neither the foregoing property nor any part thereof, shall be used by the said Virgil Merrell and wife Velma Merrell, their heirs, assigns or grantees for keeping for profit persons afflicted with tuberculosis or any contagious or infectious diseases nor for the sale of intoxicating liquor of any alcoholic content whatsoever. That neither the said Virgil Merrell and wife Velma Merrell nor their assigns nor grantees shall erect any business building whatever nor conduct any business whatsoever, on the foregoing property or any part of said property; that neither the said Virgil Merrell and wife Velma Merrell, nor their heirs, nor assigns nor grantees shall erect any building to be used as a dwelling house on the aforesaid property to cost less than Fifteen Hundred Dollars, have Granted, Sold and Conveyed and by these presents do Grant, Sell and Convey unto the said Virgil Merrell and wife Velma Merrell of the County of Kerr, State of Texas all that certain tract or parcel of land lying and being situated in the County of Kerr, State of Texas, out of original Survey No. 120, in the name of Walter Fosgate, and a part of that tract of land conveyed to A. L. Starkey by Edwin Starkey and described by metes and bounds as follows: Beginning at a stake set in the Northwest line of the Kerrville and Harper road which marks the east corner of that one acre parcel of land having been conveyed to Fritz A. Marx by deed found of record in the deed records of Kerr County, Volume 62 page 602. Thence N. 45 W. 290.4 feet to a stake for the N. corner of said Marx parcel of land. Thence N. 45 E. 450 feet to a stake for corner of this parcel. Thence S. 45 E. 290.4 feet to a stake in said Harper road line. Thence S. 45 W. 450 feet to the place of beginning. Containing Three (3) acres of land, and being a part of that 125-5/10 acres out of Sur. No. 120, heretofore conveyed to A. L. Starkey by Edwin Starkey by deed recorded in said County, Vol. 39, page 125. TO HAVE AND TO HOLD, the above described premises, together with all and singular the rights and appurtenances thereto in any-wise belonging unto the said Virgil Merrell and wife, Velma Merrell, their heirs and assigns forever, and it is expressly understood and agreed herein that should any of the covenants or conditions above mentioned, constituting a part of the consideration for this conveyance, be violated or breached by the said Virgil Merrell and wife, Velma Merrell, their heirs, assigns or grantees or any one else succeeding in any manner to their title, then in that event, the said above described and conveyed property is to revert in grantors, A. L. Starkey and wife, Pattie R. Starkey, their heirs and assigns, and this deed is to become null and void; and grantors, A. L. Starkey and Pattie R. Starkey, their heirs and assigns, shall then have the right to re-occupy

63/383

...in the said instrument, as the same thereof in the said  
...from the operation of this conveyance and granters herein, said  
...and Patti R. Starkey, in consideration of the foregoing, do hereby bind them-  
selves, their heirs, successors and administrators to WARRANT AND FOREVER DEFEND, all and sing-  
ular the said premises unto the said Virgil Merrell and wife Velma Merrell, their heirs and  
assigns, against every person whatsoever lawfully claiming or to claim the same or any part  
thereof. Witness our hands at Kerrville, Texas this 24th day of October, A. D. 1938.

(Revenue Stamps \$1.50 cancelled)  
(A. L. S. - - - - - 10/24/38 )

A. L. Starkey  
Pattie R. Starkey

THE STATE OF TEXAS }  
COUNTY OF KERR }

Before me, A. A. Hartmann, a Notary Public in and for Kerr County, Texas  
on this day personally appeared A. L. Starkey known to me to be the person whose name is sub-  
scribed to the foregoing instrument and acknowledged to me that he executed the same for the  
purposes and considerations therein expressed.

Given under my hand and seal of office this 24th day of October, A. D. 1938.

(SEAL)

A. A. Hartmann  
Notary Public, Kerr County, Texas.

THE STATE OF TEXAS }  
COUNTY OF KERR }

Before me, A. A. Hartmann, a Notary Public in and for Kerr County, Texas  
on this day personally appeared Pattie R. Starkey, wife of A. L. Starkey known to me to be the  
person whose name is subscribed to the foregoing instrument and having been examined by me  
privily and apart from her husband and having the same fully explained to her, she the said  
Pattie R. Starkey acknowledged such instrument to be her act and deed and declared that she  
had willingly signed the same for the purposes and consideration therein expressed and that  
she did not wish to retract it.

Given under my hand and seal of office this 24th day of October, A. D. 1938.

(SEAL)

A. A. Hartmann  
Notary Public, Kerr County, Texas.

Filed for record Oct. 28, 1938, at 1:20 o'clock P. M.

Recorded October 29, 1938, at 2:10 o'clock P. M.

WITNESSES  
o/o WILL AND ORDER

THE STATE OF TEXAS }  
COUNTY OF KENDALL }

Know all men by these presents: That I, Herman Stieler of the State and  
County aforesaid, being of sound and disposing mind and memory and knowing the uncertainty of  
life, and the certainty of death, do hereby make and publish this my last Will and Testament,  
hereby revoking any and all Wills by me at any time heretofore made.

First: I direct that all my just debts shall be paid out of my estate as soon after my  
death as possible.

Second: I will, devise and bequeath unto my beloved wife Mrs. Emma Stieler all the estate,  
right, title and interest in possession, reversion or remainder, which I have or at the time of  
my death shall have, of, in or to any lands, tenements, hereditaments or rents charged upon or  
issuing out of them, or shall have of, in or to any personal property whatsoever and wherever

I hereby nominate and appoint my said wife Emma Stieler sole executrix of this  
my last will and I specially request that no further action thereon be had in the Probate  
Court of said County of Kendall and the filing of an inventory, appraisement

(Appeal or certiorari Bonds from Justice Court by defendant or against plaintiff on cross-action are supersedeas bonds.)

(3) Replevy Bonds of any Kind.

This includes: (a) Replevy Bonds in Attachment  
(b) Replevy Bonds in Garnishment  
(c) Replevy Bonds in Sequestration  
(d) Replevy Bonds in Trial Right of Property  
(e) Claimant's Oath and Bond Proceedings

- (4) Community Survivors Bonds
- (5) Contractors Bonds
- (6) Motor Fuel Distributors Bonds
- (7) Consignee and Consignor Bonds

IN TESTIMONY WHEREOF, witness our hands in sextuplet originals this 12th day of April, A. D. 1941.

(SEAL)

LAWYERS LLOYDS OF TEXAS

By Currie McCutcheon, Attorney-in-Fact

Asserted:

Robert I. Wilson  
Deputy Attorney-in-Fact

Currie McCutcheon  
CURRIE MCCUTCHEON, Attorney-in-Fact for Lawyers  
Lloyds of Texas.

STATE OF TEXAS }

COUNTY OF DALLAS ) BEFORE ME, the undersigned authority, on this day personally appeared Currie McCutcheon, Attorney-in-Fact of Lawyers Lloyds of Texas, and Lawyers Lloyds of Texas by Currie McCutcheon, Attorney-in-Fact, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he has signed the same for the purposes and considerations therein expressed and in the capacities therein stated.

Given under my hand and seal of office this the 12th day of April, A. D. 1941.

(SEAL)

Katharine Riley

Notary Public, Dallas County, Texas.

STATE OF TEXAS }

COUNTY OF KERR ) BEFORE ME, the undersigned authority, on this day personally appeared Robert I. Wilson aforesaid, Deputy Attorney-in-Fact, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he signed the same for the purposes and considerations therein expressed and in the capacities therein stated.

Given under my hand and seal of office this the 11th day of April, A. D. 1941.

(SEAL)

Ayleene Wharton

Notary Public, Kerr County, Texas.

IMPORTANT INSTRUCTIONS:

Sign and acknowledge all copies.  
Return three copies to Lawyers Lloyds of Texas.  
Keep two copies for your use from time to time.  
Record one copy in Power of Attorney Records in County Clerk's Office and request County

Clerk to mail to Lawyers Lloyds of Texas, 201 Texas Bank Building, Dallas, Texas, when recorded.

Form 1-D ---4-12-41

Filed for record April 11, 1941 at 2:30 o'clock P. M.

Recorded April 12th, 1941 at 4:00 o'clock P. M.

\*\*\*\*\*

WARRANTY DEED

THE STATE OF TEXAS }

COUNTY OF KERR )

KNOW ALL MEN BY THESE PRESENTS: That we, A. L. Starkey and Pattie R. Starkey, husband and wife of the County of Kerr, State of Texas for and in consideration of Ten and no/100 (\$10.00) Dollars and other good and valuable consideration to us in hand paid by J. L. Bullard the receipt of which is hereby acknowledged and the further consideration that the property hereinafter described and conveyed, nor any part thereof, shall never be granted,

67/519

Sold, conveyed or leased to any negro whomsoever, as the term negro is defined by the statute Laws of the State of Texas; that neither the aforesaid property nor any part thereof, shall be used by said J. L. Bullard his heirs, assigns or grantees, for keeping or treating for profit persons afflicted with tuberculosis or any contagious or infectious diseases. That neither the said J. L. Bullard nor his heirs nor his assigns nor his grantees shall erect any business building whatever nor conduct any business whatever on the above said property or any part thereof; and that neither the aforesaid J. L. Bullard nor his heirs, nor assigns nor grantees shall erect any building to be used as a dwelling house on the aforesaid property to cost less than Two Thousand Dollars. We have Granted, Sold and Conveyed and by these presents do Grant, Sell and Convey unto the said J. L. Bullard of the County of Kerr, State of Texas, all that certain tract or parcel of land, lying and being situated in the County of Kerr, State of Texas out of original Survey No. 120 in the name of Walter Fosgate and being a part of that 125.6 acre tract of land conveyed to A. L. Starkey by deed of record in the deed records of Kerr County, Volume 39, page 125. Beginning at a point in the N. W. line of the Harper road marked by a fence corner at the East corner of that 3 acre parcel of land conveyed by Virgil Merrell and wife to J. L. Bullard. Thence N. 45 W. 290.4 feet to the North corner of said Bullard parcel. Thence N, 45 E. 150 feet to a stake and mound for the north corner of this parcel of land. Thence S. 45 E. at 74 feet a cedar tree bears N. 45 E. 16 inches, at 290.4 feet a stake in said road line, a L. O. 6" bears N. 84 W. 13 feet, a Spanish oak bears N. 44 1/2 W. 20 feet. Thence S. 45 W. 150 feet with said road line to the place of beginning. Containing one acre of land. TO HAVE AND TO HOLD, the above described premises, together with all and singular the rights and appurtenances thereto in any wise belonging unto the said J. L. Bullard, his heirs and assigns, and it is expressly understood and agreed that should any of the covenants and conditions above mentioned, constituting a part of the consideration for this conveyance, be violated or breached by the said J. L. Bullard or his heirs, assigns, grantees or any one else succeeding in any manner to his title, then and in that event, the said above described property is to revert in the grantors, A. L. Starkey and wife Pattie R. Starkey, their heirs and assigns, and this deed is to become null and void; and grantors A. L. Starkey and wife, Pattie R. Starkey, their heirs and assigns, shall then have the right to reenter and take possession of said above described premises, as the owners thereof in fee simple and to hold same entirely free from the operation of this conveyance, and grantors herein, the said A. L. Starkey and wife Pattie R. Starkey, in consideration of the foregoing, do hereby bind themselves, their heirs, executors and administrators to Warrant and to forever defend all and singular the said premises unto the said J. L. Bullard, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Witness our hands at Kerrville, Texas, this 11th day of April, A. D. 1941.

(Revenue Stamps \$.55 cancelled)  
(A. L. S. - - - - - 4/11/41)

A. L. Starkey  
Pattie R. Starkey

THE STATE OF TEXAS )  
COUNTY OF KERR )

Before me, Jno. R. Leavell, Clerk of the County Court, in and for Kerr County, Texas on this day personally appeared A. L. Starkey 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 considerations therein expressed.

Given under my hand and seal of office this 11th day of April, A. D. 1941.

(SEAL #7705)

Jno. R. Leavell

Clerk, County Court, Kerr County, Texas.

By, A. A. Hartmann, Deputy.

THE STATE OF TEXAS )  
COUNTY OF KERR

Before me, Jno. R. Leavell, Clerk of the County Court, in and for Kerr County, Texas, on this day personally appeared Pattie R. Starkey, wife of A. L. Starkey, known to me to be the person whose name is subscribed to the foregoing instrument and having been examined by me privily and apart from her husband and having the same fully explained to her, she, the said Pattie R. Starkey, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed and that she did not wish to retract it.

Given under my hand and seal of office this 11th day of April, A. D. 1941.

(SEAL #7705)

Jno. R. Leavell

Clerk, County Court, Kerr County, Texas.

By, A. A. Hartmann, Deputy.

Filed for record April 12, 1941 at 11:30 o'clock A. M.

Recorded April 14th, 1941 at 11:15 o'clock A. M.

\*\*\*\*\*  
WARRANTY DEED

THE STATE OF TEXAS )  
COUNTY OF JEFFERSON

KNOW ALL MEN BY THESE PRESENTS: That I, W. P. Hooper of the County of Jefferson, State of Texas, for and in consideration of the sum of fifty and No/100 (\$50.00) Dollars & other good and valuable considerations to me paid by J. L. Battarbee, cash, the receipt of which is hereby acknowledged, have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said J. L. Battarbee of the County of Jefferson, State of Texas, all of that certain tract, parcel or piece of land in Kerr County, Texas, known as Summer Homesite No. 18 in Block 2 in Section 1 of Rancho Rio, Kerr County, Texas, as shown by plat thereof recorded in the Plat Record of Kerr County, Texas, in Volume 49 page 94; said summer homesite being in Survey No. 3. 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 J. L. Battarbee, his 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 J. L. Battarbee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. Taxes warranted to \_\_\_\_\_

Witness my hand at Port Arthur, Texas, this 20th day of March, A. D. 1941.

(Revenue Stamps \$.55 cancelled)  
(W. P. H. - - - - 3/20/41 )

W. P. Hooper  
J. L. Battarbee

THE STATE OF TEXAS )  
COUNTY OF JEFFERSON

BEFORE ME, the undersigned authority, in and for Jefferson County, Texas, on this day personally appeared W. P. Hooper 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 26th day of March, A. D. 1941.

(SEAL)

G. L. Thompson

Notary Public in and for Jefferson County, Texas.

Filed for record April 12th, 1941 at 11:30 o'clock A. M.

Recorded April 21, 1941 at 10:10 o'clock A. M.

\*\*\*\*\*