

## KERR VISTA RANCH, 1& 2 RESTRICTIONS

Volume 357, Page {PR,"insert appropriate page number",IN1,1}, Real Property Records of Kerr County, Texas, Volume 5, Page {PR,"insert page number of appropriate plat",IN1,2}, Plat Records of Kerr County, Texas, Volume {PR,"insert volume number of appropriate deed",IN1,3}, Page {PR,"insert page number of appropriate deed",IN1,4}, Real Property 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

- Right Of Way Easement dated March 5, 1979 to Central Texas Electric Cooperative, Inc., recorded in Volume 10, Page 688, Easement Records of Kerr County, Texas.
- Telephone Line Right-Of-Way Easement dated November 27, 1953 to Hill Country Telephone Cooperative, Inc., recorded in Volume 15, Page 682, Easement Records of Kerr County, Texas.
- Oil, Gas and Mineral Lease dated November 10, 1981, recorded in Volume 19, Page 424, Oil & Gas Lease Records of Kerr County, Texas, executed by Jim W. Weatherby to L.A. Waters. (CAN BE DELETED UPON RECEIPT OF ACCEPTABLE AFFIDAVIT OF NON PRODUCTION)
- Utility Easements as per the Plat recorded in Volume 5, Page {PR,"insert page number of appropriate plat",IN1,10}, Plat Records of Kerr County, Texas.
- Building Set Back Lines as per the Restrictions recorded in Volume 357, Page {PR,"insert page number of appropriate restrictions",IN1,10}, and Volume {PR,"insert volume number of appropriate restrictions",IN1,10}, Page {PR,"insert page number of appropriate restrictions",IN1,10}, Real Property Records of Kerr County, Texas.
- Mineral reservation by Grantor, as described in instrument from {PR,"insert grantor for mineral reservation",ST1,9} to {PR,"insert grantee for mineral reservation",ST1,10}, dated {PR,"insert date of mineral reservation",DT2,10}, recorded in Volume {PR,"insert volume number for mineral reservation",IN1,10}, Page {PR,"insert page number of mineral reservation",IN1,10}, {PR,"insert record type of mineral reservation",ST1,10} Records of Kerr County, Texas, reference to which instrument is here made for all purposes, together with all rights, expressed or implied in and to the property covered by this policy arising out of or connected with said interests and conveyance. Title to said interest not checked subsequent to date of aforesaid instrument.
- 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 AND LIMITATIONS

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KERR VISTA RANCH  
Section II

VOL. 357 PAGE 725

THE STATE OF TEXAS

X

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF KERR

X

That,


for the purpose of instituting and carrying out a uniform plan for the development and sale of all of the tracts in Kerr Vista Ranch Section 2 a subdivision, it owns in Kerr County, Texas according to the plat recorded in \_\_\_\_\_ does hereby adopt and impose on behalf of itself, its legal representatives and assigns, the following recited restrictive covenants and use limitations covering all such tracts. All these restrictive covenants and use limitations shall become a part of all contracts for sale, contracts for deed, deeds, and other legal instruments whereby the title or possession of any part or portion of such property is hereafter conveyed or transferred.

1. That tracts having 110 frontage shall be permitted a limited commercial use to office buildings, convenience stores or retail shopping stores. Junk yards, greenhouses, nurseries, welding shops and wrecking yards are expressly prohibited. Commercial signs connected with these businesses may not exceed 40(forty) feet in height.
2. That tracts not fronting 110 shall not be permitted any commercial or business use. No sign shall be placed on any part or portion of such property indicating a commercial use thereof.
3. Each residence building shall contain no less than 800 square feet of floor space, exclusive of open porches, breezeways, car-ports, and garages. No mobile homes will be allowed on said tracts. Campers may be in place for weekend use but shall not be in place for more than seven days. A modular home may be permitted on any tract of five acres or more. The modular home shall be underpinned, affixed permanently and shall contain not less than 800 square feet of floor space.
4. That those tracts containing 10 acres or more may be further subdivided into parcels of not less than 2 acres each. It is expressly provided that if any tract is conveyed to the Veterans Land Board in accordance with the Texas Veterans Land Program as set out in TEX. NAT. RES. CODE ANN. Section 161 and seq., then the restriction against further subdivision contained in this paragraph shall not prohibit the Veterans Land Board from granting to the veteran purchaser or his assigns, title to a portion of such tract while such tract is under Contract of Sale and Purchase between the Veterans Land Board and such veteran purchaser. At such time as title to such tract is no longer claimed or owned by the Veterans Land Board, such tract shall again be subject to the prohibition and restrictions on further subdivision as recited in this paragraph.

5. That all buildings, dwellings, garages, barns and other buildings constructed on any part of the tracts must be set back at least 50 feet from any public or private roadways or boundary line.
6. No swine shall be allowed on any tract. No livestock shall be permitted until tract is fenced; and then no more than 1 animal per 2½ acres, shall be permitted. Livestock consists of horses, cattle, sheep and goats. Family pets such as cats or dogs are not livestock.
7. That no tract or any part of a tract shall be used or maintained as a dumping ground for rubbish, trash, or wastes.
8. That no junk yards, repair yards, or wrecking yards shall be located on any tract. Two or more vehicles in disrepair placed on a tract for more than two weeks shall constitute a junk yard.
9. That no outside toilets shall be permitted. It is the responsibility of the purchaser, not the owner/subdivider hereof, to install any septic tank and soil-absorption sewerage disposal system. Installation of septic tank soil-absorption sewerage disposal system shall be in accordance with the minimum recommendations by the Division of Sanitary Engineering, Texas State Department of Health, and subject to the inspection by the Kerr County Health Department.
10. No noxious or offensive activity shall be carried on or conducted upon any tract, nor shall anything be done on any lot which shall or may be or become any annoyance or nuisance to neighbors.
11. Owner has no obligation to maintain roads shown on the plat of said subdivision. All driveways off public roads to a tract shall be constructed and installed so as not to obstruct drainage or flow of water. If necessary, the owner of the tract being served by the driveway will install appropriate culverts or drainage pipe under the driveway.

The above restrictions constitute covenants running with the land and insure to the benefit of the undersigned and its assigns as well as each and every purchaser of any tract in the subdivision, their heirs and assigns. Any one of said beneficiaries shall have the right to enforce these restrictions in equity or in law. If one or more of such restrictions shall be held invalid, none of the others shall be affected or impaired by such holding, but shall remain in full force and effect.

These restrictions shall be effective for a period of twenty-five years from this date. However, after one-half of all the tracts in this subdivision have been sold by the Owner/subdivider any one or all of such restrictions may be altered, amended or cancelled by a majority of the owners of these tracts; the owners of such tracts shall be entitled to one vote of each tract owned by them; but, for the purpose of altering or amending these restrictions, Owner/subdivider shall be deemed the owner of only one tract. Such amendment, alteration, or cancellation of any of the above restrictions must be in writing and must be filed with the Kerr County Clerk in order to be of any force or effect.

  
John Turner, President, ICM Investments, Inc.  
General Partner, Kerr Vista Ranch Partnership

THE STATE OF TEXAS

COUNTY OF Hempden

This instrument was acknowledged before me on the 6<sup>th</sup> day of  
January 1986 by John Turner

Carol J. Heaton  
Notary Public, State of Texas  
My commission expires 3-4-89



FILED FOR RECORD  
at 1:28 o'clock P.M.

JAN 6 1986

(PATRICIA DYE)  
Clerk County Court, Bexar County, Texas  
By *[Signature]* Deputy

*Filed & Return to*  
Ranch Enterprises  
P.O. Box 1048  
Lampasas, Tx 76550

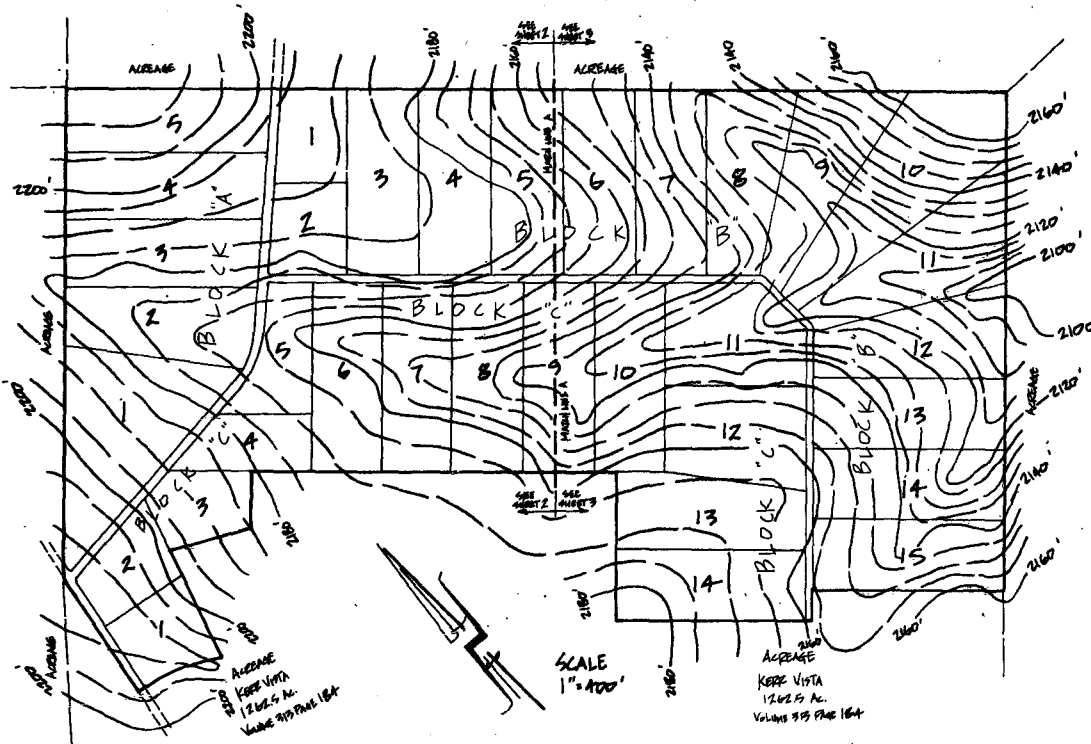
Filed for record January 6, 1986 at 1:28 o'clock P.M.  
Recorded January 10, 1986  
PATRICIA DYE, Clerk By *[Signature]* Deputy

# KERR VISTA RANCH, SECTION TWO

A SUBDIVISION OF 312.64 ACRES OF LAND, MORE OR LESS, OUT OF THE CHAS. SCHREINER SURVEY NO. 6 ABSTRACT NO. 1678, IN KERR COUNTY, TEXAS.

Vol. 5, Page 191

RECORD # 11444  
Vol. 5, Page 11444



I HEREBY CERTIFY THAT THE SEWER DISPOSAL UTILITY SYSTEMS INSTALLED, OR PROPOSED FOR INSTALLATION, IN THE SUBDIVISION PLATTED HEREON FULLY MEET THE REQUIREMENTS OF THE TEXAS STATE ENGINEERING AND SURVEYING ACT, AND ARE HEREBY APPROVED AS SUCH.

*[Signature]*  
December 19, 1985  
SEWER COMMISSIONER

I HEREBY CERTIFY THAT THE SUBDIVISION PLATTED HEREON MEETS WITH APPROVAL OF THE CITY ENGINEERING DEPARTMENT AND AGENCIES MEET THE CITY ENGINEERING DEPARTMENT FOR HOUSE NUMBERS ASSIGNED BY THE CITY OF KERRVILLE PLANNING DEPARTMENT.

*[Signature]*  
December 19, 1985  
CITY ENGINEER

THE ENGINEERING COUNTY OFFICIAL OF KERR COUNTY HEREBY CERTIFIES THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE COUNTY AS TO WHICH HIS APPROVAL IS REQUIRED.

*[Signature]*  
December 19, 1985  
COUNTY ENGINEER

THIS PLAN OF KERR VISTA RANCH, SECTION FOUR HAS BEEN SUBMITTED TO AND APPROVED BY THE COMMISSIONERS COURT OF KERR COUNTY, TEXAS, AND IS HEREBY APPROVED BY SUCH COURT.

*[Signature]*  
December 19, 1985  
COMMISSIONERS COURT

WITNESSED MY HAND AND SEAL OF OFFICE THIS 19th day of December, 1985.

*[Signature]*  
COUNTY CLERK

## GENERAL NOTES:

INDIVIDUAL SITE PLANS FOR EACH LOT, INCLUDING LOCATION OF DRAINAGE, DRIVEWAYS, CEMENTMENTS, AND APPROVED HOUSE DISPOSAL AREA, SHALL BE SUBMITTED TO THE UTILITY ENGINEER FOR APPROVAL PRIOR TO THE START OF ANY CONSTRUCTION.

SUBDIVISION: HARPER INDEPENDENT UTILITY COMPANIES  
ELECTRIC: CENTRAL TEXAS ELECTRIC COOP  
TELEPHONE: HILL COUNTRY TELEPHONE CO.

## EXHIBIT "A"

Consent of the Central Texas Electric Cooperative, Inc., a corporation whose principal office is in Fredericksburg, Texas and the successors or assigns as hereinafter defined.

Consent is hereby given that the undersigned shall have the right to install and maintain all necessary apparatuses, whether installed in the air, upon the surface or underground, along and within ten feet (10') of the rear, front and side lines of all lots and/or tracts and in the streets, alleys, boulevards, lanes, and roads of the subdivision, and ten feet (10') along the other boundaries of all streets, boulevards, lanes, drives and roads, where property, free of individual lots and/or tracts are situated in the center line of said subdivision and hereby that (10') along the entire perimeter (boundary) of said subdivision and with the necessary to allow, construct, operate, maintain, repair and replace therein or electric distribution line or system. The consent rights herein granted include the privilege of anchoring any support cables or other devices outside said easement when deemed necessary by the utility to support equipment within said easement and the right to install wires and/or cables over said portions of said lots and/or tracts and within said easement so long as such lines do not prevent the construction of buildings on any of the lots and/or tracts of this subdivision. Nothing shall be placed or permitted to remain within the easement area which may damage or interfere with installation and maintenance of utilities. The easement area of each lot and/or tract and all improvements within it shall be maintained by the owner of the lot except for those improvements for which an authority or utility company is responsible. Utility companies or their employees shall have all of the rights and benefits necessary and reasonable for the full enjoyment of the rights herein granted, including but not limited to the free right to ingress to, and to egress from said right-of-way and easement, and the right from time to time to cut and trim all trees, undergrowth and other obstructions that may hinder, endanger or interfere with the operation of said utility installations. The developer and/or landowner shall be responsible for removal of any or all trees, shrubs, branches or brush that must be cut or removed to clear the right-of-way for use construction, or maintenance of any lines constructed on the property.

Any deviation to the above policy will be at the discretion of the Manager or in the absence of the Manager, then the Cooperative Engineer.

BOARD POLICY ADOPTED July 27, 1978  
Revised February 28, 1985

STATE OF TEXAS  
COUNTY OF TEXAS

I, J. LEROY BORN, AN AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAN IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION, ON THE GROUND, THAT THE SUBDIVISION PLATTED HEREON IS NOW WITHIN THE 2ND OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS, AND THAT THE SUBDIVISION PLATTED HEREON IS NOT WITHIN THE 100 YEAR FLOOD PLAIN.

*[Signature]*  
J. LEROY BORN  
R.S.D. PUBLIC SURVEYOR  
NO. 1288

12-18-85

DATE  
12-18-85  
AUSTIN, TEXAS 78704



STATE OF TEXAS  
COUNTY OF

THE OWNERS OF THE LAND SHOWN ON THIS PLAT, AND WHOSE NAMES ARE SUBSCRIBED HEREON, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HAVE COME TO KERR COUNTY, TEXAS, FOR THE DUES OF THE PUBLIC FOR THE PURPOSES OF THE PUBLIC PLACES AND ALL OTHER PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

*[Signature]*  
KERR VISTA - DEVELOPER  
LCM INDEPENDENT INC. - PARTNER  
JOHN TURNER - PRESIDENT  
709 N. 4th St., Austin, TX 78701

STATE OF TEXAS  
COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared John Turner, 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, and in the capacity therein stated.

GIVEN under my hand and seal of office this 18th day of December, 1985.

*[Signature]*  
Notary Public in and for Texas, Co., Tx.  
Commission Expires: 7-26-88



APPROVED BY THE COMMISSIONERS COURT OF KERR COUNTY, TEXAS on the 19th day of December, A.D. 1985 by Order No. 14418 of said court and was filed for record on the 22nd day of December, A.D. 1985 at 2:15 o'clock P.M. and was recorded on the 30th day of December, A.D. 1985 at 2:15 o'clock P.M. in Volume 595 at Page 114-195 of the Plat Records of Kerr County, Texas.

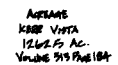
*[Signature]*  
Patricia Dye, Kerr County Clerk



SHEET NO. 1 OF 3

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K



SCALE  
1" = 200'

- LEGEND -

- IRON ROD FOUND
- IRON PIN SET
- NAIL IN FENCE POST FOUND

### GENERAL NOTES

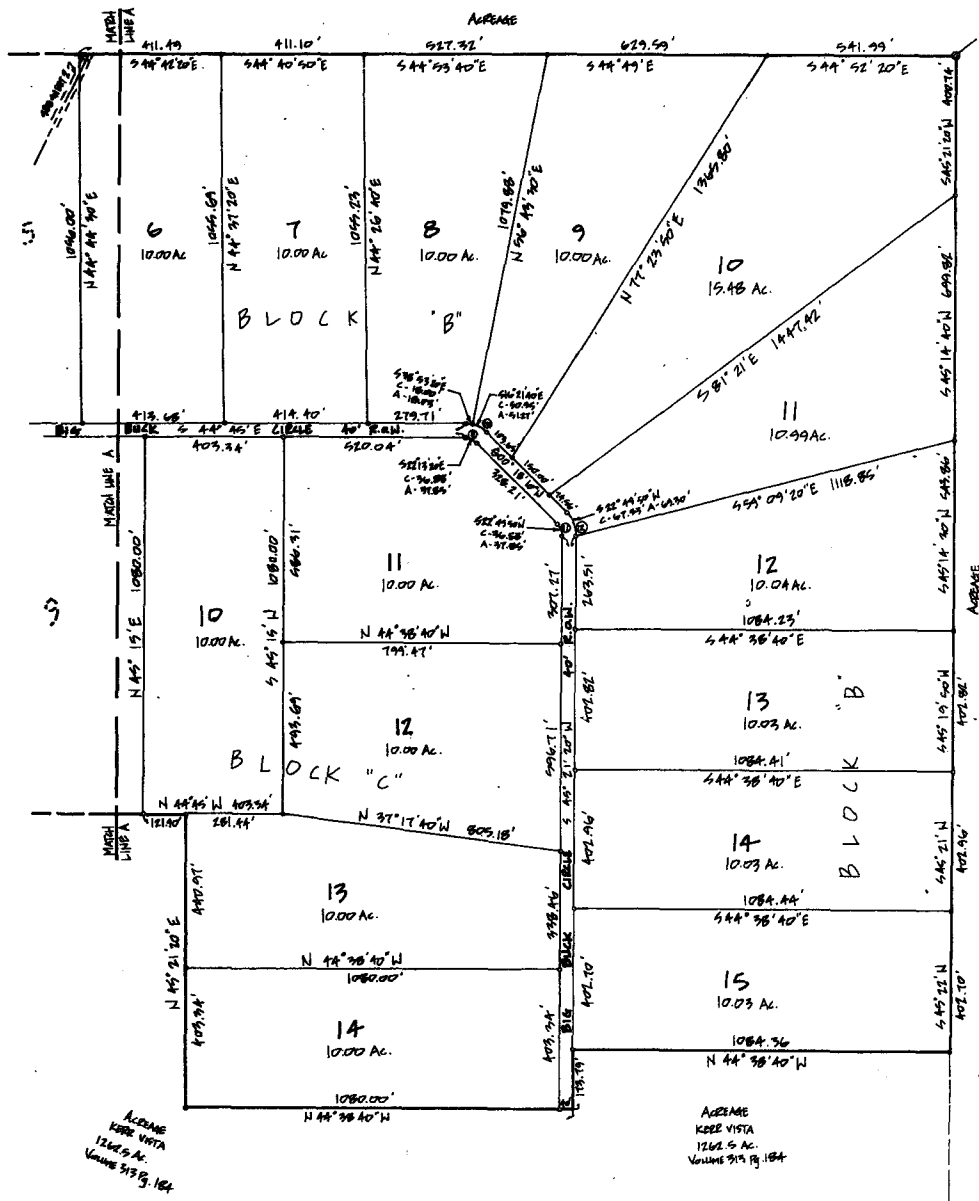
[illegible]

INDIVIDUAL WITH PLANS FOR SAID LOT, INCLUDING LOCATION OF DRIVELING, SIDEWALK, EASEMENTS, AND ADJACENT WATER DRAINAGE AREA, SHALL BE SUBMITTED TO THE UPPR ALABAMA LIFE ENEE AUTHORITY FOR APPROVAL PRIOR TO THE START OF ANY CONSTRUCTION.

CUBIC DATA									
	①	②	③	④	⑤	⑥	⑦	⑧	⑨
S	26.21°	26.00°	25.79°	25.57°	25.34°	25.11°	24.88°	24.64°	24.40°
T	230.27	19.00"	11.66"	18.93"	198.19"	141.81"	14.91"	16.00"	
R	989.92	16.00"	19.00"	18.93"	989.72"	498.72"	19.00"	19.00"	
O	4.48	21.21"	18.94"	23.70"	300.64"	269.91"	20.48"	21.32"	
A	4.96	23.96"	19.96"	22.36"	300.72"	230.91"	22.96"		
AREA	776.00	22.54"	29.44"	22.36"	100.00"	100.00"	22.96"	23.96"	

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A SUBDIVISION OF 327.64 ACRES OF LAND, MORE OR LESS, OUT OF THE CHAS. SCHREINER SURVEY NO. 6 ABST. NO. 1678, IN KEEF COUNTY, TEXAS.



SCALE  
1" = 200'

- LEGEND -

- IRON ROD FOUND
- IRON PIN SET
- NAIL IN FENCE POST FOUND

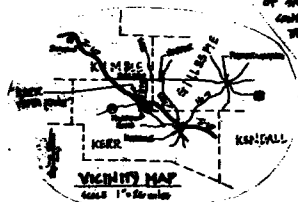
ALCEME  
KERR VISTA  
1262.5 AC.  
VOLUME 313 Pg. 184

ACREAGE  
KORR VISTA  
1262.5 AC.  
VOLUME 313 Pg. 184

### GENERAL NOTES

[illegible]

INDIVIDUAL 4TH PLANS FOR EACH LOT, INCLUDING LOCATION OF DWELLING, DRIVEWAYS, EASEMENTS AND APPROPRIATE MAINTENANCE AREA, SHALL BE SUBMITTED TO THE UPPER GUADALUPE FLOOD AUTHORITY FOR APPROVAL PRIOR TO THE START OF ANY CONSTRUCTION.



SHEET NO. 3 OF 3

CENS DATA				
DATE	9	10	11	12
I	45° 03' 10"	45° 03' 10"	45° 03' 10"	45° 03' 10"
T	19° 46'	26° 55'	19° 46'	26° 55'
R	48° 13'	88° 13'	48° 13'	88° 13'
C	26° 55'	61° 55'	26° 55'	61° 55'
A	37° 00'	45° 00'	37° 00'	45° 00'
ABA	91° 00'	90° 10'	91° 00'	90° 10'