

03-14-08

GUADALUPE HEIGHTS NO. THREE

RESTRICTIONS

Volume 115, Page 28, 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 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.
- 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)

ALL LOTS IN THIS SUBDIVISION ARE SUBJECT TO RESTRICTIONS RECORDED ELSEWHERE.

CERTIFICATE OF AUTHENTICATION AND DEDICATION

Attest: Elizabeth Broughton G. R. Erwin
Elizabeth Broughton, Secy. A.R. Erwin Vice-pres.

Yarrow Forks
Kerns Forks
History Public, Kern County, Texas

This plat of Goodships Heights No. 3 has been submitted to and considered by the Planning and Zoning Commission of the City of Knoxville, Tennessee, and is hereby approved by such commission on the 13th day of March A.D. 1963.

Approved by the Commissioners Court of Kerr County, Texas, on the 11 th. day of March A.D. 1963, by order No. 9-405 of said court and entered for record on the 14 th. day of March A.D. 1963, at 9:50 o'clock A.M. and recorded on the 14 th day of March A.D. 1963, at 9:15 o'clock A.M. in Volume 2 of mesa 57 of the Plat Records of Kerr County, Texas.

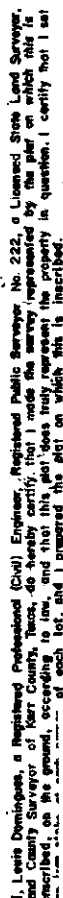
PLAT OF

A SUBDIVISION OF
SURVEY NO. 69, W.M. WATT, ABST. NO. 367 &
SURVEY NO. 70, W.T. CROOK, ABST. NO. 113

SCALE 1" = 100 FEET

SCALE 1" = 100 FEET

MARCH 6, 1963



Paul D. Duvigneau
Louis Duvigneau
Registered PROFESSIONAL ENGINEER NO. 1635
Registered Public Surveyor NO. 222
Karrville, Texas

WHEREAS, SAID CORPORATION HAS CAUSED THE PLAT OF such Guadalupe Heights #3 to be filed for record in the office of the County Clerk of Bexar County, Texas, where the same now appears in

Volume 2, page 97, Kerr County Plat Records; and,

WHEREAS, to provide for the orderly development of such subdivision, it is desirable that certain restrictions be imposed upon the use and occupancy of such subdivision;

NOW, THEREFORE, Ace Ranch-O-Tel, Inc., acting herein by and through its officers thereunto duly authorized, have this day adopted and by these presents do adopt and impose upon the lands included in such Guadalupe Heights #3 and the several parts thereof, the following restrictions, to-wit:

1. Lots Nos. 1-6 inclusive, Lots Nos. 35-42 inclusive and Lots Nos. 71-73 inclusive, are reserved to the subdividers for use as a community center, including buildings which may be used for retail sales and merchandising, a private club, playground area and any shop or store business, so long as the same does not entail noxious or offensive noises, substances and/or odors and provided further, that no part of such reserved area shall be used for the boarding, keeping or treating of persons with infectious or contagious diseases for profit. The subdividers shall not be required to use the reserved area for the reserved purposes; and if the same or any part thereof shall be used for residential purposes, then the restrictions affecting the remainder of the subdivision shall apply with equal force to that part of the reserved area which is used for residential purposes.

2. The remaining 56 lots and every part thereof shall be used for residential purposes only, including duplex or two family dwellings and not more than one such residence or duplex shall be constructed on any one lot.

3. None of said property shall be used for the purposes of boarding or keeping for hire persons afflicted with tuberculosis or other infectious or contagious diseases.

4. No dwelling house shall be constructed upon any part of said property which contains less than 1,000 square feet of floor space; and no duplex or other two family type of dwelling shall be constructed upon such property which contains less than 1200 square feet of floor space, in each instance, exclusive of garage whether such garage is attached to the dwelling or constructed separately therefrom.

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

6. No outbuilding shall be constructed upon any of said property, except a garage with storeroom and/or garage apartment attached thereto, nearer than 75 feet from the street upon which said property fronts.

7. No dwelling house shall be constructed nearer than 25 feet from the street in front thereof.

8. 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 stored upon the premises provided they are not used for dwelling purposes.

9. No dwelling house or other structures shall be moved upon the premises from outside the subdivision, except with the express consent of the "Committee" hereinafter provided for.

10. Before the construction of any dwelling (or any outbuilding permitted by these restrictions) is commenced, the plans and specifications therefor shall be first submitted to the "Committee", and by it approved, which Committee shall consist of Elizabeth Broughton, A. R. Erwin and Darrell C. Lochte, and it is provided that the said corporation shall have the right at any time and without notice, to substitute members to serve upon said Committee, subject only to the condition that such new member at the time of appointment shall be a resident property owner in Guadalupe Heights, Guadalupe Heights #2 or Guadalupe Heights #3.

11. No part of said property shall ever be owned, used or occupied by persons of the negro

