

RESTRICTIONS

THE STATE OF TEXAS)
) KNOW ALL MEN BY THESE PRESENTS:
 THE COUNTY OF KERR) 1130

That we, RAY V. BOWLIN and wife, MARGARET BOWLIN, have caused to be surveyed and platted the lands hereinafter described under the name of GREEN VALLEY PARK SUBDIVISION, and have caused the same to be subdivided into blocks, lots, streets, drives and public ways, as shown on the accompanying plat, to the public use.

Situated in Kerr County, Texas, and being described as follows, to-wit:

All that certain tract or parcel of land lying and being in Kerr County, Texas, being 7.1 acres of land, more or less, out of and part of Survey No. 40, George Guinn, Abst. No. 156, located near the town of Center Point, Texas, described by metes and bounds as follows, to-wit:

BEGINNING at the SW corner of the North Center Point Subdivision as shown by plat of record in Vol. 1, page 95, Kerr County Plat Records;

THENCE N 0 deg. 12' E 933 feet along West boundary line of said subdivision to its NW corner of the South boundary line of Texas State Highway No. 27;

THENCE in a westerly direction with and along the South boundary line of said highway about 417 feet to the intersection of the South boundary line of said highway and the West line of Survey No. 40;

THENCE South along the West boundary line of said Survey No. 40, 338 feet to the NW corner of a two acre tract conveyed to Clyde D. Wilkinson by deed of record in Vol. 108, page 300, Kerr County, Deed Records;

THENCE South 89 deg. 48' E 140 feet to the Northeast corner of said two acre tract;

THENCE South 0 deg. 12' W 611.5 feet to the Southeast corner of said two acre tract set in the North boundary line of old highway;

THENCE in an easterly direction along the North boundary line of said old highway about 280 feet to the place of beginning;

LESS, however, a 1/16th non-participating royalty interest in and to all of the oil, gas and other minerals in, on and under said land as it is reserved in deed of record in Vol. 77, page 111, Kerr County Deed Records.

Being the same property conveyed in the deed dated October 15, 1970, from J. O. Goss et ux to Ray V. Bowlin and wife, Margaret Bowlin, recorded in Vol. 145, page 754, of the Deed Records of Kerr County, Texas, to which deed and its record reference is here made for all purposes.

The said RAY V. BOWLIN and wife, MARGARET BOWLIN, declare that the aforesaid land shown on the plat above referred to, is held and shall be conveyed subject to the reservations, restrictions and covenants herein set forth.

DEFINITIONS

By "Building Limit Line," as herein used, is meant the line marked "Building Limit Line," as shown on the plat.

By "Outbuilding," as the word is used in this instrument, is intended to mean an enclosed, covered structure, not directly attached to the dwelling which it serves.

USE OF LAND--Dwelling Houses

Lots Two (2) through Fourteen (14) inclusive, Block A, and Lots One (1) through Seventeen (17), inclusive, Block C, shall be used for private dwelling purposes only, and no store or business house, no gas, oil or automobile service station, and no flat or apartment house, though intended for dwelling purposes, and no building of any kind whatsoever shall be erected or maintained thereon, except private dwelling houses and such outbuildings as are customarily appurtenant to dwellings, each house being detached and being designed for occupancy for a single family only.

Not more than one dwelling shall be erected on any one of said lots above designated for private dwelling purposes or not more than one mobile home placed thereon.

No permanent dwelling house shall be erected on any one of said lots above designated for private dwelling purposes that contains less than 750 square feet of living space, the area of the square feet of living space in said houses to be calculated including porches, except that this restriction shall not apply to mobile homes placed thereon. No mobile home shall be placed thereon with a dimension of less than eight (8) feet x thirty-five (35) feet.

No retail or wholesale business may be conducted on said lots reserved for dwelling houses.

USE OF LAND--Business Lots

Lots One (1), Two (2), Three (3), Four (4) and Five (5), Block B, front on State Highway No. 27 and may be used for business purposes.

No business shall be conducted on said lots herein designated for business purposes for the sale of alcoholic beverages, nor any business which allows dancing on the premises, and no business may be conducted thereon that would

litter or pollute said property and the air surrounding same or that would cause loud or disturbing noise, and in particular, no veterinary clinic or dog kennel may be located thereon.

GENERAL USE OF LAND

No noxious or offensive activity shall be carried on in any structure or upon any lot, nor shall anything be done thereon which may be or become annoyance or nuisance to the neighborhood.

No structure shall be moved onto any lot unless it complies with all restrictive covenants herein set out.

No permanent provisions shall be made on any lot for the raising or keeping of poultry, hogs, cows, horses or housing or keeping of any other livestock, and no livestock or flock of fowls shall be raised or kept thereon.

BUILDING SETBACK

Permanent dwelling houses shall be placed no closer than 20 feet to Bowlin Drive, and mobile homes shall be placed no closer than 10 feet from Bowlin Drive. All commercial buildings shall be placed no closer than 20 feet from the south right-of-way line of Texas State Highway No. 27.

OUTBUILDING REQUIREMENTS

No outbuilding shall be erected on any of the aforesaid property to be used for the surface, or near surface disposal of human excrement.

No shack, basement, garage, trailer, tent, barn or any other outbuilding, erected or moved onto any lot in this subdivision shall at any time be used as a residence temporarily or permanently, except that a garage, barn or outbuilding may be used as a residence or living quarter by servants employed on the premises.

No outbuilding shall exceed in height or size the dwelling to which it is appurtenant.

EASEMENTS.

No building or other permanent structure shall be erected or maintained

on any part of any lot indicated as "easement," but the owners of lots may erect or maintain a fence, wall or hedge along the property lines within such easement, but subject at all times to the prior right to use such area for public or quasi-public purposes.

The right is reserved to locate, construct, erect and maintain or cause to be located, constructed, erected and maintained within the areas indicated on the plat as "Easement," sewer or other pipe lines, conduits, poles and wires and other method of conducting or performing any public or quasi-public utility or function above or beneath the surface of the ground, with the right of access at any time to the same for the purpose of repair and maintenance, but nothing herein shall be construed as requiring the dedicators hereof to furnish any utilities, including sewer, electrical or water utilities.

DURATION

All of the restrictions and covenants herein set forth shall continue and be binding upon the said RAY V. BOWLIN and wife, MARGARET BOWLIN, and upon their successors, heirs and assigns for the period of twenty-five years from the date of this instrument.

RIGHTS TO ENFORCE

The restrictions herein set forth shall run with the land and bind the said RAY V. BOWLIN and wife, MARGARET BOWLIN, their successors, heirs and assigns, and all parties claiming by or through them shall be taken to hold, agree and covenant with the said RAY V. BOWLIN and wife, MARGARET BOWLIN, their successors, heirs and assigns, and with each of them, to conform to and observe said restrictions as to the use of said lots and the construction of improvements thereon, but no restriction herein set forth shall be personally binding on any corporation, person or persons except in respect to breaches committed during its, his or their seizing of the title to said land, and the owner or owners of any of the above land

VOL 148 PAGE 785

shall have the right to use for and obtain an injunction, prohibitive or mandatory, to prevent the breach of or to enforce the observance of the restrictions above set forth in addition to ordinary legal action for damages, and failure of the owner or owners of any lot or lots shown on this plat to enforce any of the restrictions herein set forth, at the time of its violation, shall in no event, be deemed to be a waiver of the right to do so thereafter.

PARTIAL INVALIDATION.

Invalidation of any one of these covenants or restrictions by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

WITNESS our hands, this 20th day of April, A. D. 1971.

Ray V. Bowlin
Ray V. Bowlin

Margaret Bowlin
Margaret Bowlin

THE STATE OF TEXAS)
THE COUNTY OF KERR)

BEFORE ME, the undersigned authority, a Notary Public in and for Kerr County, Texas, on this day personally appeared Ray V. Bowlin and Margaret Bowlin, his wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this 20th day of April, A. D. 1971.



Evelyn P. Smith
A Notary Public in and for
Kerr County, Texas.

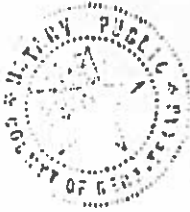
EVELYN P. SMITH
Notary Public for And Within
The County of Kerr, State
of Texas
My Commission Expires June 1, 1974

THE STATE OF TEXAS)
 THE COUNTY OF KERR)

BEFORE ME, the undersigned authority, a Notary Public in and for Kerr County, Texas, on this day personally appeared Margaret Bowlin, wife of Ray V. Bowlin, 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 Margaret Bowlin, 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 20th day of April,

A. D. 1971.



Evelyn P. Smith
 A Notary Public in and for Kerr County,
 Texas.

EVELYN P. SMITH
 Notary Public For And Within
 The County of Kerr, State
 of Texas
 My Commission Expires June 1, 1972

FILED FOR RECORD

at 10:50 o'clock 3 M.,

APR 26 1971

Emmie M. Muenker
 Clerk County Court, Kerr County, Texas

Geraldine Muenker

Filed for record April 26, 1971 at 10:50 o'clock A. M.
 Recorded April 29, 1971
 EMMIE M. MUENKER, Clerk

By Margaret Muenker Deputy