

03/18/08

RICHESON AND NICHOLS

RESTRICTIONS

Volume 78, Page 157, Deed Records of Kerr County, Texas; Volume 1, Page 46, 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 deed dated January 12, 1946, recorded in Volume 78, Page 157, Deed Records, Kerr County, Texas, and as described in the plat recorded in Volume 1, Page 46, Plat Records of Kerr County, Texas.

OTHER EXCEPTIONS

- Easement dated August 27, 1926 to Texas Public Utilities Co., recorded in Volume 46, Page 401, Deed Records of Kerr County, Texas.
- Easement and Right Of Way dated May 12, 1936 to Texas Power & Light Company, recorded in Volume 59, Page 332, Deed Records of Kerr County, Texas.
- Building Set Back Lines as per the Restrictions in the Plat recorded in Volume 1, Page 46, 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)

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 and the said Clara McFees wife of E. E. McFees having been examined by me privately and apart from her husband and having the same fully explained to her, she, the said Clara McFees 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 12th day of February, A. D. 1946.

(SEAL)

John S. Atkins
County Judge, Kerr County, Texas.

Filed for record Feb. 16th, 1946 at 2:50 o'clock P. M.

Recorded February 18th, 1946 at 11:30 o'clock A. M.

78157

WARRANTY DEED WITH V/L

THE STATE OF TEXAS ;
THE COUNTY OF KERR ; KNOW ALL MEN BY THESE PRESENTS: That I, Mrs. Clara Hunt, sometimes known as Mrs. R. F. Hunt, of the County of Kerr, State of Texas, for and in consideration of the sum of Ten (\$10.00) Dollars, and other valuable and adequate consideration to me in hand paid by G. L. Richeson and R. V. Nichols, the receipt and sufficiency of which is hereby acknowledged and confessed, and the further consideration of the execution and delivery by grantees herein of their one Vendor's Lien note described as follows: In the principal sum of Four Thousand and No/100 (\$4000.00) Dollars, or even date, herewith executed by G. L. Richeson and R. V. Nichols, payable to the order of G. C. McCoy; said note bearing 5% interest which is payable annually as it accrues; said note to mature on or before two years after date; all past due principal and interest bearing 10% interest, and providing for acceleration of maturity clause and the 10% attorneys fee clause; being secured by the Vendor's Lien and Deed of Trust lien, have Granted, Sold and Conveyed and by these presents do Grant, Sell and Convey unto the said G. L. Richeson and R. V. Nichols, of the County of Kerr, State of Texas, all that tract of land being situated in Kerr County, Texas, and being a part of an 83 acre tract of land out of Survey No. 112, made in the name of Samuel Wallace and once owned by Secor and Council and being more fully described by metes and bounds as follows: BEGINNING at a corner set in the N. W. line of said Survey No. 112, and in the N. E. line of the San Antonio and Aransas Pass R. R. Right-of-way, Thence N. 45° E. 887 feet to a fence corner in the said N. W. line of Survey No. 112, Thence S. 45° 30' E. 148 feet to a fence corner; Thence N. 44° 23' E 98 feet to a fence corner, Thence S. 49° 19' E 128 feet to a fence corner, Thence S. 26° 08' E 797 feet to a fence corner, Thence S. 31° 45' E 168 feet to a fence corner, Thence S. 44° 58' E 862 feet to a fence corner in the N. E. Right-of-way of said Railroad, Thence with said right-of-way line N. 37° 15' W 1203 feet to place of Beginning. Containing 25.82 acres of land, more or less. This tract less, however, 1 acre out of the most westerly portion of said Tract, previously conveyed to Cary J. Veatch, on February 14, 1945, by grantor herein by Warranty Deed of record in Volume ____ page ____ Deed Records of Kerr County, Texas, to which reference is here made for all purposes. It is understood and agreed between the grantor and the grantees herein that the above described property is subject to the following restrictions; such property shall never be sold, conveyed or leased by the said grantees herein, nor any part thereof shall be sold, conveyed or leased by grantees, their heirs, assigns or grantees to any negro whomever as the term "negro" is defined in the State Laws of the State of Texas, or to any Mexican whomever, or to any person of more than one-half Mexican blood as the term "Mexican" is generally understood in Southwest Texas; that said property, or any part thereof, shall never be used by grantees, their heirs or assigns for keeping or treating for profit persons afflicted with tuberculosis or any contagious or infectious disease; and the

not to erect any building on said property to be used as a dwelling house which costs less than Twenty Five Hundred Dollars to complete and finish; that neither the grantees their heirs or assigns shall never use said property or any part thereof for the sale of intoxicating liquors regardless of whether the same be spirituous, venous or malt liquors and none of said liquors shall in any way be dispensed or distributed on said property, and further that no tourist camp shall be erected on any part of the above described premises. It is further understood and agreed that, in the event the City of Kerrville does not install sewerage system, each dwelling erected on said property must be equipped with grease trap and septic tank to take care of waste and sewerage, and no cess pools nor cut-floor toilets shall be constructed on the premises. And it is expressly understood and agreed herein that should any of the conditions or restrictions mentioned, be violated or breached by the said grantees, their heirs or assigns, then in that event, the said above described and conveyed property shall revert in grantor, Mrs. Clara Hunt, her heirs, assigns, and this deed shall thereby become null and void, and grantor, her heirs and assigns, shall then have the right to re-enter and take possession of said above described premises as the owner thereof in fee simple and hold the same entirely free from the operation of this conveyance. 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 G. L. Richeson and R. V. Nichols, their 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 G. L. Richeson and R. V. Nichols, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. But it is expressly agreed and stipulated that the Vendor's Lien is retained against the above described property, premises and improvements until the above described note, and all interest thereon, are fully paid, according to its face and tenor effect and reading when this deed shall become absolute. Witness my hand at Kerrville, Texas this 12th day of January, A. D. 1946.

(Revenue Stamps \$6.60 cancelled)
(G. L. R. - - - - - 1/12/46)

Mrs. Clara Hunt

THE STATE OF TEXAS)
THE COUNTY OF KERR (BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Mrs. Clara Hunt, a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this the 12th day of January, A.D. 1946.

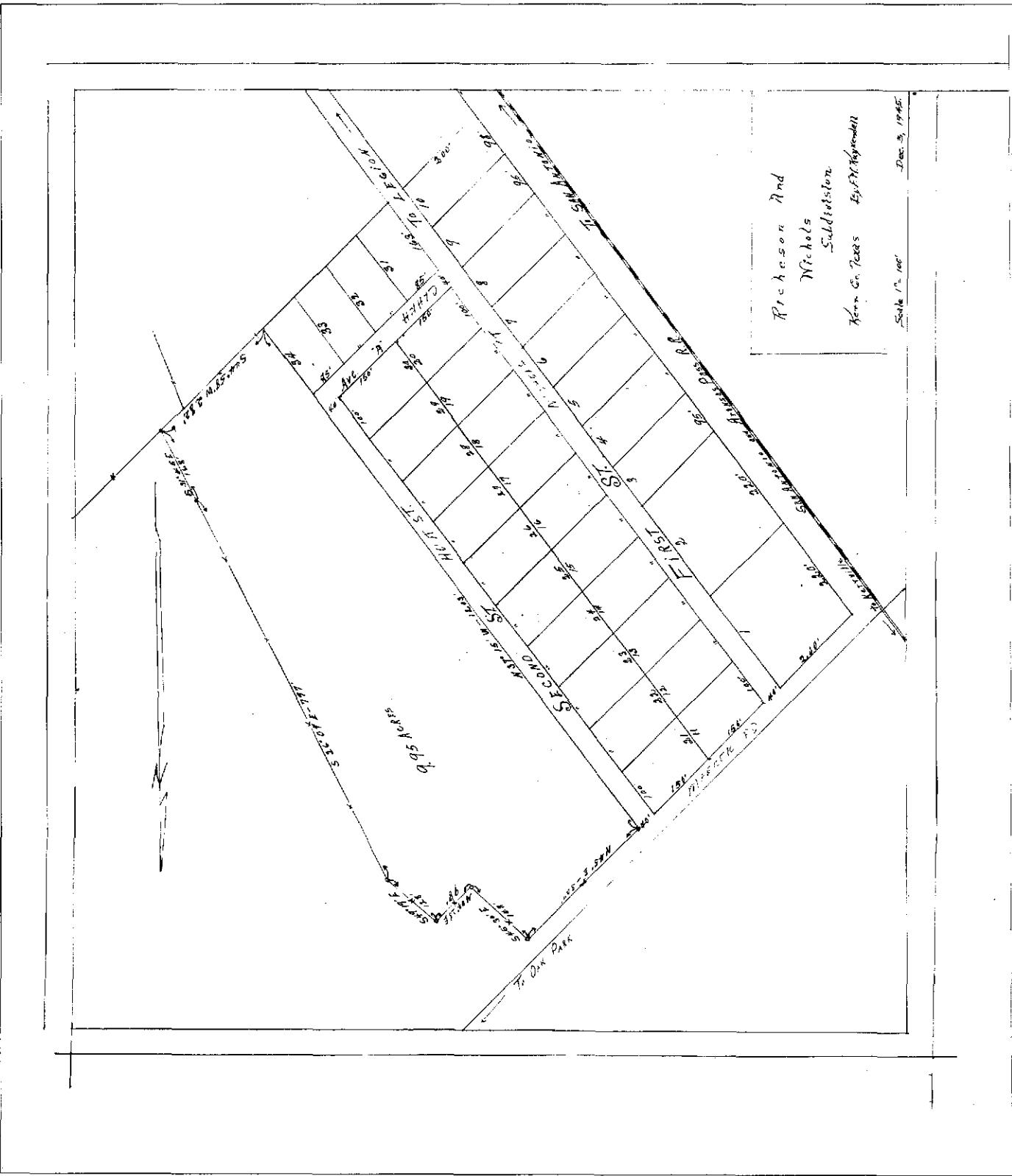
(SEAL) Ayleene Wharton
Notary Public in and for Kerr County, Texas

Filed for record Feb. 16, 1946 at 3:10 o'clock P. M.

Recorded February 18th, 1946 at 12:00 o'clock M.

WARRANTY DEED WITH VAT

THE STATE OF TEXAS)
COUNTY OF KERR (KNOW ALL MEN BY THESE PRESENTS: That we, A. A. Roberts and wife, Madone Roberts, of the County of Kerr, State of Texas for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration to us in hand paid and secured to be paid by F. M. Sherrill and wife, Vera Belle _____, as follows: Ten (\$10.00) Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, and confessed, and the execution of one Vendor's Lien note additionally secured by a Deed of Trust of even date February 16, 1946, in the sum of \$2500.00, payable to A. A. Roberts and wife, Madone Roberts with interest at the rate of 6% per annum, principal and interest being payable in Kerrville, Texas, in semi-annual installments of \$250.00, or more, first installment being due and payable on or before August 15, 1946, and one installment payable each six months



HOME THROWN BY THESE PARTIES:

THE SILENT KING.

SOCIETY OF KIRKLAND

That "a, C. L. Richardson and R. V. Nichols, of Kerr County, Texas, subject to the restrictions and conditions hereinafter set out, hereby designate, establish, and dedicate a certain tract of land as described in the following field notes as the Richardson-Nichols addition to the City of Kerrville, Kerr County, Texas: Field notes of the Richardson-Nichols subdivision of Survey No. 112, in the name of General Wallace, situated about two miles east of Kerrville, in Kerr County, Texas, and formerly owned by William L. Bezon and W. L. Gunolt; Beginning at the intersection of the northeast-right-of-way line of the said Survey No. 112 and the northern right-of-way line of the San Antonio and Aransas Pass A. & R. thenue north 45 degrees east 580 feet to a corner in fence line; thence south 27 degrees 15 minutes east 283 feet to a corner in fence line; thence south 44 degrees 58 minutes east 390 feet to a 190 foot corner in the northeast-right-of-way line of the above mentioned subdivision; thence north 37 degrees 15 minutes west 1830 feet with the said right-of-way line to the place of beginning; streets in this subdivision are described as follows: Beginning at a point in the north line of this subdivision north 45 degrees east 283 feet from the above mentioned beginning corner, the center line of First Street, extends south 37 degrees 15 minutes east 1203 feet to the south line of the said subdivision. Beginning at a point in the north line of Second Street, extends south 37 degrees 15 minutes east 1000 feet to the center line of Avenue Y. Beginning at a point in the east line of this subdivision south 37 degrees 15 minutes east 1020 feet from the south corner of the said beginning corner, the center line of Avenue X. Beginning at a point in the center line of Avenue Y. Beginning at a point in the south line of this subdivision south 37 degrees 15 minutes east 58 minutes east 340 feet to the east line of First Street. All streets to be forty feet in width throughout their length. This subdivision comprises thirty-four building lots, one-half acre each. The lots are numbered consecutively, starting with lot number one, corner of Avenue X and First Street, and ending with lot number thirty-four, corner of Avenue Y and Second Street.".

As we see on the accompanying map, lot No. 11 contains one acre more, less than one acre, containing one acre more, less than one acre, No. 10 containing 0.45 of an acre each; Nos. 11 to "N", inclusive, containing 0.45 of an acre each; Nos. 12 to "P", inclusive, containing 0.50 of an acre each; Nos. 13 to "Q", inclusive, containing 0.50 of an acre each; Nos. 14 to "R", inclusive, containing 0.50 of an acre each; Nos. 15 to "S", inclusive, containing 0.50 of an acre each; Nos. 16 to "T", inclusive, containing 0.50 of an acre each; Nos. 17 to "U", inclusive, containing 0.50 of an acre each; Nos. 18 to "V", inclusive, containing 0.50 of an acre each; Nos. 19 to "W", inclusive, containing 0.50 of an acre each; Nos. 20 to "X", inclusive, containing 0.50 of an acre each; Nos. 21 to "Y", inclusive, containing 0.50 of an acre each; Nos. 22 to "Z", inclusive, containing 0.50 of an acre each.

בנין מודולרי

SUSTAINABILITY

and erection of buildings upon the various sites of this subdivision: 1. Only one dwelling house or duplex apartment building shall be erected upon a single site or lot; although a single, smaller, additional dwelling unit may be erected on the same site or lot utilized only for domestic servants or the master thereof. 2. every residence and every garage erected in this subdivision shall be placed at least twenty-five feet back from the street upon which the residence faces; and all residential buildings erected on sites Nos. One to Twenty, inclusive shall front on First Street; those on sites Nos. Twenty-one to Thirty, inclusive, shall front on Second Street; and those on sites Nos. Thirty-one to Ninety-Four, inclusive, shall front on Avenue "A". 3. All buildings appurtenant to residences, other than porches, shall be set back at least one hundred feet from the street line upon which the residence erected on their respective sites front. 4. No factory, store, shop, filling station, or other commercial establishment, shall be deemed "commercial" as generally understood, shall ever be erected or operated in this subdivision. In the event of the violation or breach by any of our grantees, their heirs, or assigns of any one of these additional restrictions, or in the event that the above

1000, June 1, 1946, on the date of recording, -1-
and R. W. Nichols of Kerrville, Kerr County, Texas, for the approval of plan, field notes, and dedication of
an addition situated in the vicinity of Kerrville and Legion, Kerr County, Texas, and being a part of Survey No. 11P,
in the name of Samuel Waller, situated about two miles east of Kerrville, in Kerr County, Texas, and formerly own-
ed by William T. Seeger and W. L. Council; BEGINNING at the intersection of the N. W. line of said Survey #112 and
No. 2, roads or ways of land the East Addition and Advances First P. R. TRACTURE N. 45° E. 580 feet to a corner in fence
line, THENCE S 80° 15' E. 1200 feet to a corner in fence line; THENCE S. 44° 58' W. 580 feet to a fence corner in
the N. W. Right-of-Way line of above mentioned R. R. TRACTURE N. 39° 15' W. 1200 feet with said right-of-way line to
place of beginning. BEGGINING at a point in the north line of tracture mentioned as follows: BEGGINING at a point in the north line
of tracture subdivision N. 45° E. 200 feet from the above mentioned beginning corner the center line of First Street ex-
tends S. 37° 15' E. 1200 feet to the south line of said Subdivision. BEGGINING at a point in the North line of
this Subdivision N. 45° E. 300 feet from its Beginning north Second street extends S. 37° 15' E. 1000 feet to the
North line of Ave. "A" BEGGINING at a point in the East line of the subdivision S. 37° 15' E. 200 feet from the
North corner of same, Ave. "A" extends S. 44° 58' W. 340 feet to the East line of first st. All streets to be 40
feet in width throughout their length. This Subdivision contains 34 building sites as shown on accompanying plan.
No. 1 and No. 2 containing one acre each; No. 3 to No. 9 inclusive containing 0.45 acre; No. 10 containing 0.445
acres; No. 11 to No. 30 inclusive containing 0.35 acre and No. 31 to No. 34 inclusive containing 0.31 acre.
Which said addition is to be known as Richeson-Michals Subdivision and after considering the same, it appears to
the Court that said addition, dedication, rectification, reconnection and said Subdivision meet the requirements of the law.
It is therefore, ordered, adjudged and decreed by the Court that said Subdivision known as Richeson and Michals
Subdivision be admitted to record and the County Clerk of Kerr County, Texas, is hereby directed to record the
same in the First Records of Kerr County, Texas. It is further ordered that this order be spread upon the minute
books of the Commissioners Court of Kerr County, Texas. WITNESS our hands this the 11th day of March, A.D. 1946.