

68712

RESTRICTIONS

WEST MAGNOLIA FOREST, SECTION 11  
WALLER COUNTY, TEXAS

DEED RECORDS  
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THE STATE OF TEXAS     I  
                              I     KNOW, ALL MEN BY THESE PRESENTS:  
COUNTY OF WALLER     I

THAT, in order to insure to all purchasers of prop-  
erty in the following subdivision:

WEST MAGNOLIA FOREST, SECTION 11, a Subdivision  
located in the Wm. Berryman Survey, Abstract 104, in Waller  
County, Texas, according to the Map or Plat thereof recorded  
in Volume 216, Page 697, of the Deed Records of Waller County,  
Texas;

That all properties ("Said Properties") therein will  
be developed and maintained in a uniform manner to the mutual  
benefit of owners and future owners thereof, the undersigned,  
Mitchell & Mitchell Land Development Co., the present owner  
of all lots and tracts of land within said subdivision, does  
hereby ADOPT, ESTABLISH and IMPOSE the following restrictions,  
covenants and conditions upon Said Properties which shall  
constitute covenants running with the land and shall be bind-  
ing upon and inure to the benefit of the present owner, its  
successors and assigns, and to each and every purchaser of  
any of Said Properties, their respective heirs, successors  
and assigns, to-wit:

- 1. These conditions and restrictive covenants shall be binding upon the land and the purchasers thereof until January 1, 1988, and shall be auto-  
matically extended for successive ten (10)-year periods thereafter unless on or before one (1) month prior to the end of any such period of time three-fourths (3/4ths) of the owners of tracts of land in said subdivision shall agree in writing, properly executed and recorded in the Office of the County Clerk of Waller County, Texas, to amend or repeal such restrictions.

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2. Prior to January 1, 1972, no tract in said Subdivision may be subdivided or resubdivided into tracts or parcels of land smaller than as shown on the Subdivision plat, each tract in said Subdivision as shown on the recorded plat constituting one and only one building site. After January 1, 1972, any tract in said Subdivision may be subdivided and/or resubdivided provided that no lot or tract in such subdivision or resubdivision shall have an area of less than one (1) acre.

3. The subdivider or any owner in the above named Subdivision shall have the right to prosecute any proceeding, at law or in equity, against any person violating or attempting to violate the foregoing restrictive covenants, and either prevent such person, or persons, from so doing by prohibitive or mandatory injunction, and/or recover damages for such violation.

EXECUTED on this the 28th day of May, 1970.

OWNER:

MITCHELL & MITCHELL LAND DEVELOPMENT CO.

By: [Signature]  
Vice President



LIENHOLDER:

[Signature]  
Cornelia E. Smith

THE STATE OF TEXAS X  
                                  X  
COUNTY OF HARRIS X

BEFORE ME, the undersigned authority, on this day personally appeared M. D. Thompson, Jr., known to me to be the person whose name is subscribed to the foregoing instrument, as Vice President of MITCHELL & MITCHELL LAND DEVELOPMENT CO., a corporation, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 28th day of May, 1970.

[Signature]  
Notary Public in and for Harris County, Texas

