

LAND USE RESTRICTIONS OF WALNUT RIDGE SUBDIVISION

THE STATE OF TEXAS §

COUNTY OF WALLER §

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The undersigned, MEADOW ACRES, INC., a Texas corporation, hereinafter called Dedicator, being the owner of all of the tracts of land in WALNUT RIDGE SUBDIVISION, a subdivision in Waller County, Texas, according to the map or plat thereof recorded in Volume 478, Page 65, of the Deed Records of Waller County, Texas, does hereby place and impose upon such tracts the following restrictions:

1. The covenants are to run with the land and shall be binding upon all the parties and all persons claiming under them until January 1, 2010, at which time said covenants shall be automatically extended for successive periods of ten years; provided that at the time for any renewal a majority of the then owners of such tracts may amend, change or remove these restrictions by filing for record with the county clerk of Waller County, Texas an instrument or instruments evidencing such action. If the parties hereto, or any of them, or their heirs, successors or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for Dedicator to enter and abate such violations without liability; and any other persons owning any real property situated in said subdivision shall have the right to prosecute any proceeding at law or equity against any person violating or attempting to violate such restrictions and either to prevent them from continuing such violation, or to cause such violation to be removed, or to recover damages.

2. The violation of any restriction or covenant herein shall not operate to invalidate any mortgage, deed of trust, or other lien, acquired and held in good faith against said property or any part thereof, but such liens may be enforced against any and all property covered thereby, subject nevertheless to these restrictions.

3. If any one of these restrictions shall be held to be invalid or for any reason is not enforced, none of the others shall be affected or impaired thereby but shall remain in full force and effect.

4. Only one residence, constructed as herein described, shall occupy a tract of land unless approved in writing by Dedicator.

5. No residential building may be moved onto any tract on the property unless approved in writing by Dedicator. All structures will be built of new material unless approved in writing by Dedicator. A written notice to be accompanied with house plans must be delivered to Dedicator 30 days prior to the start of the construction and must be approved by Dedicator in writing. No residential structure shall be built on any tract unless its living area has a minimum of 1000 square feet of floor area, excluding open or screened in porches, carports, and garages.

6. Either frame or brick construction is permitted and all residences shall be placed or built upon beams or upon a concrete slab or concrete blocks.

7. No buildings shall be erected, placed, altered, or permitted to remain on any tract other than a single family residence and attached or separate garage or barn or stable, unless approved in writing by Dedicator.

8. Any house or structure must be completed according to approved plans and specifications within nine (9) months after the beginning of construction, or within such additional time as may be

approved in writing by Dedicator; and no partially completed house or other structure shall be permitted to remain on said property beyond such period of time.

9. Any commercial use of any tract must be approved in writing by Dedicator. NO TIMBERING, commercial or otherwise, will be allowed.

10. No building or residence shall be located closer than fifty (50) feet to the front and rear property line or twenty-five (25) feet to the side property line of any lot or tract. For the purpose of this covenant, eaves, and open porches shall be considered as a part of a building. No improvements shall be erected or constructed within twenty-five (25) feet of side property lines adjacent to streets except for fences. All fences shall be set back not less than ten (10) feet from all property lines which are adjacent to a public road or public street. Every dwelling erected on any tract shall front on and present a good frontage appearance to the street. On the corner tracts, every dwelling must present a good frontage to both streets.

11. All areas for parking shall be of concrete, asphalt, or gravel construction. Driveways may be of limestone or equivalent material. Any exception to this must be approved in writing by Dedicator.

12. The owner of a tract may occupy a mobile home with written permission obtained from Dedicator prior to the placement of the mobile home on said tract with the following restrictions:

- A. Mobile home placement shall be not less than one hundred (100) feet from all property lines which are adjacent to a road or street and must have written approval of Dedicator prior to placement on property;
- B. At least thirty (30) feet of trees and underbrush shall be left across the front of each Lot and at least twenty (20) feet of trees and underbrush shall be left along all other boundary lines to create a natural barrier which conceals the mobile home from view;
- C. All mobile homes shall contain at least 600 square feet of living area, and shall not be older than ten years old;
- D. All mobile homes shall be of good repair and attractive design and appearance, and built by a commercial manufacturer. No mobile homes may be constructed or added to on the premises without the written consent of Dedicator;
- E. All mobile homes shall meet the building, electrical, wiring, health and safety requirements of the National Mobile Home Manufacturers Association;
- F. Prior to occupancy, mobile homes must be properly blocked with cement blocks of solid construction and anchored;
- G. All porches and steps must be approved by Dedicator;
- H. Unless authorized in writing by Dedicator, only one mobile home shall be placed or maintained on any single tract; however, nothing herein shall prohibit double wides, expando mobile homes designed for connection on location, or additional rooms;
- I. All mobile homes shall be underskirted with acceptable materials and properly anchored, both box and frame, within 90 days after occupancy;
- J. All out-buildings must be approved by Dedicator;
- K. Runners must be provided for the mobile home wheels, and be constructed of concrete; and,
- L. No fence shall be constructed nearer than ten (10) feet to any property line which is adjacent to a public road or public street.

13. All utilities, water lines, and drainage facilities supplying or serving a tract shall be located within the streets or easements as reserved, dedicated, or conveyed. The conveyance of any lot or tract shall not include title to the utilities located

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within any utility easements upon said lot or tract. No utility easement shall be used for any purpose which would interfere with the utilities located or to be located within said utility easement.

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14. No tract shall be used or maintained as a dumping ground for rubbish or any other material. Trash, garbage or other waste shall not be kept except in sanitary containers. The owners or occupants of any tract shall at all times keep all weeds and grass thereon cut in a sanitary and attractive manner, and shall in no event use any tract for storage of material, trucks, trailers or equipment except for normal residential requirements, nor have any vehicles located or stored thereon that have do not have current legal licenses and current inspection stickers, or permit the accumulation of garbage, trash, or rubbish of any kind thereon. In the event of default on the part of the owner or occupants of any tract in observing the above requirements, or any of them, Dedicator may, without liability to the owner or occupant, trespass or otherwise enter upon said tract, cut or cause to be removed such weeds and grass, and remove or cause to be removed such garbage, trash, rubbish, material, trucks, trailers, or equipment, so as to place said tract in a neat, attractive, and sanitary condition, and may bill either the owner or occupant, as the case may be, for the cost of such work. The owner or occupant agrees to pay such statement immediately upon receipt thereof.

15. There shall be no radio or TV tower, or any other kind of outdoor tower or antenna more than twenty (20) feet higher than the normal roof apex of the residence on such tract.

16. Bridges or culverts constructed over property line ditches shall be constructed of concrete pipe or steel of a size and quality not less than the Waller County requirement or such larger dimension as may be required to provide adequate drainage.

17. No building or structure shall be occupied or used until the exterior thereof is completely finished. No basement, tent, shack, garage, barn or other out-building erected on any of said tracts shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

18. No outside privies or toilets shall be permitted on any tract. All toilets shall be inside the houses and shall be connected to a sewage disposal system or a septic tank prior to occupancy, all at the expense of the owner of the tract. All septic tanks shall have field lines and shall be constructed and maintained in accordance with the requirements of the Health Departments of all governmental agencies having jurisdiction over this land.

19. No noxious or offensive, unlawful or immoral activity shall be carried on upon any tract, nor shall anything be done thereon which shall or may become an annoyance or nuisance to the neighborhood.

20. No goats, hogs, guineas, peacocks, or other animals or fowl which may become a nuisance to the neighborhood will be allowed, unless approved in writing by Dedicator.

21. Poultry may be kept, not to exceed twenty (20) fowl; horses and cattle may be kept, but limited to four (4) per five (5) acres. Household pets may be kept, but no more than five (5) each of dogs and cats may be kept at any residence, except with written permission of Dedicator.

22. No advertising or sign shall be erected on any tract without written approval of Dedicator other than name and street number sign, and individual "For Sale" signs.

23. No removal of trees and no excavation of materials for other than landscaping or construction of buildings or driveways

will be permitted without the prior written permission of Dedicator.

24. No further subdivision of any tract in the subdivision may be made without the prior written permission of Dedicator.

25. No street or road located within the subdivision may be extended without the prior written permission of C. MICHAEL SCHERER, TRUSTEE.

26. Dedicator shall be entitled to assign any and/or all rights and authorities of Dedicator hereunder to any third parties or entities.

27. C. MICHAEL SCHERER, TRUSTEE joins in the execution of this instrument in his capacity as lienholder, at the special instance and request of MEADOW ACRES, INC., and does hereby subordinate all liens held by C. MICHAEL SCHERER, TRUSTEE to the terms and provisions of this instrument.

EXECUTED in the State of Texas, this 1ST day of April, 1993.

MEADOW ACRES, INC.
By: C. Michael Scherer
C. MICHAEL SCHERER, President

ATTEST:
Mary Jo Gardovsky
MARY JO GARDOVSKY, Asst. Secretary
DEDICATOR

C. Michael Scherer
C. MICHAEL SCHERER, TRUSTEE
LIENHOLDER

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This instrument was acknowledged before me on the 1ST day of April, 1993, by C. MICHAEL SCHERER, President of MEADOW ACRES, INC., a Texas corporation, on behalf of said corporation.



Denise R. Herrera
Notary Public, State of Texas
My commission expires: _____
(Printed name of Notary Public)

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This instrument was acknowledged before me on the 1ST day of April, 1993, by C. MICHAEL SCHERER, as Trustee, and in the capacity therein stated.



Denise R. Herrera
Notary Public, State of Texas
My commission expires: _____
(Printed name of Notary Public)

After recording please return to:
C. Michael Scherer
304 Jackson Street
Richmond, Texas 77469

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Filed for Record Apr. 14 A.D., 1993 at 8:35 o'clock A. M.
RECORDED Apr. 16 A.D., 1993 at 10:50 o'clock A. M.

ELVA D. MATHIS, County Clerk, Waller County, Texas

By Louise Carey Deputy

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