

DECLARATION OF LANDOWNERS ASSOCIATION

THE STATE OF TEXAS |
 | KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BASTROP |

THAT for and in consideration of the benefits to be obtained and more particularly described herein, the following is and shall be a Declaration of Landowners Association, hereinafter called "Association"

1. Each owner purchasing a tract or tracts within the hereinafter described property shall automatically become a member of the Association, and shall remain a member until such time as ownership ceases for any reason, at which time membership in the Association shall succeed, pass or transfer to the new owner acquiring ownership rights.

2. The Association shall be the governing and administrative body for all owners for the maintenance of all roads, easements, rights of way or property in common which serves the tract herein described as Exhibit "A" and which is within the boundaries of the property described in Exhibit "B".

3. Each tract shall have one (1) vote per acre. Only one owner representing each tract may exercise the votes allocated to such tract. Proxy votes must be authorized by written statement from owner(s).

4. Each owner shall be bound and obligated to pay and agrees to pay as assessments are made, the per acre proportionate share of the expenses for maintenance. The amount of common expenses assessed against each tract shall be the debt and obligation of each owner, or joint ownership, at the time the assessment is made. The subsequent transfer of ownership shall not terminate any outstanding obligation owed by owner(s).

5. Two Dollar (\$2.00) per acre per year is hereby established as the initial assessment rate to be assumed by each purchaser. Assessments shall become due and payable on November 1, 1982, and on November 1 each subsequent year. Owners shall pay a prorated share of the assessment for each month acreage is owned.

6. Assessments shall be paid to Don McElwreath, Trustee for Maintenance Fund, 7800 Cameron Road, Austin, Texas 7875, each year as assessments become due.

7. The amount of the assessment and/or the Trustee for said funds may be amended or changed by a majority vote of ownership so long as the Association shall exist.

8. In the event any owner shall fail or refuse to pay the owner's proportionate share of the assessment as the same shall become due and payable, then all such assessments which have become due and payable and which have not been paid shall constitute a lien upon owner's tract(s) of land within the property so described in Exhibit "B" exclusively. Such lien shall be prior to all other liens except that such assessment lien shall be subordinate, secondary and inferior to

- (a) Taxes by State or County
- (b) Liens due under mortgage, Vendor's Lien or Deed of Trust filed for record prior to date payment for such assessment became due and payable
- (c) All liens securing any loan made to a purchaser for any part of the purchase price of said tract of land from the developer.

Trustee, his agents, successors or assigns, shall have the full right to enforce the covenants herein contained.

Certified to be a true and correct copy
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Rose Pietsch, County Clerk
Bastrop County, TX

DALE L. OLSON
Registered Public Surveyor
(612) 321-5476

711 Water

Bastrop, Texas 75002

Exhibit "A"

FIELD NOTES FOR TRACT NO. 6-D, A 25.000 ACRE TRACT OUT OF A 1311 ACRE TRACT IN THE LYDIA GLASSGOW SURVEY IN BASTROP COUNTY, TEXAS.

Being a 25.000 acre tract or parcel of land out of and being a part of the LYDIA GLASSGOW SURVEY in Bastrop County, Texas and being a part of the T. C. Steiner 1311 acre tract and being a part of the Jacob Schneider Subdivision as recorded in Vol. 48, Pg. 610, Bastrop County Deed Records. Herein described 25.000 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at an iron rod found at a fence corner in the north line of a county road where same intersects the west line of Tract #101 of the before mentioned Schneider Subdivision, the southwest corner of the before mentioned 1311 acre tract, the southwest corner of a 72.595 acre tract described in a deed from T. C. Steiner, et al, to Jett Bartlett, dated August 18, 1978, recorded in Vol. 266, Pg. 343, Bastrop County Deed Records.

THENCE with the north line of the said county road, the south line of the Steiner 1311 acre tract, the south line of the Jett Bartlett 72.595 acre tract, S 53° 43' 37" E, at 899.75 feet pass an iron rod found at a fence corner, the southeast corner of the Bartlett 72.595 acre tract, the southwest corner of a 4.65 acre tract described in a deed from T. C. Steiner, Jr., Trustee, to Thomas T. Smith, Trustee, dated April 22, 1975, recorded in Vol. 232, Pg. 177, Bastrop County Deed Records, at 959.70 feet pass an iron rod found at a fence corner, the southeast corner of the said Smith 4.65 acre tract, the southwest corner of a 0.129 acre tract described in a deed from T. C. Steiner, et al, to Aqua Water Supply Corp., dated May 1, 1979, recorded in Vol. 274, Pg. 813, Bastrop County Deed Records, in all 1034.70 feet to an iron rod found at the southeast corner of the said Aqua Water 0.129 acre tract.

THENCE continuing with the north line of the said county road, the south line of the said Steiner 1311 acre tract, S 58° 47' 56" E, at 1015.15 feet pass an angle corner of the said county road, in all 1217.59 feet to an iron rod set, said point being on the south side of a 50 foot roadway easement.

THENCE N 51° 16' 00" E, at 50.00 feet pass an iron rod set in the north line of the said 50 foot roadway easement, in all 1702.58 feet to an iron rod set for the POINT OF BEGINNING, the southwest corner of this tract.

THENCE N 31° 16' 00" E, 1668.43 feet to an iron rod set in the north line of the said 1311 acre tract, the north line of Tract #203 of the before mentioned Jacob Schneider Subdivision, for the northwest corner of this tract.

THENCE with the north line, as fenced, of the Steiner 1311 acre tract, the north line of Tracts #203 and #204 of the said Schneider Subdivision, S 57° 52' 16" E, 647.18 feet to an iron rod set for the northeast corner of this tract.

THENCE S 31° 16' 00" W, at 1682.38 feet pass an iron rod set in the north line at the termination of a 30 foot roadway easement, in all 1697.38 feet to a point in the center of the said 30 foot roadway easement, for the southeast corner of this tract.

THENCE N 55° 18' 43" W, 648.26 feet to the POINT OF BEGINNING, containing 25.000 acres of land.

Dale L. Olson

Dale L. Olson
Registered Public Surveyor
Reg. No. 1753



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Rose Pietsch, County Clerk
Bastrop County, TX

Exhibit "B"

BEGINNING at a fence corner in the North line of a 4,034.15 acre tract conveyed by Hiram I. Walker, et al, to Abe Murr, et al, by deed dated December 16, 1967, and recorded in Vol. 184, page 89 of the Deed Records of Bastrop County, Texas, said corner being situated S. 59°43' E. 1344 feet from a fence corner marking the South corner of the Freeman Wilkinson Survey, A-347. From said place of beginning a post oak tree 12 inches in diameter bears S. 8° 40' W. 39.4 feet and a black jack oak tree 10 inches in diameter bears S. 84°55' E. 50.4 feet;

THENCE with fence along the West line of tracts 101 and 201 of the Jacob Schneider Subdivision of the S. W. Gunter tract, plat of said subdivision being recorded in Vol. 48, page 610 of the Bastrop County Deed Records, N. 28° 58' E. 2963.2 feet;

THENCE continuing with said fence N. 35° 50' E. 413 feet to a fence corner from which a post oak tree 12 inches in diameter bears N. 35° 50' E. 5 feet and a post oak tree 16 inches in diameter bears S. 37° 45' E. about 30 feet. Said corner further described as being the north corner of Tract No. 201 of said Subdivision;

THENCE with fence along the north line of Tracts 201 to 205, inclusive, of said Subdivision, as follows: S. 60° 17' E. 362.2 feet; THENCE S. 59° 33' E. 1752.9 feet; THENCE S. 58° 45' E. 1943.6 feet; THENCE S. 66° 51' E. 287.3 feet to a fence corner from which a sand oak tree 12 inches in diameter bears N. 2° W. 13 feet and a post oak tree 6 inches in diameter bears S. 82° 15' E. 39 feet;

THENCE with fence along the west line of Tract 306 of said Subdivision N. 29° 19' E. 1232.4 feet to a fence corner from which a sand oak tree 6 inches in diameter bears S. 80° W. 9.7 feet. Said corner is further described as being the north corner of Tract 306 of said Subdivision, and in the south right-of-way line of the M.K.&T. Railroad;

THENCE with fence along said line on a curve, the radius of which varies and the long chord of which bears S. 51° 16' E. 864.7 feet to the beginning of a circular curve, the radius of which is 5,779.6 feet;

THENCE with fence along said circular curve and South line of M.K.&T. Railroad Company right-of-way 349.7 feet to a stone, found, marking the east corner of Tract 306 of said Subdivision and from which a prior survey runs S. 29° 30' W. 442 feet to a post oak tree 18 inches in diameter with a 60d nail driven therein;

THENCE continuing from said stone along said circular curve and fence 980.1 feet to an iron pipe, found, marking the east corner of Tract 307 of said Subdivision;

THENCE continuing with said fence and circular curve 1,585.3 feet to the end of said curve, the long chord of which bears S. 76° 30' E. 2,889.5 feet;

THENCE continuing with said fence along a spiral curve, the radius of which varies and the long chord of which bears N. 87° 02' E. 606.1 feet to a fence corner situated S. 81° 25' W. 1,191.2 feet from an iron pipe marking the intersection of the South right-of-way line of the M.K.&T. Railroad and a common line of the Lydia Glasgow and John S. Craft original surveys;

THENCE with fence S. 56° 44' E. 489.5 feet;

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Rose Pietsch, County Clerk
Bastrop County, TX

Exhibit "B" continued

THENCE with fence S. 41° 24' E. 697 feet to the west line of a tract called 844.83 acres in conveyance from S. J. McDowell, et al, to Martin McReynolds, et al, dated December 16, 1967, and recorded in Vol. 184, at page 89 of the Deed Records of Bastrop County, Texas;

THENCE with fence along the meanders of said west line of 844.83 acre tract as follows: S. 41° 24' E., 46.1 feet; THENCE S. 16° 23' E., 600.3 feet; THENCE S. 32° 18' E., 159.2 feet; THENCE S. 44° 24' E. 181.0 feet; THENCE S. 52° 19' E. 233.9 feet; THENCE S. 40° 50' E. 638.6 feet; THENCE S. 33° 38' E. 522.5 feet; THENCE S. 74° 24' E. 499.1 feet; THENCE S. 64° 26' E. 188.5 feet; THENCE S. 47° 32' E. 252.7 feet; THENCE S. 29° 22' E. 434.5 feet; THENCE S. 2° 50' E. 91.0 feet; THENCE S. 28° 26' W. 298.3 feet; THENCE S. 51° 36' W. 360.9 feet to a twin post oak tree;

THENCE with fence along said west line of 844.83 acre tract and the east line of a tract called 475.8 acres in conveyance from Peter G. Rucker to John Holder dated January 19, 1909, and recorded in Vol. 44, page 456, of the Deed Records of Bastrop County, Texas, S. 29° 45' W. 3,790.7 feet to an iron pipe in the common line of the Lydia Glassgow and Thomas M. Whittington Surveys, said pipe being the southwest corner of said 844.83 acre tract and the south corner of said 475.8 acre tract;

THENCE with fence along said common line of the Glassgow and Whittington Surveys, and the south line of said 475.8 acre tract, N. 60° 39' W. 1,239.4 feet;

THENCE continuing with said fence N. 60° 10' W. 1,276.6 feet to a fence corner in the east line of said 4,084.15 acre tract conveyed by Hiram I. Walker, et al to Abe Murr, et al. From said corner a pine tree 10 inches in diameter bears S. 12° W. 28.1 feet and a pine tree 6 inches in diameter bears S. 52° 55' E. 19.0 feet;

THENCE with fence along the east line of said 4,084.15 acre tract, N. 32° 37' E. 355 feet to its east corner, said corner being a fence corner from which a pine tree 6 inches in diameter bears S. 25° 30' E. 26.1 feet and a black jack oak tree 4 inches in diameter bears S. 2° 30' W. 26.3 feet;

THENCE with fence along the north line of said 4,084.15 acre tract as follows: N. 61° 59' W. 2,453.3 feet; THENCE, N. 58° 54' W. 1,166.7 feet; THENCE, N. 59° 43' W. 6,812.1 feet to the Place of Beginning, and containing 1,311 acres of land.

LESS However, the lands previously conveyed by T. C. Steiner, et al, out of this tract, being a 4.65 acre tract conveyed to Thomas T. Smith of record in Vol. 232, page 181 of the deed records of Bastrop County, a 72.595 acre tract conveyed to Jet Bartlett of record in Vol. 266, page 343 of the deed records of Bastrop County, and a .129 acre tract conveyed to Aqua Water Supply Corporation of record in Vol. 274, page 813 of the deed records of Bastrop County, Texas.

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Rose Pietsch, County Clerk
Bastrop County, TX

Executed this 8th day of March, 1983

Don McElwreath Co., Inc.

Don McElwreath
Don McElwreath, President

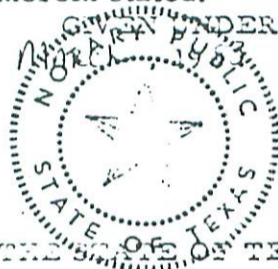
Madeline Works
, Purchaser

, Purchaser

THE STATE OF TEXAS

COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared Don McElwreath, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of Don McElwreath Co., Inc., and that he executed the same as the act of such corporation for the purposes and consideration therein expressed and in the capacity therein stated.



GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 8 day of

Bonnie Alexander
Notary Public in and for Travis
County, Texas

THE STATE OF TEXAS

COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared Madeline Works, 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 8 day of

Bonnie Alexander
Notary Public in and for
County, Texas

THE STATE OF TEXAS

COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that _____ executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 19 _____.

Notary Public in and for
County, Texas

FILED MAR 2 8 1983
4:00 P M

Jayne Schaefer
COUNTY CLERK

BASTROP COUNTY, TEXAS
correct copy

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Rose Pietsch, County Clerk
Bastrop County, TX

STATE OF TEXAS COUNTY OF BASTROP
I hereby certify that this instrument was FILED on the date and hour stamped hereon by me; and was duly RECORDED in the Volume and Page of the named RECORDS of Bastrop County, Texas, as Stamped hereon by me on



APR 7 1983

Jayne Schaefer
COUNTY CLERK
BASTROP COUNTY, TEXAS

I Rose Pietsch, County Clerk, Bastrop County, Texas do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on MAR 31 2010



ROSE PIETSCH
BASTROP COUNTY CLERK
By Deputy. Jean Liles