

RESTRICTIONS, USES, COVENANTS

DEED RECORDS

THE STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BASTROP

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7594

THAT, Don McElwreath Co., Inc., being the owner of the land described in exhibit "A" attached hereto and made a part hereof do hereby impose upon said property the following Restrictions, Uses and Covenants:

1. Each tract shall be used for residential, agricultural or grazing purposes and for no commercial use.
2. No improvement or dwelling place shall be erected, placed or permitted to remain on any tract nearer than ten (10) feet to any side line or the rear line, nor closer than fifty (50) feet to the roadway boundary of any tract. Any out-buildings are to be set back at least one hundred, twenty-five (125) feet from the roadway boundary. No residential building shall be occupied and used until the exterior is completely finished.
3. There shall be no noxious, offensive, unlawful, illegal use of said properties, nor shall any use be made which constitutes a nuisance to the neighborhood.
4. No more than twelve (12) swine shall be permitted to remain on any tract.
5. No inoperative motor vehicles, or bodies or chassis of motor vehicles without motors, shall be stored or permitted to remain on any tract.
6. All of these restrictions and covenants shall be binding and run with the land unless amended in writing by the majority of the land owners; the basis for determining said majority shall be one vote per each acre of land owned.
7. Invalidation of any one or more of these covenants and restrictions by judgment of court having jurisdiction shall in no wise affect the validity of any other covenants and restrictions which shall remain in force and effect.
8. Owner, its successors and assigns shall have the full right to prosecute any violation of these restrictions and covenants at law or in equity against Purchasers, their heirs, assigns and successors.

Don McElwreath Co., Inc.

By

Don McElwreath

Don McElwreath, President

THE STATE OF TEXAS

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COUNTY OF TRAVIS

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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 1st day of November, 1979.

NOTARY SEAL

Josie C. Wiltzius
Notary Public in and for Travis County
TEXAS

JOSIE C. WILTZIUS
Notary Public, Travis County, Texas

Certified to be a true and correct copy

Page 1 of 3



Rose Pietsch, County Clerk
Bastrop County, TX

Exhibit "A"

BEGINNING at a fence corner in the North line of a 4,084.15 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;

Certified to be a true and correct copy

Page 2 of 3



Rose Pietsch, County Clerk
Bastrop County, TX

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.

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.

FILED

NOV 30 1979

2:30 p. M
Lucille Strain

COUNTY CLERK
BASTROP COUNTY, TEXAS

STATE OF TEXAS

COUNTY OF BASTROP

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me; and was duly RECORDED, in the Volume and Page of the named RECORD of Bastrop County, Texas, as Stamped hereon by me on

DEC 8 1979



Lucille Strain

COUNTY CLERK
BASTROP COUNTY, TEXAS

Certified to be a true and correct copy

Page 3 of 3



Rose Pietsch, County Clerk
Bastrop County, TX