

4620

STATE OF TEXAS

COUNTY OF LEE

KNOW ALL MEN BY THESE PRESENTS:

Be it known that FIRST TEXAS EQUITIES, INC., a Texas Corporation, for the purpose of instituting and carrying out a uniform plan for the development and sale of all of the tracts in Section A and B of BLUE PROPERTIES, a subdivision it owns in Lee County, Texas and does hereby adopt and impose on behalf of itself, its legal representatives and assigns, the following recited restrictive covenants and use limitations covering all such tracts. All these restrictive covenants and use limitations shall become a part of all contracts for sale, contracts for deed, deeds, and other legal instruments whereby the title or possession of any part or portion of such property is hereafter conveyed or transferred.

The restrictions are as follows:

1. That no commercial use of any such property shall be permitted. No sign shall be placed on any part or portion of such property indicating a commercial use thereof.
2. Each residence building shall contain not less than 800 square feet of floor space, exclusive of open porches, breezeways, carports, and garages. Each mobile home placed on property shall be no older than eight (8) years old when placed on property and shall be of at least 500 square feet. Mobile homes must be underskirted with standard and customary materials within 60 days.
3. Only one house or mobile home is allowed per 5 acres on each tract containing 10 acres or more. Only one house or mobile home is allowed per 2.5 acres on tracts of less than 10 acres. Houses to be built of accepted materials and by accepted practices considered standard and acceptable to the area. Houses and mobile homes shall be kept in good repair and in a reasonably clean and orderly condition.
4. That all buildings, dwellings, garages, barns and other buildings constructed on any part of the tracts must be set back at least 125 feet from any platted roadway.
5. No hogs or pigs shall be allowed on any tract.
6. That no tract of any part of a tract shall be used or maintained as a dumping ground for rubbish, trash, or wastes.
7. That no junk yards, repair yards, or wrecking yards shall be located on any tract. Two or more vehicles in disrepair placed on a tract for more than two weeks shall constitute a junk yard.
8. That no outside toilets shall be permitted. Installation of septic tank soil-absorption sewerage disposal system shall be in accordance with the minimum recommendations by the Division of Sanitary Engineering, Texas State Department of Health.
9. Camping on property limited to 8 weeks per year. Camping facilities may be left on property continuously provided that they are not visible from any public road or platted subdivision road easement and are at least 100 feet from any boundary line.

FIRST TEXAS EQUITIES, INC., shall have the right to grant variances to the above restrictions on an individual basis until 90 percent of BLUE PROPERTIES Section "A" and "B" have been sold. Such variances shall not be adverse, in the opinion of owner, to the overall development plan for the subdivision. Any variance must be evidenced in writing and must be signed by FIRST TEXAS EQUITIES, INC.

The above restrictions constitute covenants running with the land and inure to the benefit of the undersigned and its assigns as well as each and every purchaser of any tract in the subdivision, their heirs and assigns. Any one of said beneficiaries shall have the right to enforce these restrictions in equity or in law. If one or more of such restrictions shall be held invalid, none of the others shall be affected or impaired by such holding, but shall remain in full force and effect.

After 90 percent of all the tracts in this subdivision have been sold by FIRST TEXAS EQUITIES, INC., any one or all of the herein recited restrictions may be altered, amended or cancelled by a majority of the owners of these tracts. Such amendment, alteration, or cancellation of any of the above restrictions must be in writing and must be filed with the Lee County Clerk in order to be of any force or effect.

Executed this 20th day of August, 1984

Ben F. Griffin
FIRST TEXAS EQUITIES, INC.

STATE OF TEXAS
COUNTY OF JASPER

RECORDER'S MEMORANDUM:
All Or Parts Of The Text On This Page
Was Not Clearly Legible For Satisfactory
Recordation

BEFORE ME, the undersigned authority, a notary public in Polk County, Texas, on this day personally appeared Ben F. Griffin, known to me to be the person(s) whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of First Texas Equities, Inc. of Jasper Texas, and as the Vice President thereof, and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office, this 20th day of August, 19 84.



Lou Ann Osborn
Notary Public Lou Ann Osborn
My Commission expires 6/26/85
LOU ANN OSBORN

FILED

AUG 29 1984
9:25 AM

CAROL DISMUKES
COUNTY CLERK
LEE COUNTY, TEXAS
BY Don Noack, DEPUTY

STATE OF TEXAS
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 RECORDS
of Lee County, Texas, as stamped hereon by
me, on

AUG 30 1984



Carol Dismukes
COUNTY CLERK
LEE COUNTY, TEXAS