

## DEED RESTRICTIONS

SUBJECT PROPERTY: BEING 15.19 acres, more or less, and being part of a 47.19 acre tract out of 219.991 acres described in a deed from Abe M. Whitis and wife, Helen Whitis, to Emmitt Wieruscheske and recorded in Volume 222, Page 594 of the Deed Records of Lampasas County, Texas. Said 15.19 acres and 47.19 acres being more particularly described on Exhibit A which is attached hereto and incorporated herein for all purposes.

The Property is restricted solely to residential, light commercial, and recreational use except as otherwise permitted or allowed in the Restrictions, either originally created or as subsequently added to or modified.

1. No noxious or offensive activity shall be carried on or conducted on any tract, nor shall any activity be engaged in that is an annoyance to owners of the other tracts.
2. No swine may be kept on any tract, with the exception of those being raised for academic and/or scholastic purposes and those being raised for personal consumption only, and provided the tract has been properly fenced to contain such animals.
3. No junk yard, wrecked vehicle storage, or wrecking business may ever be placed upon or conducted on any tract.
4. No mobile home shall be placed on any tract. No moveable building or structure, structure of temporary nature, shacks, barn, garage, or other building shall at any time be used as a residence. For recreational purposes only and not as any permanent residence, recreational vehicles and similar temporary vehicles or structures may be used.
5. No tract shall be used or maintained as a dumping ground for garbage, refuse, scrap materials or trash.
6. No permanent building, whether residence or otherwise, shall be located closer than 50 feet from any boundary line of any tract. Additionally, a utility easement shall exist as to 15 feet along each and every boundary of every tract, being exclusively for utility purposes and being a portion of the required set-back distance.

7. These covenants are to run with the land and shall be binding on all the parties and all persons claiming under them until January 1, 2006, after which time said covenants shall be automatically extended for an additional ten (10) year period unless an instrument signed by a majority of the then owners of lands out of the above described property has been recorded agreeing to change said covenants in whole or part. Invalidity or unenforceability of any of such covenants shall not effect the others, which shall remain in full force and effect.

8. If any party hereto or his heirs, successors, or assigns, violates or attempts to violate any of the covenants herein, it shall be lawful for any person or persons owning tracts covered by these restrictions to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either prevent him or them from so doing, or to recover damages or other dues from such violations.

DATED this 4th day of February, 1997.

80195

FILED FOR RECORD

10:30 AM

FEB 05 1997

*Connie Hartmann*  
CONNIE HARTMANN, COUNTY CLERK  
LAMPASAS COUNTY TEXAS

Deputy

2-5-97 10:30A  
filed 2-5-97 @ 11:00A N:  
Rpt @ M:  
CONNIE HARTMANN, COUNTY CLERK  
By *Kate [Signature]* Dep.