

Declaration of Covenants, Conditions and Deed Restriction

Philip M. Smith, Patricia Kirby Smith, John Crawford Smith, (Developer), the owner of all lands and tracts shown by the plat of land located out of SECT 144 I & GN BLK 0006, situated in Randall County, Texas, better described in attached Exhibit A, property survey. In consideration of the benefits to accrue to it and to subsequent owners thereof, creates, imposes, and impresses in and upon all of the tracts shown by said plat the following covenants and restrictions which run with the land and shall be binding upon the undersigned, it's successors and assigns all persons claiming thereunder to-wit:

1. No trailer house, mobile home or manufactured residence or home shall be moved on to or placed on any of the said premises. On site built new construction homes, ready-built homes comparable to on site built homes that are permanently attached to the property, log cabins/homes, barn/houses/homes and outbuildings of new construction such as barns are all permitted.
2. All acreage or lots shall be used for recreational, residential, agricultural and business purposes that would not be industrial or heavy commercial in nature or otherwise violate another restriction described herein.
3. No old or second-hand structures shall be moved on any tract and all residences and accessory buildings shall be of new construction only with the provision that used brick may be used in the construction of new residences or other improvements.
4. New pre-built out buildings such as "Morgan" storage sheds and barns and other pre-built buildings for non-residential purposes shall be permitted on the premises.
5. No open cesspools, outside toilets or privies shall ever be permitted to be erected, constructed or maintained upon any tract

in the premises, except portable toilets properly serviced during construction of the primary residence shall be permitted. Metal, concrete or manufactured tanks with adequate subterranean field tile meeting County standards shall be installed for servicing each residence constructed on the tract. The construction thereof shall be in such a manner that no harm or damage shall occur to the underground water.

6. No commercial feed yards may be permitted on the property.
7. Owners shall be permitted to keep livestock, pets and animals on the premises so long as they do not unreasonably over graze the premises and/or become an annoyance or nuisance to the neighborhood. No commercial dog kennels shall be permitted on such premises. No swine breeding operations shall be permitted on such premises. Swine are permitted on the premises provided that said swine are part of 4-H or FFA youth projects.
8. No tract of land shall be subdivided into smaller tracts to be sold.

Philip M. Smith

Patricia Kirby Smith

John Crawford Smith

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of DATE by Philip M. Smith.

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of DATE by Patricia Kirby Smith.

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of DATE by John Crawford Smith.

Notary Public, State of Texas