

Book 447 p 345 Deed Records Ector Co.

9226

345

COVENANTS AND RESTRICTIONS

WILLOW RUN PROPERTIES

TO

THE PUBLIC:

THE STATE OF TEXAS)

:

COUNTY OF ECTOR)

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, ARLEN L. EDGAR, DON R. TROTT, WM. C. MORROW and ROBERT M. DICKSON, d/b/a WILLOW RUN PROPERTIES, are the owners of certain real estate situated in Ector County, Texas, the same being described as follows, to-wit:

BEING 118.62 acres of land located in the northeast part of Section 10, Block 42, T 1 S, T & P RY Company Survey, Ector County, Texas, more particularly described by metes and bounds as follows:

BEGINNING at the NE corner of a 159.68 acre tract of land in the NE part of Section 10, Block 41, T1S, T&P RY CO Survey, Ector County, Texas, for the NE corner of this tract, from which point a 3/4" galvanized iron pipe at the NE corner of Section 10 bears N 74° 31' E, 65 feet, and N 15° 21' W, 65 feet;

THENCE S 15° 21' E, parallel to and 65 feet Westerly at right angle from the east boundary of Section 10, a distance of 2609.3 feet to the SE corner of 159.68 acre tract and this tract, from which point the SE corner of the NE/4 Section 10 bears N 74° 32' E, 65 feet;

THENCE S 74° 32' W, with the S boundary of NE/4 Section 10 and S boundary of 159.68 acre tract, 1979.9 feet to the SE corner of a 41.06 acre tract and SW corner of this tract;

THENCE N 15° 21' W, at 1354.5 feet past the NE corner of 41.06 acre tract and an interior corner of 159.68 acre tract, in all, 2609.5 feet to the most northerly NW corner of 159.68 acre tract for the NW corner of this tract;

THENCE N 74° 34' E, parallel to and 65 feet at right angle from the S boundary of Section 10, a distance of 1980 feet to the place of beginning, containing 118.62 acres of land.

and,

WHEREAS, it is the desire of the parties hereto to adopt certain restrictive covenants covering said lands.

NOW, THEREFORE, the undersigned parties do hereby adopt the following restrictions which are specifically made subject to the outstanding reservations of oil, gas and other minerals and the rights incident to any Oil and Gas Leases of record, together with right of ingress and egress for the purpose of exploring, prospecting, drilling, mining, producing and removing such oil, gas and other minerals, and reference is here made to any instruments of record for such purposes.

THESE restrictive covenants are to run with the land and shall be binding upon and inure to the benefit of each and every property owner, their heirs, successors or assigns and shall be for a period of twenty (20) years from date hereof and thereafter, for successive periods of ten (10) years each, unless property owners owning a majority of the acres in said land shall, by instrument in writing and recorded in the Deed Records of Ector County, Texas, declare these covenants changed in whole or in part as of the end of any such subsequent ten-year period.

If any person or party shall violate, or attempt to violate, any of these covenants and restrictions, all owners of a tract of this land, or anyone owning an interest in, or lien upon such land, shall have the right to pursue in court and recover any and all appropriate remedies, whether legal or equitable, and whether preventative or otherwise.

WILLOW RUN PROPERTIES:

[Signature] [Signature]
[Signature] [Signature]

THE STATE OF TEXAS)
)
 COUNTY OF ECTOR)

BEFORE ME, the undersigned, a notary public in and for said

347

I.

Every dwelling erected upon any plot or premises shall be no smaller than 1800 square feet and shall be of brick or masonry construction.

II.

No manufactured, prefab, trailer houses, mobile homes or moved-in homes shall be placed upon any plot or premises. However, land owners may temporarily put a trailer house or mobile home on the property for a maximum of six-months during the construction of a permanent home; said period shall be from date of purchase of the property and not extend for more than six-months thereafter.

III.

No commercial pursuit or enterprises shall be allowed on the land and there shall be no storage of pipe nor any pipe yards, wrecking yards, trailer parks or livestock feed lots allowed on any of the premises.

IV.

No chicks or hogs shall be allowed on or raised or kept on any of the premises.

V.

Water rights from surface to a depth of 1500 feet only, provided, however, that owners shall have a revocable license to use water from the depth below 1500 feet from surface for domestic or agriculture purposes until such time as prior grantors may find it desirable to use said water.

EXHIBIT "A"

THE PLAT HEREON OF A 28.03 ACRE TRACT (DESCRIBED BY METES AND BOUNDS BELOW) OUT OF SECTION 10, BLOCK 41, T—1—S, T & P RY. CO. SURVEY, ECTOR COUNTY, TEXAS, WAS PREPARED FROM MEASUREMENT MADE ON THE GROUND. SEPTEMBER 05, 2007.

FIELD NOTES OF A 28.03-ACRE TRACT OF LAND OUT OF SECTION 10, BLOCK 41, T—1—S, T & P RY. CO. SURVEY, ECTOR COUNTY, TEXAS.

BEGINNING at a rod and cap found in the south boundary line of Goldenrod Drive and the northwest corner of a 78.31 acre tract in Section 10, Block 41, T—1—S, T & P Ry. Co. Survey, Ector County, Texas, for the northeast corner of this tract from which point the northeast corner of Section 10, Block 41, T—1—S, T & P Ry. Co. Survey, Ector County, Texas bears N15 degrees 21 minutes 'W, 65.0 feet and N74 degrees 35 minutes E, 2052.5 feet;

THENCE S15 degrees 21 minutes E, along the west boundary line of said 78.31 acre tract, 1255.0 feet to a 2" iron pipe found for the southeast corner of this tract;

THENCE S 7 minute's 34 degrees W 972.91 feet to a rod and cap set in the east boundary line of a 10.0 acre tract for the southwest corner of this tract;

THENCE N 15 degrees 21 minute's W, along the east boundary line of said 10.0 acre tract, 1255.0 feet to a rod and cap found in the south boundary line of Goldenrod Drive for the northwest corner of this tract;

THENCE N74 degrees 34 minute's E, along the south boundary line of Goldenrod Drive, 972.91 feet to the place of beginning and containing 28.03 acres of land.

Doc
00001069 BK
Vol
2214
Pg
661