

RESTRICTIONS TO THE USE OF PROPERTY

For purposes of these Restrictions, the Property shall be considered the acres situated in the J. Taylor Survey, A-33, Tyler County, Texas as shown on Exhibit A attached. Grantor does hereby acknowledge, declare and adopt the following restrictions, to protect the owners of portions of the Property (hereinafter called the "Property") against such use as will depreciate the value of their Property; to guard against the erection of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to insure the highest and best development of said Property; to secure and maintain proper setbacks from streets and adequate free spaces between structures; and in general to enhance the value of investments made by purchasers of portions of the Property.

The Restrictions are set forth below and hereby impressed on the Property and shall run with the land:

1. The Property is to be used as recreational and/or residential property. No manufactured home park or mobile home park is permitted to be developed on the Property. All buildings must be maintained in good appearance at all times.
2. No portion of the Property may be used for the following uses:
 - (a) Any use that is unlawful or that is offensive by reason of odor, gas, fumes, dust, smoke, noise, pollution or vibration or that otherwise constitutes a nuisance or is hazardous by reason of excessive danger of fire or explosion;
 - (b) Dumping, disposal, incineration, or reduction of garbage, sewage, dead animals, or refuse;
 - (c) The construction or operation of water or sewage treatment plants or electrical substations (excluding such plants and facilities as may be operated by public utility companies or by utility districts or governmental authorities);
 - (d) Smelting of iron, tin, zinc or other ores refining of petroleum or its products;
 - (e) Storage in bulk or bulk or used materials, a junkyard, a scrap metal yard, or auto salvage yard;
 - (f) Industries, including, without limitation, heavy manufacturing, fabrication facilities and testing facilities;
 - (g) Resale or pawn shops, flea markets, or bankruptcy, fire sale or auction business;
 - (h) A tavern, bar, nightclub, discotheque or any other establishment selling alcoholic beverages for on premises consumption;
 - (i) An adult bookstore or other establishment selling, renting or exhibiting pornographic materials or any sexually oriented business;
 - (j) Any sexually oriented business, as the term is generally construed.
3. No used existing building or structure of any kind and no part of a used existing building or structure shall be moved onto, the Property for the purpose of storing said structure. No tent, shack, garage, barn or other outbuildings of any character shall be placed or erected on any tract at any time to be used as temporary or permanent residence. All new construction must

be of new material and no tarpaper type roof or siding materials will be used on any structure. All buildings and structures shall be completely under skirted with no piers or pilings exposed to view.

4. No building or structure other than a fence shall be located nearer to the Property line than twenty-five (25) feet.

5. No Property shall be subdivided.

6. No outside toilet or privy shall be erected or maintained on any Property. The materials installed in, and all sanitary plumbing shall conform with the requirements of the Health Department of the State of Texas and the local authorities having jurisdiction. This provision does not apply to "porta-can" temporary toilets on the Property so long as such "porta-can" does not remain on the property longer than fifteen (15) days after any construction project is completed.

7. Any residential building, residential structure, or residential improvement commenced upon any Property shall be completed as to the exterior finish and appearance within twelve (12) months from the commencement date.

8. No Property or portion of any Property shall be used as a dumping ground for rubbish or trash or any hazardous materials, or waste, nor for storage of items or materials (except during construction of a building) and all Properties shall be clean and kept free of any boxes, rubbish, trash, tall grass or other debris. No refrigerators or other large appliances shall be placed outdoors and no inoperative motor vehicles without current license and inspection sticker shall be placed on or allowed to remain on any lot. Grantor, their successors and assigns, shall have the right to enter the property where a violation exists under this paragraph and remove the incomplete structure and/or other items and/or clean the Property at the expense of the offending party plus interest at the maximum lawful rate.

9. No commercial, skeet, trap, or rifle range operation involving discharging of firearms is allowed.

In witness thereof, the parties affix their signatures on this ____ day of _____, 2011.

By: _____

Title: _____

Printed Name: _____

STATE OF TEXAS

COUNTY OF _____

This instrument was acknowledged before me on _____, 2011 by _____.

Notary Public, State of Texas