



RESTRICTION
201410543
6 PGS

RESTRICTIONS FOR PROPERTY

Being a 127.527 ACRE TRACT in the C.R. Perry Survey, A-278, Bastrop County, Texas, being the same property described in that certain deed dated July 11, 2014 from Gary Klaus, Executor, to Brook Hurta and Brad Hurta, filed in Volume 2333, Page 458, in the Official Records of Bastrop County, Texas. Said tract has been divided into ten (10) tracts by Brook Hurta and Brad Hurta (hereinafter referred to as "Developers"). The 10 tracts are shown on the plat attached hereto and are the tracts subject to these restrictions.

Whereas Brook Hurta and Brad Hurta (Developers) are the owners of the above referenced property; it is desirable and advisable for the benefit of the public in general and persons purchasing land in this subdivision to place restrictions and conditions thereon designating the manner and for what purposes land in this subdivision may be used, and the type and size of structures to be erected in the subdivision, along with other restrictions which are addressed herein.

Owner hereby establishes the following reservations, conditions and restrictions on the land referenced above, running with the land, binding upon and to inure to the use and benefit of itself, its successors and assigns.

Land Use:

All 10 tracts in this parcel shall be used primarily for single family residential purposes. Only two single family residences shall be permitted on each originally platted tract.

Building Types:

No building will be erected, altered, placed or permitted to remain on the property other than:

- 1) Site built homes constructed of new materials and having a minimum of 1,200 (one thousand two hundred) square feet of climate controlled area, and if more than one story, the ground floor shall not be less than 1,000 (one thousand) square feet.
- 2) Barns and outbuildings are to be constructed of new materials. Existing barns located on Tract 4 of the attached plat are exempt from this requirement.
- 3) A servant or guesthouse that does not conform to the minimum square footage requirement so long as it otherwise conforms to all other restrictions and is constructed after or along with the construction of the primary home.

Construction of any building should be completed within one year.

Temporary Structures:

No structure of a temporary nature, including but not limited to , a tent, shack, garage, recreational vehicle, horse trailer, mobile home, camper or other temporary facility shall be used on any part of the property as a residence, either temporary or permanently.

Building Location:

No building or structure shall be located on any tract nearer than 30 feet from any property line which fronts St. Mary's Road, or within 40 feet of any property line fronting State Highway 304, or 15 feet from any interior property line. In the event a buyer purchases two or more adjoining tracts and desires to construct a dwelling across the lot lines of the multiple tracts purchased, Developer may permit such act by written waiver of the interior lot line setbacks, provided there is not then, or known to be planned, any utility easement along the common originally platted lot line(s).

Re-subdividing:

No tracts may be re-subdivided, except by the Developers should the need arise.

Utility Easements:

The Developers, for and on behalf of itself and the cumulative 137.527 acres, hereby reserve a permanent 30 foot utility easement along all property lines fronting St. Mary's Road, a 40 feet utility easement along all property lines fronting State Highway 304, and a permanent 15 foot utility easement along the interior property lines of each tract in the subdivision for installation and maintenance of any and all utilities and drainage facilities. During installation of any utilities, an additional temporary 15' workspace easement is dedicated along the interior lot lines for work crews. This means that during construction of any utilities, the utility company can operate within 30 feet of any property line. After the utilities are installed, the easement reverts to the permanent 15' easement only. The purpose and scope of the Utility Easements is to place, construct, re-construct, re-phase, operate, maintain, relocate, replace and remove in, upon, below or above said easements, utilities, including electric distribution lines or systems, telecommunications systems and equipment, or other services and systems, and their related appurtenances and equipment, and to cut, trim, chemically treat, and/or remove any or all trees, brush, shrubbery or other obstructions within or outside said easements to the extent necessary to keep the easement areas clear, or which might otherwise endanger or interfere with the efficiency of the utilities, including the removal of any dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling even if same are located outside the easement areas. Non-use of the easement areas shall not be deemed an abandonment; the easements shall only be terminated by written instrument executed by utility and recorded in the real property records of Bastrop County, Texas. The purpose and scope of the easements may not be changed, and easement areas may not be relocated, without utility's written consent. Property owners may not construct or place any structures, devices, or obstacles in or on the easement areas that may constitute a hazard to the safe and reliable operation of the utilities installed in the easement areas or a danger to the property owners or the general public.

The easements are for the general benefit of the tracts and the property owners and are reserved and created in favor of all utility companies serving the Subdivision.

Parking:

No inoperative or unlicensed vehicles or bus may be kept upon any lot at any time unless housed in garages, or barns, or are not visible from the public road or any adjacent tract.

Livestock:

Livestock are allowed on the property so long as they are properly contained with adequate fencing. No swine are allowed on the property at any time except for no more than five (5) animals for 4-H and FFA project animals. No part of the property shall be used for commercial feed lots for any type of livestock or poultry.

Commercial Activity:

No commercial activity shall be allowed with the exception of home businesses. No more than one sign advertising or identifying the business is allowed, and the sign must be no larger than 4 feet by 8 feet, and cannot exceed 10 feet in height. If a home business does any manufacturing, it must be adequately housed in such a way as to not cause a nuisance to the neighborhood in the form of odors, noise or unsightly materials.

Signs:

No sign shall be displayed on any lot except one sign not more than four feet by eight feet, used by builders or owners to advertise the property during construction and/or sale of the property.

Culverts:

Each lot owner is responsible for installing a culvert if one does not currently exist, between the public road and their driveway in compliance with current Bastrop County and/or State regulations.

Garbage and Refuse Disposal / Septic systems:

No area of the property shall be maintained as a dumping ground for rubbish. Trash, garbage and other waste shall not be kept except in sanitary containers.

All trash, garbage and rubbish must be disposed of in a sanitary manner and in a location provided for that purpose by a Government authority. All homes are to have Government approved and permitted septic systems.

Nuisances:

No noxious or offensive activity shall be carried on or upon the property, nor shall anything be done thereon which may or may become an annoyance to neighbors.

Term:

SAVE AND EXCEPT utility easements or utilities in place, these covenants and restrictions shall run with the land and shall be binding on all parties and all persons claiming under them for a period of 25 years from the date these covenants are recorded with the county clerk of Bastrop County, Texas, after which time such covenants shall be extended automatically for successive periods of ten years, unless an instrument signed by a majority of the then owners of the tracts has been recorded, agreeing to change such covenants in whole or in part or to revoke them. If any buyer purchases more than one of the original platted tracts shown on the attached, that person counts as one vote along with the remaining owners of tracts, and each different landowner in the original 137.527 subdivided tract counts as one vote,

regardless of how many tracts they own, and a majority of the landowners is required to change or revoke these restrictions.

Enforcement:

Enforcement of these covenants and restrictions may be by proceedings at law or in equity against any person or persons violating the aforementioned covenants and restrictions.

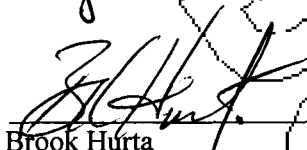
Severability:

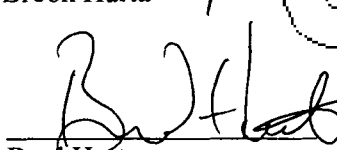
Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provision and all other provisions shall remain in full force and effect.

Amendment:

Developers reserve the right to amend these restrictions on any unsold lots they still own should any utility providers require such action to service any lots. In the event an amendment is required, the amendment is to be signed, notarized, and filed of record in the Bastrop County Clerk's Office. At any time, with consent of all landowners in this subdivision, these restrictions may be amended, modified, or altered. In the event such is the case, a document stating the change(s) must be signed by all landowners, with signatures of all landowners notarized, and this document be filed of record in the Bastrop County Clerk's office.

EXECUTED on this 29 day of August 2014.

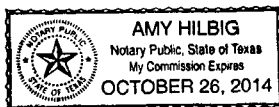

Brook Hurta

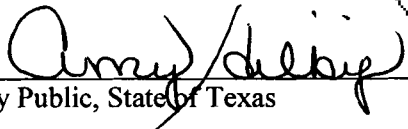

Brad Hurta

THE STATE OF TEXAS

COUNTY OF BASTROP

This instrument was acknowledged before me on this 29 day of August 2014, by
Brook Hurta and Brad Hurta




Notary Public, State of Texas

THOMAS WHITTINGTON SURVEY, A-343

DALE L. OLSON

SURVEY PLAT

of a 137,527 ACRE TRACT in the
C.R. PERRY SURVEY, A-278,
BASTROP COUNTY, TEXAS.

15,000 ACRES

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Hwy 304

14,521 ACRES

11,004 ACRES

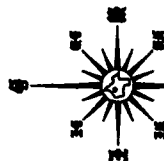
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ST. MARY'S ROAD

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LYDIA GLASSGOW SURVEY, A-344



SCALE 1" = 200'

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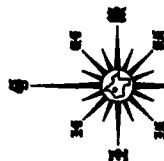
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FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Rose Pietsch

August 29, 2014 04:29:47 PM
MARYC FEE: \$32.00 BOOK:2345 PAGE:251-256
ROSE PIETSCH, County Clerk
Bastrop, Texas

RESTRICTION

201410543

Unofficial Document