

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

THE STATE OF TEXAS)
)
COUNTY OF MASON) KNOW ALL MEN BY THESE PRESENTS:

This Declaration of Covenants, Conditions and Restrictions is made on the day of January, 2018, by **MASON ISD SCHOLARSHIP FOUNDATION**, hereinafter known as Declarant or Developer.

1. Declarant is the owner of all that certain real property (the Property) situated in Mason County, Texas, described as follows:

First Tract: 301.953 acres of land, approximately 54.414 acres out of Juan Armendaris Survey No. 72, Abstract No. 41, approximately 50.578 acres out of C. F. Merkel Survey No. 494, Abstract No. 669, and approximately 196.948 acres out of F. A. Zefferer Survey No. 475, Abstract No. 976, and being more particularly described in Exhibit A, attached hereto and made a part hereof for all purposes.

Second Tract: 361.523 acres of land, approximately 320.950 acres out of Juan Armendaris Survey No. 72, Abstract No. 41 and approximately 40.573 acres out of C. F. Merkel Survey No. 4949, Abstract No. 669, and being more particularly described in Exhibit B, attached hereto and made a part hereof for all purposes.

2. Declarant has devised a general plan for the Property as a whole, with specific provisions for particular parts and parcels of the Property. The general plan provides a common scheme of development designed to protect and safeguard the Property over a long period of time.

3. The general plan will benefit the Property in general, the parcels and lots that constitute the Property, the Declarant, and each successive owner of an interest in the Property, and will regulate the structural integrity, appearance and uses of the Property.

4. Therefore, in accordance with both the doctrines of restrictive covenant and implied equitable servitude, the Declarant desires to restrict the Property according to these covenants, conditions and restrictions in furtherance of this general development plan.

NOW, THEREFORE, it is declared that all of the Property shall be held, sold and conveyed subject to the following restrictions, covenants and conditions, to-wit:

1. The Property must never be used for the purposes of: (a) Junkyards, landfills, or feedlots;

(b) quarrying, mining, manufacturing, or other similar industrial or commercial operations; and (c) communication towers, wind turbines, or solar or wind farms.

2. The following must never be placed on the Property: (a) Mobile, manufactured or modular homes; and (b) recreational vehicles or travel trailers, except for temporary recreational use.

3. Any dwelling or residence constructed on the Property must have a minimum of 800 contiguous square feet of gross living area according to the standards of the American National Standards Institute (ANSI) exclusive of unfinished basements and below-grade spaces, unfinished attics, shops, decks, balconies, porches, garages and carports.

All covenants and restrictions shall be covenants running with the land and shall be binding upon Declarant and upon all future Property Owners and their successors, heirs and assigns. If any Owner shall violate or attempt to violate any of the restrictive covenants and conditions herein, any Owner of any part of the Property may prosecute any proceeding at law or in equity against such Owner violating or attempting to violate any such restrictive covenants and conditions either to prevent such Owner from doing so or to correct such violations and/or to recover damages or other relief for such violation. Failure to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Invalidation of any one of these covenants by Judgment or Court Order shall in no way affect any of the other restrictive covenants and conditions, which shall remain in full force and effect.

This Declaration is executed this day of January, 2018.

MASON ISD SCHOLARSHIP FOUNDATION

By: _____
Chad Lemke, President

THE STATE OF TEXAS

This instrument was acknowledged before me on the day of January, 2018,
by Chad Lemke, President of Mason ISD Scholarship Foundation.

Notary Public, State of Texas