

Filed this 13 day of Dec 2018
1:58 P.M.

183605

Laura Walla
County Clerk, Blanco County, Texas
By Shelley K. Maley Deputy

AMENDED AND RESTATED
TOWHEAD VALLEY ESTATES PROPERTY OWNERS ASSOCIATION
AND
RESTRICTIVE COVENANTS

WHEREAS, Cypress Valley Ranch, Ltd., a Texas Limited Partnership, the owner of all of that certain 408.22 acre tract of land described on Exhibit "A" and "B" ("the lands") filed of record the "Towhead Valley Estates Property Owners Association and Restrictive Covenants" recorded at Volume 200 pages 063-070, on October 5, 1998, in the records of the County Clerk, Blanco County, Texas ("Original Restrictions"); and

WHEREAS, the Original Restrictions created the Towhead Valley Estates Property Owners Association (the "Association") and established the restrictions, and

WHEREAS, after proper notice, at the annual meeting of the members of the Association on October 3, 2018, at least three fourths (3/4ths) of the current owners of the lands and members of the Association voted by written ballot to amend and restate the Original Restrictions in the form of this Amended and Restated Towhead Valley Estates Property Owners Association and Restrictive Covenants as follows:

We, the undersigned, are the present owners of 408.22 acres of land described on Exhibit A and Exhibit B (herein called "the lands") attached hereto and incorporated by reference. To protect and enhance the value of these lands in the future, we hereby:

- (1) Create the Towhead Valley Estates Property Owners Association, herein called

“POA” as defined by article 202.001(2), Vernon’s Texas Property Code Annotated;

(2) Declare the following restrictive covenants shall henceforth apply to the real property described on Exhibit A and Exhibit B.

I. TOWHEAD VALLEY ESTATES PROPERTY OWNERS ASSOCIATION:

A. The POA shall exist from October 1, 1998 until October 1, 2008, and thereafter as it may be extended pursuant to law;

B. The members of the POA consist of all record owners of fee simple title in and to any of the lands. All grantees in any one deed shall constitute only one member.

C. There is no governing body, all members are equal. One member shall be elected by a 2/3 majority as the POA Representative. An annual meeting shall be held the first Monday in October of each year at the Johnson City Library, Johnson City, Texas, or such other place in Blanco County, Texas.

D. The Representative is authorized:

1. To call and organize the annual meeting;
2. To collect annual dues (herein called “dues”) of \$300 from each member for the maintenance of the roadways and other general benefit of the lands payable on October 1st of each year;
3. To keep appropriate books and records of finances, taxes, and operations and to file an annual tax return for the POA.
4. To assess a fee (herein called an “assessment”) of no more than \$150 per member per year for exceptional expenditures for the direct benefit of the lands.

5. To impose a lien upon the lands owned by any member who fails or refuses to pay the annual dues or assessments. Such lien shall be superior to all but vendor's liens and purchase money liens arising prior in time to the filing of this lien. Each person who becomes a member agrees to pay all dues and assessments and grant such liens for improvements as are herein setout. Such liens shall be enforced in accordance with the provisions of Section 51.002, Vernon's Texas Property Code Annotated.

6. To collect all reasonable and necessary attorneys fees in any suit brought to enforce the restrictive covenants or lien for improvements, dues and assessments.

E. As there is no governing body, all decisions not mentioned in item "C" above, shall be the responsibility of all members and enacted upon by a 2/3 majority vote. To include:

- a. Enforcement of all restrictive covenants applicable to the lands.
- b. Adoption of by-laws for the general conduct of its business, including the election of a clerk.
- c. To take such other action as in the members judgement is necessary to protect and enhance the value of the lands.

II. RESTRICTIVE COVENANTS

These restrictions are covenants running with the land and shall be binding upon Grantors, Declarants and their successors, grantees and assigns:

- (1) These restrictions shall apply for an initial period of ten (10) years beginning

October 3, 2018, and shall automatically renew for consecutive periods of ten (10) years. Upon a vote of at least two-thirds (2/3rds) of the then existing members such restrictions may be amended, revised, extended, or abolished. However, no revision or restriction shall restrain a prior permissible land use so as to render such existing use impermissible.

(2) Subdividing land is permissible but shall result in a lot or tract sizes of no less than twenty-five (25) acres, with each tract having a 40 foot wide easement or access road to the public roads.

(3) No commercial use is permitted on the land. However, owners or residents shall be allowed to work out of their homes and maintain home-based businesses as long as the primary use of the property is for a residence, vacation residence, or weekend residence.

(4) Houses or residences may be rented on a long-term or short-term basis, but not for rental periods shorter than two (2) consecutive weeks. Property owners are responsible for renter's compliance with all restrictive covenants.

(5) Agricultural and livestock use of the land is permitted, except no use as a feedlot or commercial hog, swine or poultry operation is allowed. Fencing shall be appropriate to contain the livestock housed on the land.

(6) No manufactured home of any size, or house trailer is permitted. No lot may have more than two (2) single-family residences.

(7) All homes shall contain a minimum of 1200 square feet of living area exclusive of porches, decks, garages and carports, and be completed with twelve (12)

months of starting construction. A mobile home or travel trailer may be placed on the property at the beginning of construction of a permanent residence and must be removed immediately at the earlier of one year or completion of the permanent residence.

(8) No geodesic dome-type homes or in-ground dwellings are allowed.

(9) No residential building shall be placed closer than 100 feet of a property line.

Garages, outbuildings, barns, hunting blinds, well houses, receiving/transmitting antennae, and other structures shall be placed no closer than 30 feet of a property line.

All structures placed between 30 and 99 feet of a property line must be in muted colors/galvanized that blend with the natural habitat (e.g., pale greens/browns, etc.).

(10) All sewage and wastewater associated with any residence shall be contained and distributed via a septic or other wastewater disposal system approved by Blanco County.

(11) No antennas shall be higher than 20 feet above the ridge line of the residence or building to which they are connected or which they serve.

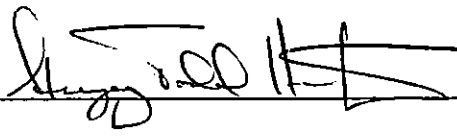
(12) No abandoned motor vehicles, tractors, trailers or other equipment are allowed.

(13) No trash dumps are allowed.

(14) Any roads which are for the common use of all tracts shall be maintained to a reasonable level of use and safety and such cost of maintenance shall be borne by the POA or the county, provided the roads are dedicated as roads and rights of way to the county and the county accepts the maintenance of the roads.

This declaration and dedication is executed this 3rd day of October 2018, to be effective from and after October 3, 2018.

I vote for the Amendment to the Original Restrictions as provided above.

GREGORY TODD HECTOR 
Name: _____

Owner of Tract 1

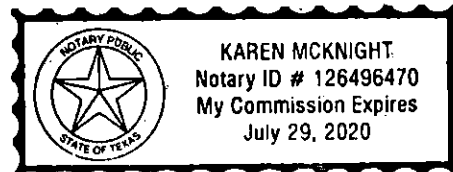
Towhead Valley Estates, a subdivision in Blanco County, Texas according to the map or plat thereof recorded in Book 1, page 252, of the Plat Records of Blanco County, Texas

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on November 28 2018 by GREGORY
Todd Hector

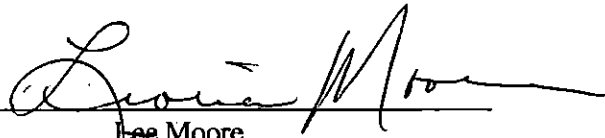
(SEAL)

Karen McKnight
Notary Public Signature



I vote for the Amendment to the Original Restrictions as provided above.


Name: Guy W. Moore


Lee Moore
Leoria

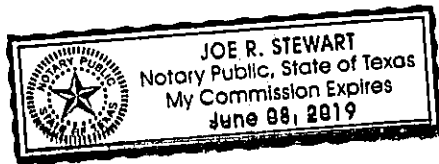
Owner of Tract 2

Towhead Valley Estates, a subdivision in Blanco County, Texas according to the map or plat thereof recorded in Book 1, page 252, of the Plat Records of Blanco County, Texas

THE STATE OF TEXAS §
COUNTY OF Blanco §

This instrument was acknowledged before me on 12-4 2018 by GUY MOORE
LEORIA MOORE

(SEAL)




Notary Public Signature

I vote for the Amendment to the Original Restrictions as provided above.


Name: Wayne Talley


Nancy Talley

Owner of Tracts 3, 4a and 4b

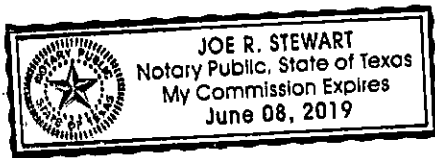
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recorded in Book 1, page 252, of the Plat Records of Blanco County, Texas

THE STATE OF TEXAS §
COUNTY OF BLANCO §

This instrument was acknowledged before me on 11-28 2018 by WAYNE TALLEY
AND NANCY TALLEY

(SEAL)


Notary Public Signature



I vote for the Amendment to the Original Restrictions as provided above.

PRBL

Name: Paul R. Branch

Maureen K Branch

Maureen K. Branch

Owner of Tract 5

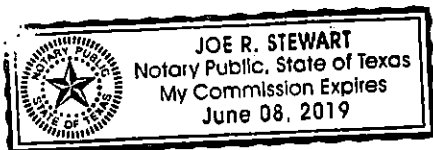
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THE STATE OF TEXAS §
COUNTY OF BLANCO §

This instrument was acknowledged before me on 11-28 2018 by Paul R Branch
Maureen K Branch

(SEAL)

Joe R Stewart
Notary Public Signature



I vote for the Amendment to the Original Restrictions as provided above.



Name:

GRAND MCCORD

Owner of Tract

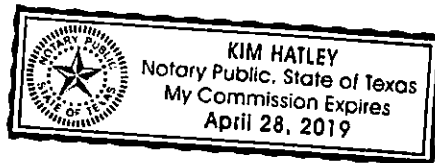
Towhead Valley Estates, a subdivision in Blanco County, Texas according to the map or plat thereof recorded in Book 1, page 252, of the Plat Records of Blanco County, Texas

THE STATE OF TEXAS §
COUNTY OF Williamson §

This instrument was acknowledged before me on December 3 2018 by Kim Hatley

(SEAL)


Notary Public Signature



I vote for the Amendment to the Original Restrictions as provided above.

Diane Ingulli
Name: Diane Ingulli

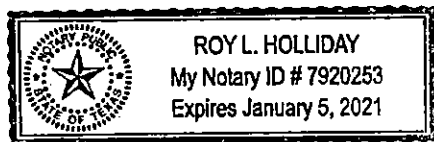
Owner of Tract

Towhead Valley Estates, a subdivision in Blanco County, Texas according to the map or plat thereof recorded in Book 1, page 252, of the Plat Records of Blanco County, Texas

THE STATE OF TEXAS §
COUNTY OF Williamson §

This instrument was acknowledged before me on December 1 2018 by DIANE Ingulli

(SEAL)



R L Holliday
Notary Public Signature

I vote for the Amendment to the Original Restrictions as provided above.



Name: George Culp


Kay Culp


Owner of Tract 7

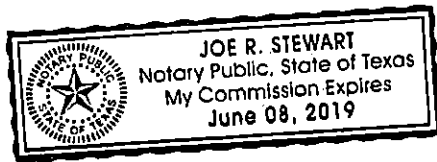
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THE STATE OF TEXAS §
COUNTY OF BLANCO §

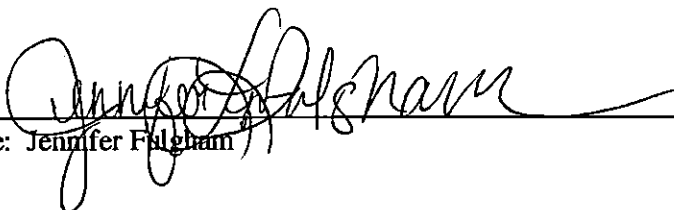
This instrument was acknowledged before me on 11-28 2018 by GEORGE CULP
AND KAY CULP

(SEAL)


Notary Public Signature



I vote for the Amendment to the Original Restrictions as provided above.


Name: Jennifer Fulgham

Owner of Tract 8

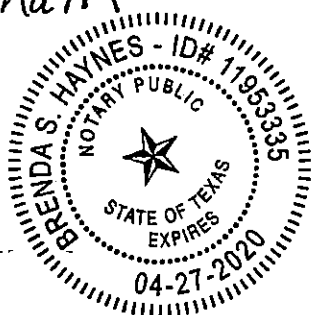
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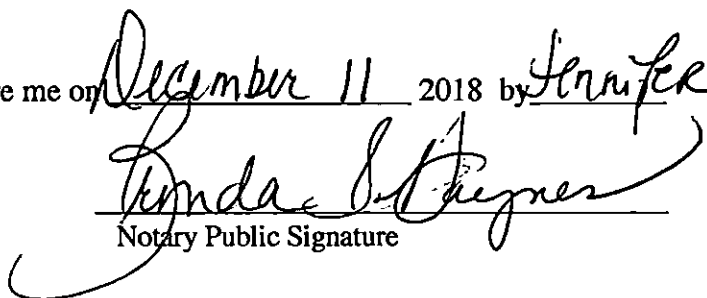
THE STATE OF TEXAS
COUNTY OF Blanco

§
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This instrument was acknowledged before me on December 11 2018 by Jennifer Fulgham

(SEAL)




Notary Public Signature

I vote for the Amendment to the Original Restrictions as provided above.



Name: Keith Fulgham

Jennifer Fulgham

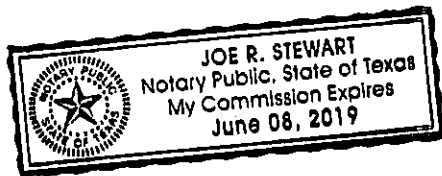
Owner of Tract 8

Towhead Valley Estates, a subdivision in Blanco County, Texas according to the map or plat thereof recorded in Book 1, page 252, of the Plat Records of Blanco County, Texas

THE STATE OF TEXAS §
COUNTY OF BLANCO §

This instrument was acknowledged before me on Dec 6 2018 by KEITH FULGHAM

(SEAL)


Notary Public Signature

I vote for the Amendment to the Original Restrictions as provided above.



Name: Rich Armstrong

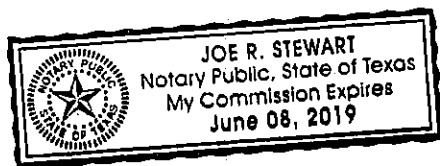
Owner of Tract 10

Towhead Valley Estates, a subdivision in Blanco County, Texas according to the map or plat thereof recorded in Book 1, page 252, of the Plat Records of Blanco County, Texas

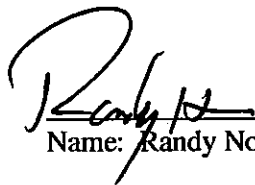
THE STATE OF TEXAS §
COUNTY OF BLANCO §

This instrument was acknowledged before me on 12/16 2018 by Rich
Armstrong

(SEAL)


Notary Public Signature

I vote for the Amendment to the Original Restrictions as provided above.



Name: Randy Norris

Becky Norris

Owner of Tract 12

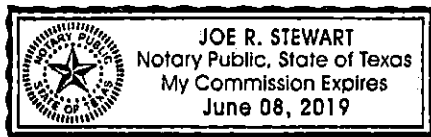
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THE STATE OF TEXAS
COUNTY OF BLANCO

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§

This instrument was acknowledged before me on 12-4 2018 by Randy Norris
~~Becky Norris~~

(SEAL)




Notary Public Signature

STATE OF TEXAS
COUNTY OF BLANCO

I hereby certify that this instrument was FILED in File Number Sequence on the date and the time stamped hereon by me and was duly RECORDED in Official Public records of Blanco County, Texas on

DEC 13 2018




COUNTY CLERK
BLANCO COUNTY, TEXAS