

DOC# 9524111

DECLARATION OF RESTRICTION

This Declaration of Restriction ("Declaration") is made by Ruth Myers, Individually and as Independent Executrix of the Estate of Willie Mae Wood, Deceased, and Lora Box Schuessler ("Declarant").

A. Declarant is the owner of the following described property in Williamson County, Texas (the "Property"):

TRACT I: 51.55 acres of land, more or less, out of the John Carothers Survey, Abstract No. 129, in Williamson County, Texas, being a portion of those two tracts totaling 247.8 acres described in Deed recorded in Volume 437, Page 47, Deed Records of Williamson County, Texas, and being further described by metes and bounds in Exhibit "A" attached hereto and made a part hereof.

TRACT II: 311.69 acres of land, more or less, out of the John Carothers Survey, Abstract No. 129, in Williamson County, Texas, being a part of two certain tracts of land described as 247 4/5 acres and 17 4/5 acres in a deed recorded in Volume 437, Page 47, Deed Records of Williamson County, Texas, and a part of a certain tract of land described as 290.5 acres in a deed recorded in Volume 417, Page 499, Deed Records of Williamson County, Texas, and being further described by metes and bounds in Exhibit "B" attached hereto and made a part hereof.

B. Declarant desires to impress upon the Property certain restrictions regulating the use of the Property.

C. Declarant intends the restrictions to run with the land and be binding on and inure to the benefit of all present and future owners of and all other parties claiming an interest in and to the Property, and their respective heirs, successors and assigns.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant hereby adopts the following restrictions affecting the Property:

Article 1 - Restrictions

1.1 No mobile home or temporary structure shall be permitted on the Property. No building previously constructed elsewhere shall be moved onto the Property. Travel trailers or campers shall be permitted for camping or recreational use.

1.2 No residential dwelling shall be constructed on the Property of less than 1,500 square feet of living area, measured to the outside of exterior walls and exclusive of garages, porches, patios, decks and detached accessory buildings.

1.3 No noxious or offensive activity shall be carried on upon the Property, nor shall anything be done thereon which may be or may become an annoyance or nuisance to any owner of the Property.

1.4 No commercial activity, including manufacturing or industrial activity, except for the raising of livestock, farming of crops and making hay, shall be permitted on the Property.

1.5 The Property shall not be used or maintained as a dumping ground for rubbish, chemicals or waste materials of any kind.

1.6 No junk or wrecking yards shall be permitted on the Property.

1.7 No swine shall be kept on the Property.

1.8 No unused, inoperable or abandoned vehicles shall be permitted on the Property.

Article 2 - General

2.1 If any person or entity shall violate or attempt to violate this Declaration, it shall be lawful for any record owner of any portion of the Property to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate this Declaration for damages or injunctive relief to prevent such person or entity from violating or attempting to violate this Declaration.

2.2 This Declaration may be modified, amended or terminated only by the written consent of all the record owners of the Property at the time of such modification, amendment or termination.

2.3 This Declaration shall be a covenant running with the land, and the terms and provisions of this Declaration shall be binding upon and inure to the benefit of all present and future owners of and all other parties claiming an interest in and to the Property, and their respective heirs, successors and assigns, for a period of thirty (30) years after the date hereof at which time this Declaration shall be automatically extended for successive periods of ten (10) years each, unless by vote of the then owners of at least seventy percent (70%) of the total acres affected by this Declaration agree in writing to amend or terminate this Declaration in whole or in part.

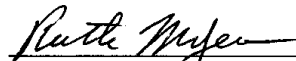
2.4 This Declaration contains the entire agreement concerning the rights and restrictions herein described. No oral representations or modifications concerning this Declaration shall be binding unless memorialized in a written document signed by all the record owners of the Property.

2.5 In the event of any controversy, claim or dispute arising out of or relating to this Declaration or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable attorney's fees, expenses and costs.

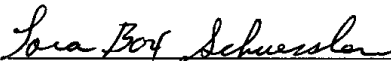
2.6 If any part or provision of this Declaration shall be declared invalid, by judgment or court order, the same shall in no wise affect any of the other provisions of this Declaration, and such remaining portion of this Declaration shall remain in full force and effect.

2.7 Failure at any time to enforce this Declaration, whether any violations thereof are known or not, shall not constitute a waiver or estoppel of the right to do so from time to time thereafter.

EXECUTED this 30 day of May, 1995.



Ruth Myers, Individually and as
Independent Executrix of the
Estate of Willie Mae Wood,
Deceased



Lora Box Schuessler,
by and through her
attorney-in-fact, Ruth Myers

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on May 20, 1995 by Ruth Myers, Individually and as Independent Executrix of the Estate of Willie Mae Wood, Deceased.

My commission expires:



LESLIE KAREN WILLIAMS
Notary Public, State of Texas
My Commission Expires
APRIL 6, 1999

Leslie Karen Williams
Notary Public - State of Texas
Notary's name (printed):

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on May 20, 1995 by Ruth Myers, Attorney-in-Fact for Lora Box Schuessler.

My commission expires:



LESLIE KAREN WILLIAMS
Notary Public, State of Texas
My Commission Expires
APRIL 6, 1999

Leslie Karen Williams
Notary Public - State of Texas
Notary's name (printed):

EXHIBIT A

FRED L. THOMPSON & ASSOCIATES, P. C.

P. O. BOX 74 LLANO, TEXAS 78643-0074

Registered Professional Land Surveyor No. 1739

Licensed State Land Surveyor

915-247-4510 (O) 915-247-1043 (F)

**FIELD NOTES OF 51.55 ACRES OF LAND IN WILLIAMSON COUNTY,
TEXAS.**

The tract of land described hereon and on the accompanying plat contains 51.55 acres out of the John Carothers League, Abst. No. 129, in Williamson County, Texas, and is a part of a tract of land called 247 4/5 acres in a deed from Booth Tatum and wife to Neal Wood and wife recorded in Volume 437, Page 47, Williamson County Deed Records, and is described by metes and bounds as follows:

Beginning at an iron pipe fence corner post in the south right of way of Williamson County Road No. 200 at the southwest corner of a tract of land described as 2.73 acres in a Right of Way deed from Neal Wood and wife to Williamson County recorded in Volume 1491, Page 649, Williamson County Deed Records, same being in the occupational north line of said 247 4/5 acre tract;

Thence N 83° 19' 14" E, a distance of 465.51 feet with the south line of said 2.73 acre tract to a point intersecting the approximate center of the San Gabriel River at the northwest corner of a tract of land described as 344.23 acres in a deed from the Estate of Neal Wood to Stan L. McLelland and Matt Z. Mathias recorded in Volume 2550, Page 0255, Williamson County Deed Records, whence a drill hole set in the centerline of the bridge bears N 13° 22' 17" E 63.87 feet;

Thence with the approximate center of the San Gabriel River and the west line of said 344.23 acre tract:

S 13° 22' 17" W, a distance of 89.67 feet to a point;
S 25° 58' 19" W, a distance of 454.49 feet to a point;
S 21° 55' 21" W, a distance of 700.16 feet to a point;
S 21° 52' 28" W, a distance of 226.99 feet to a point;
S 26° 38' 35" W, a distance of 385.04 feet to a point;
S 15° 12' 06" W, a distance of 201.67 feet to a point;
S 20° 56' 44" W, a distance of 236.94 feet to a point;
S 11° 46' 16" E, a distance of 205.74 feet to a point;
S 53° 02' 40" W, a distance of 330.22 feet to a point;
S 67° 22' 00" W, a distance of 218.88 feet to a point;
N 87° 04' 30" W, a distance of 221.11 feet to a point for the southwest corner hereof;

Thence N 17° 28' 31" E, a distance of 71.18 feet to an iron rod set on the right bank of the river;

Thence N 17° 28' 31" E, a distance of 507.40 feet to an iron rod set;

Thence N 09° 15' 09" W, a distance of 955.36 feet to an iron rod set;

Thence N 28° 00' 41" W, a distance of 675.02 feet to an iron rod set for the northwest corner hereof at a re-entrant corner to the south fenced right of way line of County Road No. 200;

Thence with the fenced south line of said public road,

N 72° 40' 13" E, a distance of 91.26 feet to a fence corner post and

N 71° 48' 13" E, a distance of 1334.92 feet to the PLACE OF BEGINNING containing 51.55 acres, more or less.

I, F. L. Thompson, a Registered Professional Land Surveyor, do hereby certify that the field notes hereon with accompanying plat are a true and correct representation and delineation of a survey made on the ground under my direction and supervision on the 21st day of March 1995. Witness my hand and seal March 30, 1995



F. L. Thompson
F. L. Thompson, Reg. Prof. Land Surv. No. 1739
P. O. Box 74 Llano, TX 78643

EXHIBIT B

FRED L. THOMPSON & ASSOCIATES, P. C.

P. O. BOX 74 LLANO, TEXAS 78643-0074

Registered Professional Land Surveyor No.1739

Licensed State Land Surveyor

915-247-4510 (O) 915-247-1043 (F)

**FIELD NOTES OF 311.69 ACRES OF LAND IN WILLIAMSON COUNTY, TEXAS.
MADE FOR THE ESTATE OF NEAL WOOD.**

The tract of land described hereon and on the accompanying plat contains 311.52 acres out of the John Carothers League, Abst. 129, in Williamson County, Texas, of which 4.64 acres is within a public road, leaving 307.05 net acres, and contains a part of two certain tracts of land described as 247 4/5 acres and 17 4/5 acres in a deed from Booth Tatum and wife to Neal Wood and wife recorded in Volume 437, Page 47, Williamson County Deed Records, and a part of a certain tract of land described as 290.5 acres in a deed to Neal Wood and wife recorded in Volume 417, Page 499, Williamson County Deed Records, as found on the ground on date of survey.

Beginning at an iron pipe fence corner post in the south right of way line of Williamson County Road No 200 at the southwest corner of a tract of land described as 2.73 acres in a Right of Way Deed from Neal Wood and wife to Williamson County recorded in Volume 1491, Page 649, Williamson County Deed Records, same being in the occupational north line of said tract of land described as 247 4/5 acres in a deed from Booth Tatum and wife to Neal Wood and wife recorded in Volume 437, Page 47, Williamson County Deed Records;

Thence N 83° 19' 00" E, a distance of 465.51 feet with the south line of said 2.73 acre tract and the south line of County Road No. 200 to a point;

Thence S 13° 22' 17" W, a distance of 89.67 feet to a point intersecting the approximate center of the North San Gabriel River at the northwest corner of a tract of land described as 344.23 acres in a deed from the Estate of Neal Wood to Stan L. McLelland and Matt Z. Mathias recorded in Volume 2550, Page 0255, Williamson County Deed Records, whence a drill hole set in the centerline of bridge bears N 13° 22' 17" E 63.87 feet;

Thence with the approximate center of the San Gabriel River and the west line of said 344.23 acre tract:

S 13° 22' 17" W, a distance of 89.67 feet to a point;
S 25° 58' 19" W, a distance of 454.49 feet to a point;
S 21° 55' 21" W, a distance of 700.16 feet to a point;
S 21° 52' 28" W, a distance of 226.99 feet to a point;
S 26° 38' 35" W, a distance of 385.04 feet to a point;
S 15° 12' 06" W, a distance of 201.67 feet to a point;
S 20° 56' 44" W, a distance of 236.94 feet to a point;
S 11° 46' 16" E, a distance of 205.74 feet to a point; and
S 53° 02' 40" W, a distance of 330.22 feet to a point for the most northerly southwest corner of said 344.23 acre tract and the most northerly northeast corner of a 36.525 acre tract described in a deed to V. L. B. of Texas recorded in Volume 750, Page 351, Williamson County Deed Records, whence an iron pipe found on the left bank of the river bears S 31° 02' 00" E 35.0 feet;

Thence with the approximate centerline of the river and the north line of said 36.525 acre tract,

S 67° 22' 00" W, a distance of 218.88 feet to a point and
N 87° 04' 30" W, a distance of 223.16 feet to a point for the northeast corner of a tract of land described as 363.82 acres in a deed to Smith Dairy Queens recorded in Volume 2050, Page 500, Williamson County Deed Records;

Thence with the centerline of the river and the northerly and easterly lines of said 363.82 acre tract as set out in said deed:

N 59° 01' 14" W, a distance of 152.26 feet to a point;
N 40° 41' 00" W, a distance of 249.70 feet to a point;
N 67° 05' 00" W, a distance of 161.90 feet to a point;
S 74° 52' 00" W, a distance of 348.30 feet to a point;
S 21° 56' 00" W, a distance of 364.10 feet to a point;
S 10° 22' 00" W, a distance of 330.40 feet to a point;
S 03° 08' 00" W, a distance of 600.40 feet to a point; and
S 14° 20' 00" E, a distance of 637.90 feet to a point;

Thence S 22° 26' 27" E, a distance of 420.02 feet to a point for the northeast corner of a 100 acre tract called to be out of said 290.5 acre tract in a survey made by R. T. Magness, Jr. R. P. L. S. No. 1433, dated May 10, 1994;

Thence S 71° 06' 32" W, a distance of 2580.55 feet to an iron rod set for the southwest corner hereof in the right of way of County Road No. 200, at 118.12 feet passed a 1/2 inch iron rod found on the right bank of the North San Gabriel River, at 2578.02 feet passed an iron rod found by a fence corner in the east line of said public road for the occupational southwest corner hereof;

Thence N 19° 35' 28" W, a distance of 1423.84 feet within said roadway to a 3/8 inch iron rod set for the southwest corner of said 247 4/5 acre tract and the southeast corner of a tract called 182 acres in a deed to Neal Wood and wife recorded in Volume 422, Page 241, Williamson County Deed Records, an iron rod found by a fence corner at the occupational southeast corner of said 182 acre tract and southwest corner of said 247 4/5 acre tract bears S 39° 47' 57" W 11.78 feet;

Thence N 16° 39' 58" E, a distance of 3105.56 feet within said roadway to a 3/8 inch iron rod set for the northwest corner of said 247 4/5 acre tract and northeast corner of said 182 acre tract in the south line of an intersecting portion of County Road No. 200;

Thence N 74° 58' 17" E, a distance of 80.00 feet with the south line of County Road No. 200 to a nail set at the base of a 12" live oak and fence corner at the northeast corner of said right of way intersection;

Thence with the fenced south line of County Road No. 200 and the occupational north line of said 247 4/5 acre tract:

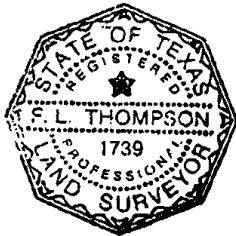
N 75° 25' 01" E, a distance of 1000.77 feet to an angle point;

Thence N 73° 47' 37" E, a distance of 1026.34 feet to an angle point;

Thence N 77° 27' 30" E, a distance of 489.62 feet to an angle point; and

Thence N 71° 48' 13" E, a distance of 1334.92 feet to the PLACE OF BEGINNING containing 311.69 acres, more or less.

I, F. L. Thompson, a Registered Professional Land Surveyor, do hereby certify that the field notes hereon with accompanying plat represent the results of a survey made on the ground under my direction and supervision on the 5th day of October, 1994.
Witness my hand and seal October 12, 1994.



F. L. Thompson

F. L. Thompson, Reg. Prof. Land Surv. No. 1739
P. O. Box 74, Llano, TX 78643
915-247-4510

Doc# : 9524111
Rec. \$ 19.00
Date : 06-13-1995
Time : 03:02:50 P.M.
Filed & Recorded in
Official Records
of WILLIAMSON County, TX.
ELAINE BIZZELL
COUNTY CLERK

Return To:
(14)

**TEXAS PROFESSIONAL TITLE INC.
1 CHISHOLM TRAIL, SUITE 3100
ROUND ROCK, TEXAS 78681
(512) 255-6550**