

Restrictive Covenants

The above described property shall be impressed with the following restrictions and covenants running with the title of said land, to wit:

1. No manufactured homes, single wide homes, double wide homes, prefabricated homes or the like shall be placed, constructed, erected or stored in the Property. Only new construction "stick built" housing, including Barndominiums, shall ever be built, constructed or utilized on the Property.
2. No further subdividing of the property in any manner shall be allowed or permitted.
3. No professional business or commercial activity shall be constructed upon the property except an owner may conduct business activities within a residence so long as: (I) the existence or operation of the business activity is not apparent or detectable by sight. (II) the business activity is consistent with the residential character of the property and does not constitute a nuisance, or a hazardous or offensive use, or threaten the security or safety of the neighboring properties.
4. The foregoing restrictions and covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of fifteen (15) years from the date of recording, and shall automatically be extended thereafter for successive periods of ten (10) years; provided however, that the owners of a majority of the acreage area of the 154.29 acre base tract, hereinafter described, may release one or more of said restrictions, on either fifteen (15) years from the date of recording, or at the end of any successive ten (10) year period thereafter, by executing and acknowledging an appropriate agreement or agreements in writing for such purpose, and filing the same for record in the office of the County Clerk of Colorado County, Texas. The owners of a (2/3) majority of the acreage area of said base tract may release any acreage from any restriction or restrictions at any time. Said 154.29 acre base tract is the same 154.29 acre tract as described in deed to ABS Land, LLC., as recorded in Volume 988, Page 107 Official Records of Colorado County, Texas.
5. Enforcement of the covenants and restrictions and provisions herein provided shall be by proceedings in law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain and abate any violation or to recover damages.