

4620

STATE OF TEXAS

COUNTY OF LEE

KNOW ALL MEN BY THESE PRESENTS:

Be it known that FIRST TEXAS EQUITIES, INC., a Texas Corporation, for the purpose of instituting and carrying out a uniform plan for the development and sale of all of the tracts in Section A and B of BLUE PROPERTIES, a subdivision it owns in Lee County, Texas and does hereby adopt and impose on behalf of itself, its legal representatives and assigns, the following recited restrictive covenants and use limitations covering all such tracts. All these restrictive covenants and use limitations shall become a part of all contracts for sale, contracts for deed, deeds, and other legal instruments whereby the title or possession of any part or portion of such property is hereafter conveyed or transferred.

The restrictions are as follows:

1. That no commercial use of any such property shall be permitted. No sign shall be placed on any part or portion of such property indicating a commercial use thereof.
2. Each residence building shall contain not less than 800 square feet of floor space, exclusive of open porches, breezeways, carports, and garages. Each mobile home placed on property shall be no older than eight (8) years old when placed on property and shall be of at least 500 square feet. Mobile homes must be underskirted with standard and customary materials within 60 days.
3. Only one house or mobile home is allowed per 5 acres on each tract containing 10 acres or more. Only one house or mobile home is allowed per 2.5 acres on tracts of less than 10 acres. Houses to be built of accepted materials and by accepted practices considered standard and acceptable to the area. Houses and mobile homes shall be kept in good repair and in a reasonably clean and orderly condition.
4. That all buildings, dwellings, garages, barns and other buildings constructed on any part of the tracts must be set back at least 125 feet from any platted roadway.
5. No hogs or pigs shall be allowed on any tract.
6. That no tract or any part of a tract shall be used or maintained as a dumping ground for rubbish, trash, or wastes.
7. That no junk yards, repair yards, or wrecking yards shall be located on any tract. Two or more vehicles in disrepair placed on a tract for more than two weeks shall constitute a junk yard.
8. That no outside toilets shall be permitted. Installation of septic tank soil-absorption sewerage disposal system shall be in accordance with the minimum recommendations by the Division of Sanitary Engineering, Texas State Department of Health.
9. Camping on property limited to 8 weeks per year. Camping facilities may be left on property continuously provided that they are not visible from any public road or platted subdivision road easement and are at least 100 feet from any boundary line.

FIRST TEXAS EQUITIES, INC., shall have the right to grant variances to the above restrictions on an individual basis until 90 percent of BLUE PROPERTIES Section "A" and "B" have been sold. Such variances shall not be adverse, in the opinion of owner, to the overall development plan for the subdivision. Any variance must be evidenced in writing and must be signed by FIRST TEXAS EQUITIES, INC.

The above restrictions constitute covenants running with the land and inure to the benefit of the undersigned and its assigns as well as each and every purchaser of any tract in the subdivision, their heirs and assigns. Any one of said beneficiaries shall have the right to enforce these restrictions in equity or in law. If one or more of such restrictions shall be held invalid, none of the others shall be affected or impaired by such holding, but shall remain in full force and effect.

After 90 percent of all the tracts in this subdivision have been sold by FIRST TEXAS EQUITIES, INC., any one or all of the herein recited restrictions may be altered, amended or cancelled by a majority of the owners of these tracts. Such amendment, alteration, or cancellation of any of the above restrictions must be in writing and must be filed with the Lee County Clerk in order to be of any force or effect.

Executed this 20th day of August, 1984

Ben F. Griffin
FIRST TEXAS EQUITIES, INC.

STATE OF TEXAS
COUNTY OF JASPER

RECORDER'S MEMORANDUM:
All Or Parts Of The Text On This Page
Was Not Clearly Legible For Satisfactory
Recordation

BEFORE ME, the undersigned authority, a notary public in Polk County, Texas, on this day personally appeared Ben F. Griffin, known to me to be the person(s) whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of First Texas Equities, Inc. of Jasper Texas, and as the Vice President thereof, and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office, this 20th day of August, 1984



Lou Ann Osborn
Notary Public Lou Ann Osborn
My Commission expires 6/26/85
LOU ANN OSBORN

FILED
AUG 29 1984
9:25 AM
CAROL DISMUKES
COUNTY CLERK
LEE COUNTY, TEXAS
BY Kari Noack, DEPUTY

STATE OF TEXAS COUNTY OF LEE
I hereby certify that this instrument
was FILED on the date and at the time
stamped hereon by me; and was duly RECORDED
in the Volume and Page of the named RECORDS
of Lee County, Texas, as stamped hereon by
me, on

AUG 30 1984



Carol Dismukes
COUNTY CLERK
LEE COUNTY, TEXAS

4621

STATE OF TEXAS |
COUNTY OF LEE |

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, FIRST TEXAS EQUITIES, INC. purchased a 2300.341 acre tract of land from Blue Properties, Ltd. by Warranty Deed dated March 5, 1984 and recorded in Volume 449, Page 68 of the Lee County Deeds of Record, and

WHEREAS, FIRST TEXAS EQUITIES, INC. desires to subdivide said land, with a portion of said subdivision being named Blue Properties, and whereas FIRST TEXAS EQUITIES, INC. desires to provide an access easement to each tract for the benefit of each purchaser and to file said access easement of record, therefore FIRST TEXAS EQUITIES, INC., a Texas Corporation, for and in consideration of the sum of Ten dollars and other good and valuable consideration, does hereby grant, sell and convey, to all persons or entities that shall purchase land in Sections "A" and "B" of Blue Properties subdivision, and their heirs and assigns, two sixty foot wide access easements for the purpose of ingress and egress, the centerlines of which are described in Exhibit "A".

Grantor hereby reserves unto itself, its successors and assigns, the free and uninterrupted use of said sixty foot access easements, and the right to dedicate said access easements to the county for public use.

Grantor also hereby reserves unto itself, its successors, and assigns, a 10' utility easement alongside all property lines and access easements.

Executed this 20th day of August, 1984.

Ben F. Griffin
FIRST TEXAS EQUITIES, INC.

STATE OF TEXAS
COUNTY OF JASPER

BEFORE ME, the undersigned authority, on this day personally appeared Ben F. Griffin known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of First Texas Equities, Inc. of Jasper, Texas, and as the Vice President thereof, and for the purposes and consideration therein expressed.



Lou Ann Osborn
Notary Public in and for
LOU ANN OSBORN

Jasper County, Texas
My Commission expires 6/26/85

E. E. JOHNSON & ASSOCIATES

CONSULTING ENGINEERS
SURVEYORS
CALDWELL, TEXAS 77836

FIELD NOTES

Center line 60 Road Easement
Hiram Donahoo Survey, A-87,
Lee County, Texas.

BEING a description of the center line of a 60 foot access road located in Lee County, Texas, being out of the Hiram Donahoo Survey, A-87, and being part of the lands conveyed to Blue Properties, Ltd., by Dee S. Osborne, Trustee, in a Deed dated March 31, 1978, and recorded in Volume 288, Page 277 of the Deed Records of Lee County, Texas, and also being part of the same lands, 2300.341 acres conveyed to First Texas Equities by Blue Properties, Ltd., in a Deed dated March 5, 1984, and recorded in Volume 449, Page 65, of the Deed Records of Lee County, Texas, and being more particularly described as follows:

Center Line Road Easement - Section A - Road A

BEGINNING in the N. line of Tract 19, the S. line of Tract 20, the center of a cul-de-sac with a 50 foot radius, being N. 18-21-07 W. 1022.424 feet and S. 71-51 W. 369.763 from an iron pipe marking the most S.E. corner of Blue Properties, the beginning point of this center line of a 60 foot road easement;

THENCE with the center line of this 60 foot road easement, S. 71-51 W. 2463.071 feet, S. 71-57-41 W. 5480.954 feet, N. 66-07-23 W. 237.523 feet and S. 69-06-12 E. 553.092 feet to the end of this in the East line of a Lee County Public Road.

Center Line Easement - Section B - Road B

BEGINNING at the most S.W. corner of Tract 21, the center of a cul-de-sac with a radius of 50 feet, being N. 18-21-07 W. 1022.424 feet, N. 19-15-48 W. 1174.512 feet and N. 19-11-49 E. 1180.241 and S. 71-57-41 W. 355.688, the beginning point of this center line of a 60 foot road easement;

THENCE with the center line of this 60 foot road easement, S. 71-57-41 W. 7434.708, N. 59-14-12 W. 516.22 feet and S. 76-33-32 W. 495.70 feet to the end of this in the E. line of a Lee County Public Road.


E. E. Johnson, P.E., R.P.S.

STATE OF TEXAS
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me; and was duly RECORDED in the Volume and Page of the named RECORDS of Lee County, Texas, as stamped hereon by me, on

FILED

AUG 29 1984
9:25 AM
CAROL DISMUKES
COUNTY CLERK
LEE COUNTY, TEXAS

AUG 30 1984



Carol Dismukes
COUNTY CLERK
LEE COUNTY, TEXAS

BY Don Noack DEPUTY

RECORDER'S MEMORANDUM:
All Or Parts Of The Text On This Page
Was Not Clearly Legible For Satisfactory

Recordation
VOLUME 464 PAGE 732