

RESTRICTIVE COVENANTS AND EASEMENTS

FOR

TOBYVILLE ACRES

2140

X

THE STATE OF TEXAS

I

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BURNET

I

That CLAYTON NOLEN and CECIL F. NOLEN of Burnet County, Texas, the developers of Tobyville Acres, situated in Burnet County, Texas, as shown by the map or plat of said Subdivision recorded in Plat Book 2, Page 116, Plat Records of Burnet County, Texas, do hereby make and file the following declarations, reservations, protective covenants, limitations, conditions, easements and restrictions regarding the tracts located in Tobyville Acres, as follows, to-wit:

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1. All tracts shall be used for residential purposes unless otherwise designated or approved in writing by Developers.
2. No building, structure, or fences shall be erected or constructed on any tract or part thereof conveyed as a separate tract until building plans, specifications, design, size and type of construction have been approved in writing by an agent or representative of Tobyville Acres.
3. No old building or structure of any kind shall be moved onto any tract of the subdivision.
4. Homes shall be of new construction and contain no less than 900 sq. ft. of living area exclusive of porches, breezeways, garages and carports. No home shall be occupied until the exterior has been completed. The exterior shall be completed within six (6) months from the date construction starts. Developers shall have the right, at their discretion, to remove any building from the subdivision that does not comply.
5. Mobile homes shall be of a modern design, be in good repair and contain not less than 600 square feet of living area. The state of repair and general appearance shall be left at the discretion of Developers. Mobile homes shall have underpinning of a standard commercial quality.
6. All household plumbing shall be connected with a septic system which shall conform with the requirements of State, County and local health departments.
7. No obnoxious, offensive, unlawful or immoral use shall be made of the premises and no tract shall be used as a junk yard or for storage of old automobiles.
8. Domestic animals and livestock will be allowed if a tract has been properly fenced to contain such animal, however, it is specifically agreed that there will be no commercial operation in regards to hogs, turkeys, chickens or other animals deemed as a nuisance in the community.

Unrecorded

9. Access roads to each tract shall be developed and maintained by Developers until such time as 85% of the property has been sold, after which time maintenance of roads will be the responsibility of property owners.

10. All covenants and restrictions are for the benefit of the entire subdivision and shall be binding upon the property owners, their successors, heirs and assigns, and may be enforced by a property owner in the subdivision.

11. Developers reserve unto themselves a five (5) foot easement along all tract lines for the purpose of the installation and servicing of public utilities.

EXECUTED this the 22nd day of May, 1971.

Clayton Nolen
Clayton Nolen

Cecil F. Nolen
Cecil F. Nolen

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THE STATE OF TEXAS
COUNTY OF BURNET

BEFORE ME, the undersigned authority, on this day personally appeared CLAYTON NOLEN and CECIL F. NOLEN, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 22nd day of May, 1971.



Madame Sharp
Notary Public in and for Burnet County, Texas

FILED FOR RECORD 15 DAY OF JUNE A.D., 1971 AT 11:07 O'CLOCK A M.
RECORDED THIS THE 16th DAY OF JUNE A.D., 1971 AT 10:59 O'CLOCK A M.
WAYNE A. BARTON, COUNTY CLERK, BURNET COUNTY, TEXAS. BY: [Signature] DEPUTY