

125 A

RESTRICTIONS
BLUEBONNET HILLS
WASHINGTON COUNTY, TEXAS

1. Said property, except as hereinafter expressly stated, shall be used for residence purposes only until the first day of January, A. D., 1999.
2. The term "residence purpose" as herein used shall not be held or construed to include hospitals, offices, duplex houses, apartment houses or mobile homes, mobile or portable homes of all fashions are specifically forbidden.
3. Only one residence shall be constructed or permitted on each tract, homesite or separate parcel of land.
4. No garage, stable or outbuilding erected on said premises shall be used as a residence or living quarters, except by servant or servants engaged on the premises.
5. No trash, ashes or other refuse may be thrown or dumped on any vacant lot in the addition.
6. No improvements of any character shall be erected, or the erection thereof begun, or changes made in the exterior design thereof after original construction on any lot or homesite in said addition until the plans, plot plans, and specifications have been submitted to and approved in writing by Bailey-Metzger, Inc. or its nominee. Such approval is to include exterior design, the type of material to be used, and the colors to be applied on the exterior of the structure.
7. No building material of any kind or character shall be placed in the streets, it being distinctly understood and agreed that all building materials to be used in the construction of buildings in said subdivision shall be placed within the property lines of the premises to which the delivery is made.
8. Grass and weeds on each lot must be kept mowed at regular intervals or as may be necessary to maintain the same in a neat and attractive manner. Bailey-Metzger, Inc. or its nominee, at its option, may have the grass and weeds cut when and as often in its judgment the same is necessary, and the owner of the said lot or tract of land shall be held by the acceptance of such deed to be obligated to pay the said Bailey-Metzger, Inc. or its nominee, the cost of such work, and shall create a Vendors Lien on such property where the work is performed.
9. Bailey-Metzger, Inc. reserves the right to review and approve in writing in advance of the operation of same, the type or character of business to be conducted on any tract on which a business may be conducted under the terms hereof; and no improvements for business use shall be constructed on any tract except with the prior approval in writing of proposed plans, plot plans and specifications therefor by Bailey-Metzger, Inc. or its nominee.
10. No residence shall be constructed on any lot or building site in the subdivision which has a living area of less than 900 square feet on the ground floor, excluding porches, garages, patios and the like.
11. No signs, billboards, posters or advertising devices of any kind shall ever be erected on any lot in the subdivision except a "For Sale" sign not larger than six square feet, and not more than four feet off of the ground.
12. All residences constructed in the subdivision shall have inside toilets and the inside plumbing shall be attached to septic tanks; there shall be no cesspools in the subdivision and no drainage from plumbing of any type into ditches or lakes.
13. Reserves "A", "B", and "C" may be used for business purposes, but no other lots in said subdivision may be used for business purposes.
14. These restrictions shall be effective until January 1, 1999, but at any time prior to January 1, 1999, the then owners of Seventy Five Per Cent (75%) of the lots in this addition may, by written declaration, signed and acknowledged by them, and recorded in the Deed Records of Washington County, Texas, extend these restrictions, conditions and covenants (or any others hereafter adopted with reference to this property in accordance herewith) for a period of ten (10) additional years, and then similar for successive additional periods of ten (10) years as often and as long as the owners of at least Seventy Five Per Cent (75%) of the lots in this subdivision may desire. Such action, when taken, shall be binding upon all of the then owners of the property in this subdivision.
15. No building shall be located nearer than 50 feet from the front property line and 20 feet from any adjacent property line, except in Reserves "A", "B", and "C".
16. All fencing, culvert sizes and access road entrances shall be approved in writing by Bailey-Metzger, Inc. or its nominee.
17. No noxious or offensive trade shall be permitted on any part of any tract, and each owner and occupant shall keep their property clean and free of trash, inoperable cars and machinery and other junk, and shall maintain the improvements in a reasonably good state of repair.
18. No firearms may be discharged around or on any lake or road.
19. No dam, earthen fill or obstruction of any kind shall be constructed or permitted to remain in any creek, water course or drainage course of a height greater than three (3) feet above the natural grade without the prior written consent of Bailey-Metzger, Inc. except for the use of all owners of tracts within the subdivision. Bailey-Metzger, Inc. shall have the right and authority to make rules and regulations regarding the use of all lakes and all other improvements constructed for use by all owners of tracts within "Bluebonnet Hills".

20. Insofar as Bailey-Metzger, Inc. or its successors or assigns has the right and authority to do so, no prospecting, mining, drilling or production of oil, gas or other minerals shall ever be permitted on any part of any tract, except those tracts so designated, but such prohibition shall not extend to the drilling of water wells for domestic use of water on the premises.

21. A maintenance fee of \$75.00 maximum per tract shall be levied and collected each year from each owner for maintenance of lakes, ponds, streets, parks and bridal paths, which fee shall be due and payable not later than January 1st of each year, and shall be considered delinquent on January 31st, bearing interest thereafter at the rate of 9% per annum; and shall be secured by a lien upon the tract for which it is due. The maximum maintenance charge may be increased only by the annual rate of inflation as determined by official U. S. Government figures.

22. The legal and fee simple title in and to all roads, easements, streets, parks, and lakes, shown on the map or plat of the subdivision is hereby specifically reserved in Bailey-Metzger, Inc. or its successors or assigns, but subject to the rights of owners of tracts in the subdivision and their invitees to use and enjoy same for the purposes intended. However, Bailey-Metzger, Inc., its successors or assigns, reserves the right to dedicate to the public any and all roads and streets at such time or times as it may choose.

23. Bailey-Metzger, Inc. may re-subdivide any tract, and any owner may re-subdivide his tract only with the written consent of Bailey-Metzger, Inc.

24. Easements for constructing, maintaining and repairing a system providing for light and power, telephone and telegraph service to said area and the inhabitants thereof, for the purposes incident to the development and use of said property as a suburban home community are reserved as shown on the recorded plat. Said easements shall be twenty (20) feet in width extending ten (10) feet on each side of property lines between certain adjoining lots as shown on said plat and twenty (20) feet within all lot property lines where the same parallel or front on roads or streets, whether said roads or streets are within or outside of the subdivision. Neither Bailey-Metzger, Inc. nor any utility company using the easements or rights-of-way as reserved by plat of this subdivision filed for record in the Map Records of Washington County, Texas, shall be liable for any damage done by either of them or their assigns, agents, employees or servants to shrubbery, trees, flowers or other property of any owner situated on the land covered by the easements or adjacent to said rights-of-way. No property owner shall fence or otherwise obstruct easements leading to and or surrounding the designated lake sites.

FILED

SEP 13 1976

GERTRUDE LEHRMANN
COUNTY CLERK, WASHINGTON COUNTY

Gertrude Lehmann
COUNTY CLERK

EXHIBIT "A" continued

ORDER APPROVING SUBDIVISION

On this the 13th day of September, A.D. 1976, came on to be considered by the Commissioners Court of Washington County, Texas, the map or plat, together with the restrictions and covenants thereto applicable, of BLUEBONNET HILLS, SECT. 1, located in Washington County, Texas, a part of the David Lawrence League A-75.

It appearing to the Commissioners Court that said property has been duly subdivided by a Licensed Engineer, and the lots marked and designated thereon, together with the streets, alleys and easements, in said Subdivision, and that said Subdivision has been dedicated by BAILEY-MEITZGER, INC. of Washington County, Texas, in due form, and the streets, alleys and easements in said Subdivision have been dedicated to public use; and,

It further appearing to the Commissioners Court that said Subdivision does not encroach upon any of said streets abutting same and the restrictions therein mentioned are approved; and,

It further appearing that the County Attorney, L. John Lacina, Jr., has examined said plat and Dedication and found the same to be in due form, as required by Statutes, and has approved the same, the Commissioners Court of Washington County, Texas, is of the opinion that said map or plat and dedication should be, and the same is entitled to be filed in the public records of the County Clerk's Office of Washington County, Texas;

It is therefore ordered by the Commissioners Court of Washington County, Texas, that such map or plat of BLUEBONNET HILLS, SECT. 1, located out of the City Limits of Brenham, in Washington County, Texas, be, and the same is hereby approved as Dedicated and the filing and recordation thereof along with restrictions and covenants is hereby authorized as required under Article 6626 and Article 6626a, Revised Civil Statutes of the State of Texas; and it is further ordered that a copy of such map or plat with such Dedication be, and the same is hereby ordered filed for record in the County Clerk's Office of Washington County, Texas, and it is further ordered that the property be henceforth assessed for taxes on the basis of lots shown in said Subdivision.

I, Gertrude Lehrmann, County Clerk and Ex Officio Clerk of the Commissioners Court do hereby certify that the above and foregoing excerpt is a true and correct copy of a portion of the Minutes of the Commissioners Court of Washington County, Texas, held in the Courthouse on the 13th day of September, 1976, and entered in the Minutes of said Court in Volume L, Pg. 168.

Gertrude Lehrmann
GERTRUDE LEHRMANN
County Clerk and Ex Officio Clerk
of the Commissioners Court of
Washington County, Texas

By Donalby Hewitt Deputy