

EXHIBIT "B"

RESTRICTIVE COVENANTS:

BLUE HERON
 BEING A 565.31 ACRE TRACT OF LAND OUT OF THE SOUTHERN
 PART OF SECTION 8 & 9 BLOCK 38 T-1-S T&P RR COMPANY SURVEY
 MARTIN & MIDLAND COUNTIES

1. The property herein described shall be used for residential and agricultural and shall be maintained in a neat and orderly condition. No pipe storage yards, auto storage or wrecking yards, shall be permitted or conducted on the premises which shall cause an unsightly appearance or produce offensive sounds, vibrations, glare or heat, or which shall produce noxious or offensive odors or wastes.
2. No homes are allowed for temporary or permanent residence with land inside city limits of Midland on this property unless the home meets City Code.
3. The Owner of five (5) acres or more of land may operate a business from a office on his property so long as it meets Restrictive Covenants No. 1 and 2 above.
4. With the exception of hogs, domestic animals, livestock and poultry may be kept and raised on the property except that the keeping and raising of any animals, livestock and poultry shall be so done as to not constitute a nuisance in the neighborhood; and such keeping and raising of animals, livestock and poultry shall be subject to the requirements and restrictions imposed by the County and State Health Authorities.
5. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until April 1, 2009, at which time said covenants shall be automatically extended for successive periods of ten (10) years, unless by vote of a majority of the then owners of said property it is agreed to change said covenants in whole or in part.

FILED FOR RECORD THE 28 = DAY OF April AD 2003 AT 11:45 O'CLOCK A. M
 DULY RECORDED ON THE 29 DAY OF April AD 2003 AT 4:30 O'CLOCK P. M

INSTRUMENT NO 601

SUSIE HULL, COUNTY CLERK
 MARTIN COUNTY, TEXAS
 BY Susie Hull deputy



INFORMATION ABOUT ON-SITE SEWER FACILITY

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CONCERNING THE PROPERTY AT 2023 PRIVATE RD C2240
MIDLAND, TX 79705

A. DESCRIPTION OF ON-SITE SEWER FACILITY ON PROPERTY:

- (1) Type of Treatment System: Septic Tank Aerobic Treatment Unknown

- (2) Type of Distribution System: DRAIN FIELD AND LATERAL LINES Unknown
- (3) Approximate Location of Drain Field or Distribution System: SOUTH SIDE OF Unknown
WORKSHOP, 700+ GALLON CONCRETE SEPTIC TANK (may be more than one,
seller isn't sure)
- (4) Installer: _____ Unknown
- (5) Approximate Age: _____ Unknown

B. MAINTENANCE INFORMATION:

- (1) Is Seller aware of any maintenance contract in effect for the on-site sewer facility? Yes No
If yes, name of maintenance contractor: _____
Phone: _____ contract expiration date: _____
Maintenance contracts must be in effect to operate aerobic treatment and certain non-standard" on-site sewer facilities.)
- (2) Approximate date any tanks were last pumped? NOT SINCE THIS SELLER PURCHASED LAND
- (3) Is Seller aware of any defect or malfunction in the on-site sewer facility? Yes No
If yes, explain: _____

- (4) Does Seller have manufacturer or warranty information available for review? Yes No

C. PLANNING MATERIALS, PERMITS, AND CONTRACTS:

- (1) The following items concerning the on-site sewer facility are attached:
 planning materials permit for original installation final inspection when OSSF was installed
 maintenance contract manufacturer information warranty information _____
- (2) "Planning materials" are the supporting materials that describe the on-site sewer facility that are submitted to the permitting authority in order to obtain a permit to install the on-site sewer facility.
- (3) **It may be necessary for a buyer to have the permit to operate an on-site sewer facility transferred to the buyer.**

(TXR-1407) 1-7-04

Initialed for Identification by Buyer _____, _____ and Seller Btb, _____

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