

5318

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BRAZOS §

That CLASSIC, INCORPORATED, being the owner of SUMMER PLACE, SECTION FOUR, a subdivision in Limestone County, Texas, as shown on a plat of said subdivision recorded in Plat Cabinet 1, Page A74, Plat Records of Limestone County, Texas, does hereby impress all of the lots included in such subdivision, excepting Lots 99 and 100, with the following restrictions which shall constitute covenants running with the land, to-wit:

1. No noxious or offensive activity shall be carried on upon any lot or tract, nor shall anything be done thereon that may be or may become an annoyance or nuisance to the neighbor.
2. Disposition of human wastes and other sewage shall be by sewer facilities as licensed by the Brazos River Authority and built in accordance with the latest standards and criteria established by the Texas Department of Health.
3. No lot shall be used for any purpose other than residential or non-commercial recreation.
4. No lot shall be used for any commercial purpose or in connection with any commercial, professional or business activity to which the general public is invited.
5. All construction shall be of a permanent residential nature and shall consist of (a) no less than 1000 square feet of living area for Lots Nos. 74 through 98, inclusive, and (b) no less than 800 square feet of living area for Lots Nos. 101 through 117, inclusive. All construction shall be finished in good quality siding (no tar paper, rollback siding or similar materials), and asphalt shingles or equivalent shall be used for roofing.
6. No structure of a temporary character, mobile home, trailer or portable building shall be placed upon the property, either temporarily or permanently, except temporarily in connection with residential construction.
7. No hunting shall be permitted on the property, nor shall the discharge of firearms thereon be permitted.
8. No cows, horses, pigs or hogs, sheep, goats, poultry or other animals or livestock shall be kept, bred or maintained on any portion of the property. Dogs and cats may be kept or maintained on the property, but not for commercial purposes.
9. No trash, ashes or other refuse may be thrown or dumped on any tract; no tract shall be used for the storage of cars, trucks, machinery or materials of any kind.
10. Docks and facilities on the lake must be installed and maintained in accordance with the Brazos River Authority Regulations for Governance of Lake Limestone.
11. A utility easement is reserved five feet (5') either side of each interior lot line for water, electric service and other utility service lines.

12. No structure shall be constructed closer than twenty-five feet (25') to the front property line, nor closer than five feet (5') to a side property line. Reference is made to the Brazos River Authority Regulations for Governance of Lake Limestone for restrictions on construction below certain designated elevations or within certain designated horizontal distances from the lake. Sideline distance restrictions and sideline utility easements shall not apply in the event of common ownership of more than one lot, however, no more than one residential unit per lot may be constructed on any group of lots under common ownership. In such instances, the sideline restrictions shall be five feet (5') from the sidelines of the total common ownership.
13. No oil and gas drilling, oil and gas development, production or reworking operations, oil and gas refining, or quarrying or mining of any minerals or any operations or exploration of any kind shall be permitted upon the surface of any lot or otherwise within the "subdivision", nor shall any type of wells, tanks, tunnels, mineral excavations, or shafts or pipelines or tank batteries be permitted or constructed upon or across the surface of any lot. No derrick or other structure shall be used in boring for oil, gas or other minerals, nor shall any well be erected, constructed, placed, permitted or stored upon any lot within the "subdivision". A three (3.0) acre tract, which is part of undeveloped property contiguous to but not part of the "subdivision" and which is adjacent to, and south of Lot 117 which is in the "subdivision", has been designated as a site for any future oil, gas and other mineral development. The 3.0 acre tract has been designated by certain current mineral estate owners and mineral leaseholders having rights to develop the mineral estate under the "subdivision".

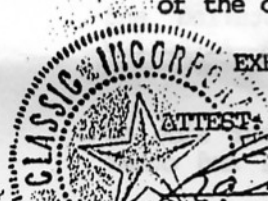
RESTRICTIONS AS TO LOTS 99 AND 100: The undersigned Declarant, owner of Summer Place, Section Four, in Limestone County, Texas, impresses Lots 99 and 100 with all of the restrictions listed above except items one (1), three (3), four (4), five (5), six (6) and nine (9).

ENFORCEMENT: The Declarant, or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, and reservations now or hereafter imposed by the provisions of this Declaration. Failure to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

SEVERABILITY: Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provision, and all other provisions shall remain in full force and effect.

DURATION AND AMENDMENT: These covenants, restrictions and conditions shall be binding upon all Owners of lots in said subdivision, their heirs, legal representatives and assigns for a period of twenty-five (25) years from the date hereof, after which time the said covenants shall be automatically extended for successive periods of ten (10) years, unless an instrument signed by a majority of the then Owners of the lots in said subdivision has been recorded in the Deed Records of Limestone County, Texas, agreeing to change said covenants in whole or in part, and no act or omission by the Owner of the subdivision, its successors or assigns, or by the Owners of the lots, shall be a waiver of the operation or enforcement of these restrictions and conditions.

EXECUTED this the 14th day of May, 1985.



CLASSIC, INCORPORATED

[Signature]
 FRANK WILDMAN, President

STATE OF TEXAS S

COUNTY OF BRAZOS S

~~April~~ ^{May} This instrument was acknowledged before me on the 14 day of ~~April~~, 1985, by Frank Thurmond, President of Classic Incorporated, a Texas corporation, on behalf of said corporation.



Wanda Arnold
Notary Public, State of Texas
Printed Name: Wanda Arnold
Commission Expires: 11-16-85

FILED FOR RECORD
at 2:30 o'clock P.M

MAY 15 1985

SUE LOWN, Co. Clerk
LIMESTONE COUNTY, TEXAS