

Restrictions to the use of the Property

For the purpose of these restrictions, the Property shall be considered as Tract 1 – 13.71 acres from Dean J (A-159), Tract 1 acres 17.1 and Dean J (A-159), Tract 1.2, Acres 38.23 called Tract 3.

The Restrictions are set forth below and hereby impressed on the Property and said Land.

1. The Property is to be used as recreational, agricultural and/or, residential property (Residences shall be a minimum of 1200 square feet and be conventional construction and/or barndominium, with no more than 2 residences per tract. No mobile homes, mobile home parks, mobile home sales lot, RV parks, RVs for permanent living, RV sales, boat lot, boat sales, car lot or car sales will be allowed. Light commercial use (i.e. storage units, office space, banks, small medical facility, free standing retail) will be allowed. No tract shall be divided into less than 3-acre tracts. All buildings must be maintained in good appearance at all times.
2. No portion of the Property may be used for the following:
 - a. Any use that is unlawful or that is offensive by reason of odor, gas, fumes, dust, smoke, noise, pollution, or vibration or that otherwise constitutes a nuisance or is hazardous by reason of excessive danger of fire or explosion.
 - b. Dumping, disposal, incineration, or reduction of garbage, sewage, dead animals, or refuse. Burning of trash is allowed in compliance with Walker County regulations.
 - c. Smelting iron, tin, zinc, or other ores or refining petroleum or its products.
 - d. Storage in bulk of used materials, a junkyard, a scrap metal yard, or auto salvage.
 - e. Industries including, without limitation, heavy manufacturing, fabrication facilities, or testing facilities.
 - f. Resale or pawn shops, flea markets, or bankruptcy, fire sale or auction business.
 - g. A tavern, bar, nightclub, discotheque, or any other establishment selling alcoholic beverages for on premise consumption.
 - h. An adult bookstore or establishment selling, renting, or exhibiting pornographic materials or any sexually oriented business.
 - i. Parking and/or storage of large vehicles, such as but not limited to boats, tractor trailers, or 18-wheelers.
 - j. The construction of water or sewage treatment plants or electrical substations (excluding such plants and facilities as may be operated by public utility companies or by utility districts or governmental authorities).
 - k. Storage containers are allowed but must be situated behind a residence/building or painted a natural color so as not to stand out as a visual nuisance.
3. No used building or structure of any kind and no part of a used building or structure shall be moved onto the Property for the purpose of storing said structure. No tent, shack, garage or barn, or other outbuilding shall be placed or erected on any tract at any time to be used as a temporary or permanent residence.
4. No building or structure other than a fence shall be located nearer to the property line than 40 feet.
5. Animals, livestock, or poultry are allowed provided government regulations are adhered to. Dogs, cats, poultry, or other household pets may be kept, if they are not kept or bred in a commercial quantity.

6. No outside toilet shall be erected or maintained on the Property (this does not apply to temporary "porta-cans" for use during constructions). All sanitary plumbing shall comply with the requirements of the health department and the local jurisdictional regulations.
7. Any building, residential structure, or residential improvement commenced upon the Property shall be completed as to the exterior finish and appearance within twelve (12) months from the commence date.
8. No Property or portion of any Property shall be used as a dumping ground for rubbish or trash or any hazardous materials, or waste, nor for storage of items or materials (except during construction of a building) and all Properties shall be clean and kept free of boxes, rubbish, trash, or other debris. No refrigerators or other large appliances shall be placed outdoors and no inoperative motor vehicles without current registration shall be placed on or allowed to remain on any lot. Aluminum foil shall not be used as a window covering on front and side windows or windows facing a public road.
9. No commercial skeet, trap or rifle range operation involving the discharge of firearms is allowed.
10. Subject to the provisions of the last sentence of this paragraph, if any person or entity, whether or not lawfully in possession of any portion of the Property, shall either violate or attempt to violate any restriction or provision herein, it shall be lawful for any person or entity, possessing rights to any portion of the Property, to pursue proceedings at law or in equity against any such person or entity violating or attempting to violate any restriction or provision. "Person or entity" includes but is not limited to all owners and purchasers of any portion of the Property. Neither the grantor nor any subsequent purchaser of a portion of the Property shall have any liability or responsibility related to the enforcement of, or the failure to enforce the restrictions.
11. Invalidation of any one or more of the Restrictions by judgement of any court shall in no way affect any other Restrictions and provisions herein contained, which shall remain in full force and effect.
12. The parties signing this document affirm that they are authorized by the entities they represent to sign in their official capacities.

In witness thereof, the parties affix their signatures on this _____ day of _____, 20____.

Signature: _____
 Printed Name: _____
 Signature: _____
 Printed Name: _____

STATE OF TEXAS

COUNTY OF WALKER

This instrument was acknowledged before me on this _____ day of _____ 20 ____ by

 NOTARY PUBLIC in and for The State of Texas

12/4/23