

AUNT KATHERINE'S  
RESTRICTIVE COVENANTS

- (1) Said tract of land shall be used for single family residences only. No building shall be erected, altered, placed or permitted to remain on any tract other than ONE detached single family dwelling except outbuildings constructed for barn or storage purposes only. No unpainted sheet metal or fiberglass structures shall be placed on the property and any metal outbuildings shall be constructed with a baked-on metal finish, this being a minimum standard. Any outbuildings, barn, etc., must be placed behind or adjacent to single family dwellings unless written permission is given by Grantor herein.
- (2) All buildings and structures shall be completed within one (1) year from the commencement of the construction thereof.
- (3) Tracts may not be subdivided more than one time and may **not** be divided into tracts of less than one acre of land unless approved by Grantor.
- (4) The minimum square footage for houses built on the herein described property shall be 1,200 square feet or more of heated and cooled area. No preconstructed homes shall be moved onto the property unless written permission is granted by Grantor herein.
- (5) All dwellings shall be constructed of brick, stone or masonry. Log, cedar, and any other materials to be used in the outer construction of dwellings must have the approval of Developer.
- (6) No dwelling or outbuilding shall be constructed within one hundred feet of a public road or within twenty-five feet of the side boundaries of the herein described property.
- (7) Any mobile homes placed on the property shall contain a minimum of 700 square feet of heated and cooled area and shall be underpinned. No mobile homes over ten years of age shall be moved onto the herein described property unless written approval is given by Grantor herein. All door entrances must have a deck being no smaller than 4 feet by 6 feet with stairs attached to deck. (This restriction only applies to Phase II where mobile homes are permitted.)
- (8) No tents, shacks, buses, railroad cars, or temporary structures may be constructed or placed upon said property.
- (9) No swine shall be raised upon the herein described property. No poultry shall be raised for commercial purposes. No pit bull dogs shall be raised or allowed on the property.
- (10) All refuse, rubbish, trash, garbage or waste shall be kept, disposed of or removed in a sanitary manner. All household refuse and rubbish, trash, garbage or waste shall be kept in closed containers and shall be removed from the property at least once a month. Nonhousehold refuse, rubbish, trash, garbage or junk other than dead leaves and fallen limbs, shall not be permitted to remain on any tract.
- (11) No owner shall permit the use of his lot to constitute a nuisance. Noxious, obnoxious, noisy, unsightly or otherwise offensive objects or activities specifically including vehicle repairs and littering shall not be permitted, nor shall anything be permitted that may be an unreasonable annoyance or nuisance to other OWNERS.

- (12) No cars, trucks or other motor vehicles shall be parked in the same location for more than two weeks on any of the herein described property and there shall be no junk cars placed on the property.
- (13) No wrecking yards, automobile garages or auto sales lots shall be permitted on the herein described property, and no industrial or commercial use of the property will be permitted. However, any business in which professional services of a purely personal nature are rendered is allowed as long as the services do not attribute to the property or any improvements thereon any appearance of commercial use. No signs of a commercial nature shall be permitted on the property.
- (14) No outdoor toilets shall be permitted and all dwellings for human habitation shall be connected to a septic tank and adequate field lines in accordance with the requirements of the County of Upshur and State of Texas.
- (15) Trucks of two (2) ton or more may not be parked upon said property for more than eight (8) hours at a time.
- (16) Cattle or horses shall be permitted upon the herein described property not to exceed more than one (1) animal per one (1) acre of land. All animals including dogs, cats or other pets must be confined within the property lines of each owner's respective lot. owner.
- (17) Removal of soil or surface minerals from any tract of land is strictly prohibited unless written permission is given by Grantor herein. If permission is granted by Grantor herein, the areas excavated shall be reclaimed within one (1) year.
- (18) Timber may be removed only for housepots and driveways, not to exceed two (2) acres on tracts of five (5) acres or more. **NO CLEAR CUTTING** is permitted. However, OWNER shall have the right to selectively thin pulpwood size timber and remove brush and trees less than 8" DBH to enhance the growth of remaining timber. Any thinning of trees larger than 8" DBH shall be under the supervision of a professional forester and the request to remove such timber shall be in writing to the developer, including the name of the forester and the timber cutting plan. Developer will have two (2) weeks to accept or reject forester and cutting. No approval is required for the removal of timber for driveways, houses, yards or gardens provided the area to be cleared does not exceed one (1) acre of land or 50% of the tract, whichever is smaller.

The restrictive covenants herein provided are hereby declared to be covenants running with and binding the land and shall enure to the benefit of and same may be enforced by any person or persons who own any portion of a 146.7 acre tract in the Maria Del Pilar Torres Survey, Abstract 6, Upshur County, Texas, as described in Warranty Deed recorded in Volume 254, Page 420, Official Public Records, Upshur County, Texas. Enforcement may be by proceedings of law or in equity, for injunctive relief, or damages. Said covenant shall be valid and binding for a period of twenty-five (25) years from the date hereof.

Initialed for identification by Buyer \_\_\_\_\_ by Seller \_\_\_\_\_