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DECLARATION OF RESTRICTIONS

STATE OF TEXAS |
 | KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HOOD |

 THAT REPUBLIC LAND COMPANY, a Texas corporation, d/b/a PECAN PLANTATION (hereinafter referred to as Dedicator) is the owner of certain land in Hood County, Texas, and described in Exhibit "A" attached hereto, a map or plat of which is being recorded simultaneously herewith at Vol. 3 , Page 10 , of the Plat Records of Hood County, Texas, which plat is adopted by Dedicator as its plan for subdividing said land into lots as shown thereon, the same to be known as "PECAN PLANTATION, UNIT III", an addition in Hood County, Texas, and being:

 Lots 1890 thru 1955, inclusive, of Pecan Plantation, Unit III, in the James W. Moore Survey, Abstract 344, Hood County, Texas; and

 WHEREAS, Dedicator desires to subdivide and plat said real property and other land in and near UNIT III of PECAN PLANTATION in installments, from time to time, so as to develop the same in an orderly manner with areas for commercial development, areas for recreational uses, with their allied facilities; and

 WHEREAS, Dedicator desires to create and carry out an orderly plan for development, improvement and use of all the lots in PECAN PLANTATION, UNIT III, so as to provide for the preservation of the values and amenities in said development and the maintenance of the facilities thereof for the benefit of the present and future owners of said lots;

 NOW, THEREFORE, REPUBLIC LAND COMPANY, d/b/a PECAN PLANTATION, declares that the above described property designated as PECAN PLANTATION, UNIT, III, is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens hereinafter set forth.

EASEMENTS

A. Easements shown on the plat as streets, being Esplanade Court, Wedgefield Road and Montaign Court, shall provide Dedicator, its successors and assigns and the owners of the lots with the right of ingress and egress to the area and facilities thereof and to adjoining land and are reserved as private ways, and no right of the public generally shall accrue in and to any of such ways. Dedicator reserves to itself the right to convey said easements or rights therein to the Association, to be retained by said Association for the benefit of the proper lessee or, in the discretion of the Association, to be dedicated to the public as public ways and easements.

B. Easements, if any, designated on said plat as "private river and lake access easements" are reserved for the exclusive use of the designated lots adjoining such easements to provide ingress and egress to the Brazos River.

C. Dedicator reserves to itself an easement and right to construct and maintain in, over and across the easements and private ways shown or noted on said plat, utilities of every kind, including but not limited to sewers, water mains, gas mains, irrigation and drainage systems, power and communication lines and all pipes, lines, culverts and other appurtenances in connection therewith. An easement ten feet in width is hereby reserved along each lot line adjoining a private way and an easement of five feet in width is hereby reserved along each other lot boundary line as may be necessary for the installation and maintenance of said utilities and lines, except as to river front lots and no utility easement is reserved along the property line adjacent to the river. Dedicator, its successors and assigns, may, in its sole discretion and by written instrument duly recorded, abandon to the owner of a lot all or any part of a utility easement on said owner's lot if such easement is not being used for one or more of the above mentioned purposes at the time of such abandonment.

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II.

DEFINITIONS, RESTRICTIONS, COVENANTS AND LIENS

The definitions, restrictions, covenants and liens set out in the Dedication and Declaration of Restrictions of PECAN PLANTATION, UNIT I, dated July 26, 1972, and recorded in Vol. 186, page 166, Deed Records of Hood County, Texas, are hereby adopted and incorporated herein by reference as the definitions, restrictions, covenants and liens for PECAN PLANTATION, UNIT III, running with said land, with the following exceptions, changes and amendments:

A. Paragraph III. A. 4. thereof is amended to read as follows:

Animals. No animals, livestock or poultry of any kind shall be raised, bred, boarded or kept on any lot excepting dogs or cats or other household pets not kept for commercial purposes and which are confined to the owner's lot by a leash, fencing or otherwise.

B. Paragraph III. A. 6. thereof is amended as follows:

Nuisances. No noxious, offensive, dangerous or noisy activity shall be conducted on any lot, nor shall anything be done thereon which may be or become a nuisance to the neighborhood in which said lot is located. Lots shall be kept clean and free of trash, garbage, and debris, and fires shall be contained in safe enclosures. No grass or weeds shall be allowed to grow to a height which is unsightly in the opinion of Dedicator or the Association. Dedicator or the Association shall have the right, after seven days' written notice to the owner of a lot, to remove from such lot accumulated trash, garbage or debris and to cut and remove unsightly grass and weeds and to charge the lot owner for all reasonable costs thereby incurred.

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C. Paragraph III. A. 7. thereof is amended to read as follows:

Towers and Wires. No radio or television towers or aerial wires shall be maintained (a) over any part of any lot not occupied by a structure or (b) at a height of more than thirty feet from the ground.

D. Paragraph III. B. 2. thereof is amended to read as follows:

Floor Area. There shall not be erected or permitted to remain on any lot a residence having a floor area (when measured to exterior walls and exclusive of attached garage, open porches, patios or similar appendages) of less than the minimum number of square feet as set out for the respective lots as follows:

<u>Lots</u>	<u>Minimum Square Feet</u>
1890 thru 1955, inclusive	1600

E. Paragraph III. B. 4. thereof is amended to read as follows:

Building Lines. No building, fence or structure of any kind shall be located on a lot within twenty-five feet of the front line of such lot except that where a lot fronts on a cul-de-sac, the back line from the front thereof is reduced to fifteen feet. No structure or building or part thereof shall be erected or maintained within seven feet of any side or back lot line. For the purpose of this paragraph, eaves, steps and open porches shall be considered as part of the building. Lots shall be deemed to "front" on the adjoining private way, and corner lots shall be deemed to "front" on the private way adjoining the shortest lot line. Dedicator may, in its discretion, grant exceptions in writing to any or all of the requirements of this paragraph.

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F. Paragraph III. C. 2. thereof is amended to read as follows:

Pumping from River. The pumping of water from the Brazos River is prohibited except by special permit, in writing, granted by the appropriate governmental authority.

G. Paragraph III. C. 3. thereof is amended to read as follows:

Recreational Facilities. Dedicator covenants that it will construct and complete the following recreational facilities: Eighteen hole golf course, club house, swimming pool, marina with boat launching ramp on Lake Granbury, tennis courts, skeet range, equestrian center, landing strip, and beach recreational areas on the Brazos River.

H. Paragraph III. C. 14. thereof is amended to read as follows:

Enforcement. These restrictions, covenants, and conditions may be enforced by Dedicator herein or by the owner of any lot in PECAN PLANTATION either by proceedings for injunction or to recover damages for breach thereof, or both. However, only ~~the Association may file suit to collect any of the charges, dues~~ and expenses mentioned in paragraphs 5, 6, 7 and 8 above, all of which shall be payable to the Association in Hood and Johnson Counties, Texas, or to enforce foreclosure of any lien therein granted.

I. Paragraph III. C. 16. thereof is amended to read as follows:

Additional Subdivisions. As recited in the preamble to this instrument, Dedicator is subdividing and platting land near to PECAN PLANTATION, UNIT III, in installments as a part of PECAN PLANTATION. Dedicator has heretofore subdivided and platted other units and Dedicator reserves the right to add to PECAN

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PLANTATION from time to time other land near PECAN PLANTATION, UNIT III, and the other previously platted and subdivided units within PECAN PLANTATION. Dedicator further reserves the right to place on such additional subdivided land such restrictions and covenants as to use, improvements and otherwise as Dedicator shall deem advisable, whether more or less stringent than those provided herein; to extend the private ways shown on the plat of the unit covered by this instrument so as to serve such additional subdivided land; to use the easements reserved herein to serve such additional subdivided land; and to grant to the purchasers of such additional subdivided land the right to become members of the Association and to use the recreational facilities and private ways provided for herein. It is specifically understood that Dedicator may develop some additional land for single family residences, some for apartments, some for condominiums, and some for commercial uses and may at its election create and install additional recreational facilities. Unless otherwise provided in the instrument creating any such additional subdivision unit of PECAN PLANTATION, all purchasers of lots in PECAN PLANTATION, UNIT III, and all purchasers of lots in all other units of PECAN PLANTATION, whether created prior or subsequent to PECAN PLANTATION, UNIT III, shall be entitled equally to the use of all private ways and recreational facilities provided in PECAN PLANTATION, and shall further be equally entitled to enforce any applicable restrictions, covenants or conditions, and to participate in any modification or change in said restrictions, covenants and conditions under the provisions of paragraph 15,

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above, and to become members of the Association, just as though all of said subdivision units had been created at one time and by one instrument.

EXECUTED this 3rd day of January, 19 75.

REPUBLIC LAND COMPANY, d/b/a
PECAN PLANTATION

ATTEST
REPUBLIC LAND COMPANY
CORPORATE
Wm. Donald Black, Secretary

By Obie P. Leonard, Jr.
Obie P. Leonard, Jr. Vice-President

STATE OF TEXAS |
COUNTY OF TARRANT |

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared OBIE P. LEONARD, JR., Vice-President of REPUBLIC LAND COMPANY, d/b/a PECAN PLANTATION, a corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said REPUBLIC LAND COMPANY, d/b/a PECAN PLANTATION, a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 3rd day of January, 19 75.
Quinn P. Willard
Notary Public, Tarrant County, Texas

FIELD NOTES
PECAN PLANTATION, UNIT THREE
Hood County, Texas

Boundary description of PECAN PLANTATION, UNIT THREE, out of the JAMES W. MOORE Survey, Abstract 344, Hood County, Texas, and being more particularly described by metes and bounds in two parcels as follows:

Parcel "A"

Being that portion of Unit Three lying between State F. M. Highway No. 3210 and the Brazos River described thus:

BEGINNING at an iron spike for the intersection of the Northwest line of a Texas Power and Light Company right-of-way with a Southwest line of that certain 221 acre tract conveyed to the Brazos River Authority by deed recorded in Volume 137, Page 291, Deed Records, Hood County, Texas, said point of beginning being North 16 degrees 21 minutes East 410-2/10 feet from the Northeast corner of Lot 346, Pecan Plantation, Unit Two, recorded in Volume 2, Page 14, Plat Records, Hood County, Texas:

THENCE with the Northwest line of said Texas Power and Light Company right-of-way, South 59 degrees 24 minutes West passing a steel rod set on a bluff at 923-55/100 feet and 1044-95/100 feet, in all approximately 1155 feet to a point on a Northeast bank of the Brazos River;

THENCE downstream with the bank of said river, in a Northwesterly direction, approximately 1270 feet to a point, said point being a Southeast corner of said Brazos River Authority 221 acre tract;

THENCE with an East line of said Brazos River Authority Property, North 1 degree 08 minutes East, passing a steel rod at approximately 70 feet, and 124 feet, and 222 feet, and at 260 feet, a Brazos River Authority Monument marked "PL-F", and continuing in all, approximately 660 feet to a steel rod set for the intersection of said Brazos River Authority East line with the South right-of-way of State F. M. Highway No. 3210;

THENCE with said Highway right-of-way, South 60 degrees 33 minutes East 435-55/100 feet to a steel rod at the beginning of a curve to the left having a radius of 1959-86/100 feet and around the arc of said curve, in a Southeasterly direction, 524-5/10 feet to a steel rod at the end of said curve;

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THENCE continuing with said right-of-way, South 75 degrees 53 minutes East 21-85/100 feet to a steel rod at the beginning of a curve to the right having a radius of 1859-86/100 feet, and around the arc of said curve, in a Southeasterly direction, 466-6/10 feet to a steel rod at the end of said curve, and South 61 degrees 30 minutes 30 seconds East 69-2/10 feet to a steel rod for the most Southerly Southeast corner of said highway right-of-way;

THENCE departing said South right-of-way, North 28 degrees 29 minutes 30 seconds East 60-8/10 feet to a steel rod set for a point in a Southwest line of said Brazos River Authority Property;

THENCE with said Southwest line, South 62 degrees 35 minutes East 468-1/10 feet to a steel rod and South 59 degrees 09 minutes East 155-8/10 feet to the place of beginning.

Parcel "B"

Being that portion of Unit Three lying between State F. M. Highway No. 3210 and Lake Granbury, described thus:

BEGINNING at a steel rod for the intersection of the curved North right-of-way of State F. M. Highway No. 3210 with a West line of that certain 221 acre tract as conveyed to the Brazos River Authority by deed recorded in Volume 137, Page 291, Deed Records, Hood County, Texas, said point of beginning being North 16 degrees 21 minutes East 410-2/10 feet, North 59 degrees 09 minutes West 155-8/10 feet, North 62 degrees 35 minutes West 758-9/10 feet, and North 9 degrees 25 minutes East 32-7/10 feet from the Northeast corner of Lot 346, said Pecan Plantation, Unit Two;

THENCE with said curved highway right-of-way, having a radius of 1959-86/100 feet, said curve being to the left and in a Northwesterly direction, 258-8/10 feet to a steel rod at the end of said curve;

THENCE continuing with said North highway right-of-way, North 75 degrees 53 minutes West 21-85/100 feet to a steel rod for the beginning of a curve to the right having a radius of 1859-86/100 feet, and around the arc of said curve, in a Northwesterly direction, 497-75/100 feet to a steel rod at the end of said curve, and North 60 degrees 33 minutes West 483-35/100 feet to a steel rod for the intersection point of the North right-of-way of State F. M. Highway No. 3210 with an East line of said Brazos River Authority Property;

THENCE departing said highway right-of-way, and with said Brazos River Authority East line, North 1 degree 08 minutes East 386-0/10 feet to a steel rod on the shoreline of Lake Granbury at approximately elevation 696, Brazos River Authority datum;

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THENCE with said shoreline and said 696 contour, in a Southeasterly direction, approximately 1316 feet to a copperweld rod marked BRA-"C";

THENCE departing said 696 contour and with a West line of said Brazos River Authority Property, South 9 degrees 25 minutes West, passing a fence corner at 79-3/10 feet, a steel rod at 186-0/10 feet, in all 436-0/10 feet to the place of beginning.

SEMPCO, INC.
1195

Prepared from surveys made on the ground in Sept., 1973 and Dec., 1974.

John L. Hawkins
John L. Hawkins
R. P. S. No. 1799

FILED FOR RECORD

TA

1975

One Original Copy Recorded in 1975

FILED FOR RECORD THE 24 DAY OF Jan 1975 AT 9:00 A.M.
RECORDED THE 30 DAY OF Jan 1975 AT 2:00 P.M.
BY: Doris Dyer DEPUTY
DORIS DYER, COUNTY CLERK
HOOD COUNTY, TEXAS