

THE STATE OF TEXAS     I  
 THE COUNTY OF POLK     I

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, L. A. STANER, is the owner and developer of Bay Haven Subdivision, a subdivision in Polk County, Texas, consisting of 11.4 acres of land on the J. B. WINN Survey, A-81; and

Whereas, the said L. A. Staner has conveyed all of the lots in said Subdivision to various Grantees, all of which are recorded in the Deed Records of Polk County, Texas, which instruments of record reference is here made for all pertinent purposes; and

Whereas, in each of the aforesaid instruments of conveyance the said L. A. Staner has reserved the following; to-wit:

RESERVATIONS

The Grantor, for himself, his heirs, executors or assigns, hereby reserve the right without further assent or permit from the Grantee, his, her, their, or its successor in title, to himself, or to grant to any public utility company, municipality or water company, the right to erect and lay or cause or permit to be erected, laid, maintained, removed or repaired in all roads, streets, avenues, or ways on which said above described property abuts, or upon any part of said property at the election of Grantor, electric lights, telephone and telegraph poles and wires; water, sewer, gas pipes, and conduits, catch basins, service drains and such other customary and usual appurtenances as may from time to time in the opinion of the Grantor, or any public utility company, water company or municipality be deemed necessary or useful in connection with the beneficial use of said roads, streets, avenues and ways, and only in and on any tract or parcel of land hereinabove described when necessary to effect any of the foregoing named purposes and all claims for damages, if any, by the construction, maintenance and repair thereof, or on account of temporary or other inconveniences caused thereby against Grantor, or any public utility company, or municipality or any of its agents or servants or hereby waived by the Grantee, or his, her, itself, and his, her, their or its successors in title. No dedications to public use of roads, alleys, ways, is intended by this deed. Lots, ways, or alleys referred to are meant to include either developed or to be developed by the said Grantor herein, his heirs or assigns, reserve title to streets and alleys and reserve the right to dedicate such streets and alleys to the use of the public.

RESTRICTIONS

For the purpose of setting forth a substantially uniform plan of development, the said L. A. Staner, hereby places the following restriction or restrictions on all parties holding title by, through, and under him, shall hold such lands, subject to the following restrictions running with the land, which shall be observed by themselves, their heirs, administrators and assigns, and shall run in favor of and be enforceable by any person who shall hereafter own any of said tracts of land above described in said deed, and said restrictions to be as follows, to-wit:

RESTRICTIONS (con't)

1. The land hereby conveyed is for residential purposes and is to be used for the purposes for one private single family residence and no building shall be erected on any one lot except one private single family house and garage appurtenant thereto, and no building or structure shall be erected within twenty feet of any of the front lines of said lot, and no building or structure of any sort shall be built within five feet of the side lines of any of said lots and no structure shall be erected or placed on said lot unless built of solid, permanent materials with pleasing exterior, and no structure shall have tar paper, rolled brick siding, or similar materials on outside walls, and all outside materials for pitch roofs shall be asphalt shingles, or their equivalent, and all structures must comply with government laws and regulations, and if any restrictions or conditions herein do not comply therewith, it shall not be construed as a waiver by the Grantor of compliance with such laws and regulations and no outside privies or outside toilet facilities shall be constructed or maintained on any lot, and any sewage disposal system shall be of a type approved by and recommended by the State and local Department of Health, and shall be maintained by the Grantee at all times in a proper, sanitary condition and in accordance with applicable State and County sanitary laws and all plumbing and drains must be connected with water tight septic tanks of approved construction and no house shall contain less than five hundred (500) square feet of floor space, exclusive of porches and garages.

;and,

Whereas the said L. A. Staner desires to assign all of his right, title, and interest in and to the easements retained and restrictions imposed in said instruments to the Bay Haven Property Owners Association, Inc.;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that I, L. A. Staner, of Livingston, Polk County, Texas, for and in consideration of the sum of ten dollars and other good and valuable considerations to me in hand paid by Bay Haven Property Owners Association, Inc., cash, the receipt of which is hereby acknowledged, have granted, sold, conveyed and assigned, and by these presents do hereby grant, sell, convey and assign unto the Bay Haven Property Owners Association, Inc., all of my right title, and interest in and to any and all easements for utility purposes and restrictions heretofore retained by me in the all instruments of conveyance pertaining to said 11.4 acre tract of land situated upon the J. B. Winn Survey, A-81, in Polk County, Texas,

To have and to hold the above described easements and restrictions, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Bay Haven Property Owner's Association, Inc., its successors and assigns forever.

WITNESS My hand this the 16 day of April, 1979.

L. A. Staner  
L. A. Staner

THE STATE OF TEXAS I  
THE COUNTY OF POLK I

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared L. A. Staner, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 16 day of April, 1979.



J. C. Hale  
Notary Public in and for Polk County, Texas

My Commission expires 10-31-80.

THE STATE OF TEXAS  
County of Polk

I hereby certify that the foregoing instrument with its certificate of authentication was filed for record in my office on the 23rd day of April, 1979, at 11:38 o'clock A. M. and was this day duly recorded at 10:55 o'clock A. M., in Vol. 360 Pages 377 et. seq. Deed Records of said County.

Witness my hand and official seal at office in Livingston this 27th day of April, 1979.



ALINE STEPHENSON  
Clerk, County Court, Polk County, Texas  
By June Grimes Deputy  
JUNE GRIMES  
DEPUTY