

STATE OF TEXAS
COUNTY OF WOOD

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SAMUEL WHATLEY COUNTRY ESTATES

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The developer Wess Childers desires to create and carry out a uniform plan for the development and sale of lots in the Samuel Whatley Country Estates, for the benefit of future owners of property therein, and for the protection of property values. The developer requires a traditional, country, or a historical theme and architectural style to all homes. To that end the developer establishes and imposes the following covenants and restrictions:

1. All lots shall be used for residential purposes only. No more than one single-family dwelling may be erected on each lot. Each lot owner shall have the right to ingress and digress their lot from the platted and constructed roads within the sub-division.
2. All residences shall be constructed of new materials on sight with a minimum of 2,000 square feet of living exclusive of open or screened porches, patios, and garages. Less square footage will be accepted only if a governing body will not approve a professionally installed septic system to meet said minimum. At that point the minimum square footage shall be set to the governing bodies recommended square footage for that individual lot.
3. All residences shall conform to the traditional, country, or Historical theme and architectural style set forth by the developer. The developer must approve all plans before construction commences. Developer must approve all exterior color schemes prior to construction. No exterior color of extreme impact not commonly considered as representative to the theme shall be accepted.
4. It shall be the exclusive responsibility of each lot owner on the private road to repair and maintain said road within the Samuel Whatley Country Estates in front of their lot, and allow all traffic access to all lots within the subdivision. A side or rear garage with a driveway of concrete, asphalt, or oil sand shall be constructed and maintained by the lot owner.
5. No residence shall be located on any lot nearer to the principle road to the lot than the minimum building setback lines. Lots 1-15 minimum setback is 100 feet. Lots 17-31 minimum setback is 40 feet. Each residence shall face the principle road leading to that lot. No permanent structure shall be within 25 feet of each remaining side.
6. No noxious or offensive trade or activity shall be carried upon any lot, nor shall anything be done thereon which may be or become any annoyance or nuisance to the subdivision. No machinery, appliances or mechanical equipment shall be placed, operated or maintained on the driveway of any lot or within view of any street.
7. No mobile home, manufactured home, or other outbuilding shall be erected on any lot. Nor shall at any time be used as a residence, either temporarily or permanently, nor shall any structure of a temporary character be used as a residence. No residence shall be constructed and moved onto any lot in the subdivision; thus any residence shall be constructed on the lot on which it is to be situated.
8. All professionally installed storage buildings and carports must be a permanent structure on a permanent foundation and constructed on site on said lot. They must match the color scheme of the residence and be set to the rear or side of the residence. All carports must be independent of the

residence not less than 10 feet from the residence. No storage building located on any lot in said subdivision shall ever be used as a permanent residence or living quarters.

9. Easements for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat of the subdivision.

10. Domestic pets such as dogs, cats or other ordinary household pets may be kept for the pleasure of the residents at said subdivision and their guests, provided that such ordinary household pets are not kept, bred, raised or maintained for commercial purposes and provided further that such household pets, such as dogs and cats, shall not be aggressive, or chained up unless being walked. Domestic animals shall only be permitted; however, horses shall be permitted on lots 20, 22 (allowed two horses), 32, 33, 34, and 35 (allowed one horse) exclusively.

11. No overhead electric wires will be allowed within the subdivision. The owner of each lot shall, at his own cost and expense, furnish, install, own and maintain an underground service cable and appurtenances from the meter installed upon the lot by the electric company to such point as may be designated by such company on the property line of such lot.

12. No lot or lots, or any part thereof, shall be used or maintained as a dumping ground for rubbish, trash or abandoned cars, and not garage any waste other than household waist in sanitary containers. All containers for the storage and disposal of such material shall be kept in a clean and sanitary condition. There shall be no burning of trash or other rubbish in the subdivision. The owner of each lot shall keep the grass and weeds cut and free of debris.

13. No unsightly storage and or abandoned vehicles shall be permitted on any lot. Owners of lots shall provide appropriate paved space for off-street parking for their vehicles, RV's and or boats. No owner or occupant of any lot in the subdivision shall park any dismantled automobile, racing automobile, truck-tractor, bus or motor vehicle containing explosives or liquefied petroleum on the street of the subdivision.

14. Any building, structure or improvement commenced upon any lot shall be completed as to exterior finish and appearance within (6) months from the commencement date.

SAMUEL WHATLEY COUNTRY ESTATES, LAKE CATHRINE, ADDITIONAL PROVISIONS

1. No gas motors for a boat on the lake with 10 or more horse power may be used.
2. No wet bikes or skiing is permitted.
3. Each lot owner shall allow other lot owners and their accompanied guest to fish the whole lake from a boat, at there own risk and responsibility of observing all safe boating practices.
4. All docks shall be no longer than 40 feet in length, and shall not comprise more than 500 square feet. No dock shall be constructed on the dam.
5. The developer shall be granted access to the dam. The developer shall control the Lake valve.
6. No trot or jug lines will be allowed at any time.

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7. No manmade structure shall block the view of the lake except a dock.

SAMUEL WHATLEY COUNTRY ESTATES, ETTA MAE'S POND ADDITIONAL PROVISIONS

- 1. No manmade structure shall block the view of the pond.
- 2. No dock may be placed on the pond.

SAMUEL WHATLEY COUNTRY ESTATES, ADDITIONAL PROVISIONS FOR CONSTRUCTIONAL PHASE OF BUILDING.

- 1. Any damage to a road at Samuel Whatley Country Estates must be repaired by the lot owner.
- 2. A temporary dumpster or trailer for the disposal of debris must be on sight.
- 3. Concrete and pump trucks may not enter the Subdivision after 10:00 AM.
- 4. Developer must be notified prior to the day of concrete pour.
- 5. A neat and clean job sight must be maintained during all construction.
- 6. All sub contractors must clean up after work.
- 7. An on sight portable restroom will be on sight during all phases of construction.

All of the restrictions, covenants and conditions herein adopted shall apply to each and every lot in the Samuel Whatley Country Estates and shall be covenants running with the land. The developer, its successors and assigns, shall have the right to enforce observance and performance of the restrictions and covenants contained herein, and in order to prevent a breach or to enforce the observance or performance of same, shall have the right, in addition to all legal remedies, to an injunction either prohibitive or mandatory.

Executed this 5 day of April, 2007

SAMUEL WHATLEY COUNTRY ESTATES

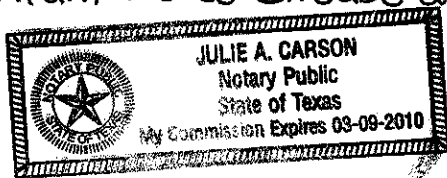
William Pierce Stroube
William Pierce Stroube

Martha Winslow Stroube
Martha Winslow Stroube

State of Texas § County of Wood

This instrument was acknowledged before me on the 5th day of April, 2007, by William Pierce Stroube and Martha Winslow Stroube

Julie A. Carson
Notary Public, State of Texas



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Executed this 31st day of March, 2007

SAMUEL WHATLEY COUNTRY ESTATES

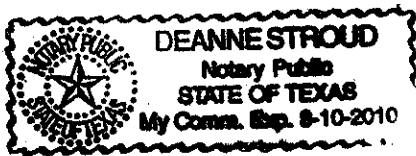
Law H Gray
Lawrence H. Gray

Gloria S. Gray
Gloria S. Gray

State of Texas § County of Wood

This instrument was acknowledged before me on the 31st day of March, 2007.

Deanne Stroud
Notary Public, State of Texas



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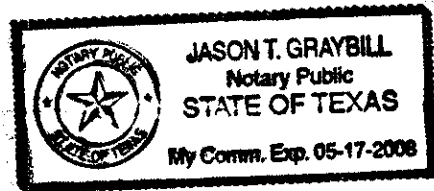
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Executed this 15 day of March, 2007

SAMUEL WHATLEY COUNTRY ESTATES

Robert W. Brown
Robert W. Brown

Sandra L. Brown
Sandra L. Brown



State of Texas § County of Wood

This instrument was acknowledged before me on the 15 day of March, 2007.

Jason T. Graybill
Notary Public, State of Texas

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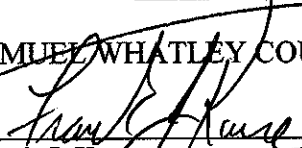
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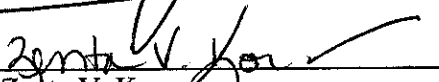
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Executed this 20 day of March, 2007

SAMUEL WHATLEY COUNTRY ESTATES



 Frank J. Kovacs



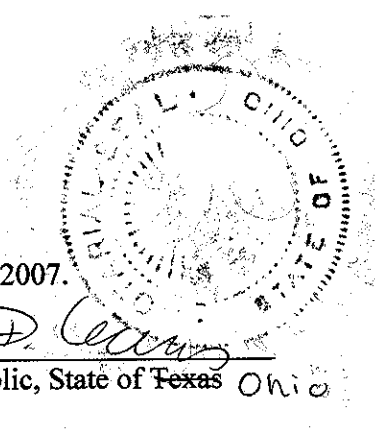
 Zenta V. Kovacs

State of Texas § County of Wood Cuyahoga
Ohio

This instrument was acknowledged before me on the 20th day of March, 2007.



 Notary Public, State of Texas Ohio



ILZE D. CECERIS
 NOTARY PUBLIC • STATE OF OHIO
 Recorded in Lake County
 My commission expires Sept. 26, 2010

7. No manmade structure shall block the view of the lake except a dock.

SAMUEL WHATLEY COUNTRY ESTATES, ETTA MAE'S POND ADDITIONAL PROVISIONS

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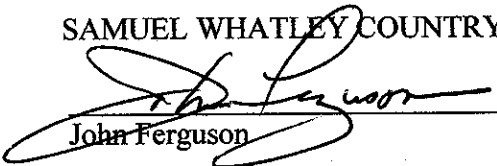
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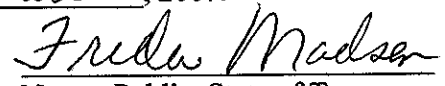
Executed this 13 day of MARCH, 2007

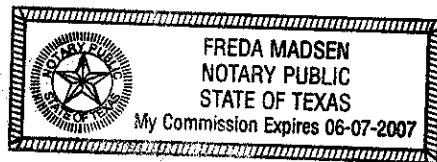
SAMUEL WHATLEY COUNTRY ESTATES


 John Ferguson

State of Texas § County of Wood

This instrument was acknowledged before me on the 13 day of March, 2007.


 Notary Public, State of Texas



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Executed this 20th day of April, 2007

SAMUEL WHATLEY COUNTRY ESTATES

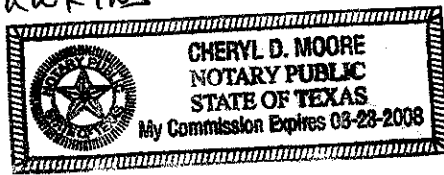
Andrew Hawkins
Andrew Hawkins

Patricia A Hawkins
Patricia Hawkins

State of Texas § County of Wood

This instrument was acknowledged before me on the 20 day of April, 2007.
by Andrew Hawkins

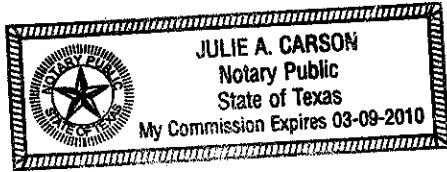
Cheryl D. Moore
Notary Public, State of Texas



STATE OF TEXAS

COUNTY OF WOOD

This instrument was acknowledged before me on this 16th day of May, 2007, by Patricia A. Hawkins



Julie A. Carson
 Notary Public, State of Texas

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Executed this 31st day of March, 2007

SAMUEL WHATLEY COUNTRY ESTATES

Carol Bailey
Carol Bailey

State of Texas § County of Wood

This instrument was acknowledged before me on the _____ day of _____, 2007.

See all-purpose acknowledgment Notary Public, State of Texas

000040000000

ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Sacramento

On 31st March 2007, before me, Tarah Leigh Tuck, Notary Public (name, title of officer), personally appeared Carol Bailey

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he (she) they executed the same in his (her) their authorized capacity(ies), and that by his (her) their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Tarah Leigh Tuck, Notary Public
Signature

Amount
Receipt Number - 132112
By, Mary Baker

Recorded Number: 00070853
Amount: 56.00

As a Recording

Filed for Record in:
Sacramento County
On: May 17, 2007 at 01:20P

NOTARY PUBLIC
I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of:
Hood County
as stamped hereon by me.
May 17, 2007

Honorable Brenda Taylor, County Clerk
Hood County