



DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
OF EAGLE PARK

THIS, DECLARATION, made on the date hereafter set forth by Mr. D.R. SMITH and Mr. L.D.GILLESPIE, as individuals, hereafter referred to as "Declarant."

WITNESSETH:

WHEREAS, Declarant is the owner of certain property in Brazoria County, Texas, subject to replatting as Lots 1, 2, 3, 4, 5, 6, and 7 will be known as Eagle Park, a subdivision located in Brazoria County, Texas.

NOW, THEREFORE, Declarant hereby declares that Lots 1, 2, 3, 4, 5, 6, and 7 of Eagle Park, shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding upon all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof. Declarant reserves the right to develop the remaining lots within the Subdivision in a commercial or a residential fashion.

This is to amend and change the original declaration covenants and conditions and restrictions of Eagle Air Park Subdivision on lots 20-32, lots 52-63, lots 63-80, and amends the voting rights to allow one (1) vote per acre of property owned.

ARCHITECTURAL SPECIFICATIONS  
ARTICLE I

SECTION 1. Dwelling Requirements. Any lot owner may, but is not required to build a residence on his lot. Any residence that is built, must be erected on the premises and be built of new materials.

No residence constructed on any lot shall contain less than 1200 square feet of living area, exclusive of porches, breezeways, patios and garages. No two story residences

constructed on any lot shall contain less than 1500 square feet of living area exclusive of porches, breezeways, patios and garages. The above described Dwellings of any design must be pre approved by a minimum of 70% of the votes of the property owners.

All metal structures will meet the following qualifications:

1. The structure must meet the state windstorm qualifications.
2. The color of the existing structures must be followed unless there is a pre approval of 70% of the lot owners.
3. No portable buildings will be allowed unless proper anchorage of the structure is followed.

No parts of lots 1 through 7 of Eagle Park shall be used for commercial purposes. Lots 1 through 7 are for single family residences and, or agriculture use for livestock.

No trailers, recreational vehicles, trailer built as a modular home, manufactured home or house, mobile home, basement, tent, shack, garage, or outbuildings of any character shall be placed or erected on any lot to be used as temporary or permanent residence.

No building (including residence, or any other structure), or antenna or satellite receiving devices, shall exceed a height of forty (40) feet within 200 feet of the center line of the airstrip.

No building or structure, including residences shall be built closer than ninety (90) feet from the edge of the airstrip.

No part of a building (or structure of whatever nature including residences), but excluding fences shall be located nearer than forty (40) feet from the front property line.

No part of a building (or structure of whatever nature including residences), but excluding fences, shall be located nearer than ten (10) feet from any side property line.

Limited livestock, cattle, horses, show animals, or fowl, not to exceed one animal per acre. Absolutely no swine of any variety. Domestic animals may be kept, not to exceed 5 dogs and cats per lot. (Weaning animals will not be included in the count).

The fence on the southern part of lots 1 through 7, along the airstrip must stay in the same location. It may be repaired or replaced but the height and the location of the fence may not be changed.

The lot owners may not have any junk, salvage, old vehicles, trailers, or equipment stored outside on the property for any length of time. No property shall be used or maintained as a dumping ground for rubbish, trash or garbage. Waste of any nature shall not be kept on any part of the lots.

Any lot owner may or may not, at their discretion, apply to become a member of the Civic Club for use of the air strip. Note: this use is for aviation purposes only. Annual membership dues will be assessed yearly for members by the association.

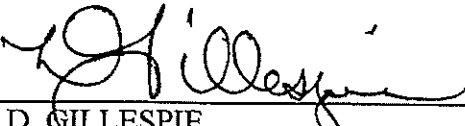
No residence may be occupied prior to completion of the outside construction. Any outside construction, once commenced must be completed within eighteen months.

No noxious or offensive activities shall be carried on in any lots, nor shall any outside lighting or loudspeakers or other sound-producing devices be used which, in the judgment of the other lot owners, may be or become an unreasonable annoyance or nuisance to the other owners.

Amendment. The covenants and restrictions contained in this Declaration shall run with and bind the land for a term of ten (10) years from the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of ten (10) years. This Declaration may be amended by an instrument signed by not less than seventy percent (70%) of the Lot Owners within Eagle Park. Any amendment must be recorded to be effective.

IN WITNESS WHEREOF, Mr. D. R. SMITH and Mr. L. D. GILLESPIE being the Declarant herein, has caused this instrument to be executed this 25 day of September, 2014.

  
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D. R. SMITH

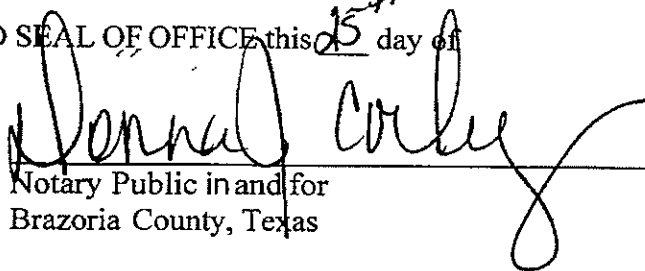
  
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L. D. GILLESPIE

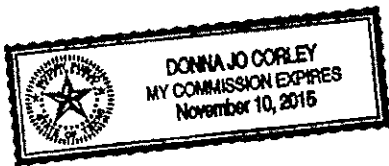
THE STATE OF TEXAS    }

COUNTY OF BRAZORIA    }

BEFORE ME, the undersigned authority, on this day personally appeared Mr. D. R. SMITH and Mr. L. D. GILLESPIE, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 25<sup>th</sup> day of September, 2014.

  
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Notary Public in and for  
Brazoria County, Texas

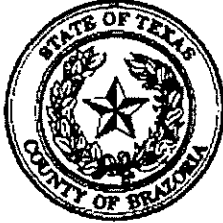


## FILED and RECORDED

Instrument Number: 2014041638

Filing and Recording Date: 09/25/2014 03:12:50 PM Pages: 5 Recording Fee: \$38.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink that reads "Joyce Hudman".

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Joyce Hudman, County Clerk  
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

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cclerk-clarissa