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23115

DEED
BOOK 551 PAGE 412

THE STATE OF TEXAS X

COUNTY OF MATAGORDA X

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, JOHNNY O. HUNTER and wife, ROSIE N. HUNTER, of Matagorda County, Texas, (hereinafter called Grantors), for and in consideration of the sum of TEN (\$10.00) DOLLARS and other good and valuable consideration to us in hand paid by JOHN LOUIS JOHNSON and wife, BESSIE L. JOHNSON, (hereinafter called Grantees), the receipt of all of which is hereby acknowledged and confessed, have, subject to the hereinafter mentioned exception and reservation of all oil, gas and other minerals, restrictions and easements, GRANTED, SOLD and CONVEYED, and by these presents do, subject to said reservation and exception of all oil, gas and other minerals, restrictions and easements, GRANT, SELL and CONVEY unto the said JOHN LOUIS JOHNSON and wife, BESSIE L. JOHNSON, the following described real estate lying and being situated in Matagorda County, Texas, to-wit:

3.00 acres of land out of the Thomas M. Duke League, Abstract No. 29, in Matagorda County, Texas, and is a portion of Tract Two of the land described in a Deed from Allen M. Foreman and Raymond L. Foreman, Executors of the Estate of Margaret B. Foreman, deceased, et al, to Burt O'Connell, dated June 6, 1969, and recorded in Volume 473, Pages 832, et seq., Deed Records of Matagorda County, Texas, and which 3.00 acres of land is more particularly described as follows:

BEGINNING at a stake set S. 45 degs. 27' E. 115.9 feet and S. 44 degs. 24' E. 540.0 feet from the East corner of the Berry Construction Company land, which stake is set for the North corner of this tract in the southeast right-of-way line of a County Road;

THENCE S. 45 degs. 27' W. 268.3 feet along the southeast right-of-way line of the above mentioned County Road to a point for the West corner of this tract;

THENCE S. 44 degs. 24' E. 487.1 feet to a point for the South corner of this tract in an old fence on the recognized southeast line of the above mentioned Tract Two;

THENCE N. 45 degs. 36' E. 229.1 feet and N. 44 degs. 05' E. 39.2 feet along the above mentioned old fence to a point for the East corner of this tract;

THENCE N. 44 degs. 24' W. 488.0 feet to the PLACE OF BEGINNING, containing 3.00 acres of land, more or less;

DEED
BOOK 551 PAGE 413

There is excepted and reserved herefrom and not conveyed hereby all of the oil, gas and other minerals and royalties in, on, under and that may be produced from said land; however, Grantor shall not have the right to use the surface estate of said land in connection with the excepted and reserved oil, gas, other minerals and royalty or for any other reason, but instead, the right to produce the excepted and reserved oil, gas, other mineral and royalties under said land shall be exercised by unitizing said land with other land or by conducting all drilling and producing operations on some other lands without unitizing said land.

This conveyance is made and accepted subject to all easements of record affecting the herein conveyed premises and all easements evidenced by usage on the ground.

This conveyance is made and accepted subject to the following conditions, reservations, limitations, restrictions and covenants and neither of said Grantees herein nor anyone claiming by, through or under them shall violate any of the following restrictions:

1. No building shall be erected on said tract other than a one-family dwelling, together with such outbuildings as are necessary to the comfort, pleasure and convenience to the dwelling house, EXCEPT as hereinafter provided in Item 10 hereof; there cannot be more than one (1) one-family dwelling erected on said tract.
2. No dwelling house, residence or structure shall be moved from outside of said tract upon said tract with exception of mobile home or camper.
3. No dwelling house or residence shall be erected or placed on said tract closer than 45 feet to the road property line nor closer than 20 feet from the side property lines of said tract.
4. No dwelling house or residence or roof which is constructed of corrugated iron, tin, or other sheet metal or any composition brick siding or any other type of imitation building material shall, or will at any time hereafter, be erected or placed on said tract, and all siding used in the construction of said dwelling house or residence must be new and unused building material. It is understood and agreed however, that used brick will be considered as an exception.
5. All drain pipes installed for all walks and drives into said tract must be approved by the County Commissioner in whose precinct said tract is located.

6. No garage shall be erected on said tract containing more than one story, to the end that there shall be no garage apartment on said tract.

7. No business, occupation, or trade of any kind, type or character, shall or will at any time hereafter be conducted from the residence or structures on said tract. No sign of any kind shall be displayed to the public view on said tract, except one sign of not more than five (5) square feet, advertising the property for sale, or signs used by a builder to advertise the property during the construction and sales period.

8. No outdoor toilet or privy shall be erected or maintained on said tract. No part of said tract shall be used for the dumping of rubbish, trash or other waste, all of which shall be kept in sanitary containers. All incinerators or other equipment for the storage or disposal of such rubbish, trash, garbage and waste shall at all times be kept in a clean, neat and orderly manner.

9. No noxious or offensive trade or activity shall be carried upon said tract nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

10. No more than one shed or barn and one tool house may be erected per dwelling house or residence on said tract; PROVIDED, HOWEVER, no such shed, barn, or tool house shall, or will at any time hereafter, be erected which is less than 150 feet from the road property line, nor closer than 50 feet from the property lines of said tract.

11. No more than one large animal (horse, cow, sheep, goat) per acre shall be kept or permitted on said tract; no swine shall be kept upon said tract; all fowl and rabbits must be cooped or kept within a fence sufficient to hold them within said tract; but in no event shall any person keep any of said animals or fowls for commercial purposes.

12. All dwelling houses or residences built on said tract must face on the County Road.

The foregoing conditions, reservations, limitations, restrictions and covenants are hereby declared to be covenants running with the land herein conveyed and shall be binding upon the Grantees herein and subsequent Grantees claiming by, through or under them, whether they be set out in subsequent conveyances of said property or not, and if the said Grantees herein, or any one claiming by, through or under them shall at any time violate or attempt to violate or shall fail to observe or perform any of the foregoing conditions, reservations, limitations, restrictions and covenants, it shall be lawful for the Grantor herein, or his heirs, administrators, executors or assigns to institute and prosecute appropriate proceedings at law or in equity to remedy or prevent the violation or attempt.

TO HAVE AND TO HOLD the above described premises together with all and singular the rights and appurtenances thereto and

DEED
BOOK 551 PAGE 415

in anyway belonging unto the said JOHN LOUIS JOHNSON and wife, BESSIE L. JOHNSON, their heirs and assigns, forever; and we do hereby bind ourselves, our heirs, executors and administrators, to WARRANT AND FOREVER DEFEND, all and singular, said premises unto the said JOHN LOUIS JOHNSON and wife, BESSIE L. JOHNSON, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS OUR HANDS, this the 29th day of May,
A. D. 1975.

Johnny O. Hunter
JOHNNY O. HUNTER
Rosie N. Hunter
ROSIE N. HUNTER

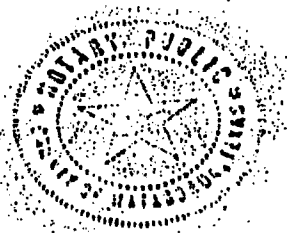
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THE STATE OF TEXAS X
COUNTY OF MATAGORDA X

BEFORE ME, the undersigned authority, on this day personally appeared JOHNNY O. HUNTER and wife, ROSIE N. HUNTER, known to me to be the persons whose names are subscribed to the foregoing instrument, and each acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 29th day of May, A. D. 1975.

Gail Pohlmeyer
Notary Public in and for Matagorda
County, Texas



FILED FOR RECORD
AT 10:30 CLOCK P.M.
JUN 9 - 1975
HILMA S. HUITT,
Clerk County Court, Matagorda Co., Tex.
By Charlotte Holbrook DEPUTY

GAIL POHLMAYER
NOTARY PUBLIC
MATAGORDA COUNTY, TEXAS

Filed for record the 9th day of June, A. D. 1975.
Duly recorded this the 9th day of June, A. D. 1975 at 4:00 o'clock P.M.
By Hilma S. Huitt Deputy Hilma S. Huitt, County Clerk
Matagorda County, Texas