

68712

RESTRICTIONS
WEST MAGNOLIA FOREST, SECTION 11
WALLER COUNTY, TEXAS

DEED RECORDS
VOL 221 PAGE 268

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

THAT, in order to insure to all purchasers of prop-
erty in the following Subdivision:

WEST MAGNOLIA FOREST, SECTION 11, a Subdivision
located in the Wm. Berryman Survey, Abstract 104, in Waller
County, Texas, according to the Map or Plat thereof recorded
in Volume 216, Page 697, of the Deed Records of Waller County,
Texas;

That all properties ("Said Properties") therein will
be developed and maintained in a uniform manner to the mutual
benefit of owners and future owners thereof, the undersigned,
Mitchell & Mitchell Land Development Co., the present owner
of all lots and tracts of land within said Subdivision, does
hereby ADOPT, ESTABLISH and IMPOSE the following restrictions,
covenants and conditions upon Said Properties which shall
constitute covenants running with the land and shall be bind-
ing upon and inure to the benefit of the present owner, its
successors and assigns, and to each and every purchaser of
any of Said Properties, their respective heirs, successors
and assigns, to-wit:

1. These conditions and restrictive covenants shall be binding upon the land and the purchasers thereof until January 1, 1988, and shall be automatically extended for successive ten (10)-year periods thereafter unless on or before one (1) month prior to the end of any such period of time three-fourths (3/4ths) of the owners of tracts of land in said Subdivision shall agree in writing, properly executed and recorded in the Office of the County Clerk of Waller County, Texas, to amend or repeal such restrictions.

2. Prior to January 1, 1972, no tract in said Subdivision may be subdivided or resubdivided into tracts or parcels of land smaller than as shown on the Subdivision plat, each tract in said Subdivision as shown on the recorded plat constituting one and only one building site. After January 1, 1972, any tract in said Subdivision may be subdivided and/or resubdivided provided that no lot or tract in such subdivision or resubdivision shall have an area of less than one (1) acre.

3. The subdivider or any owner in the above named Subdivision shall have the right to prosecute any proceeding, at law or in equity, against any person violating or attempting to violate the foregoing restrictive covenants, and either prevent such person, or persons, from so doing by prohibitive or mandatory injunction, and/or recover damages for such violation.

EXECUTED on this the 28th day of May, 1970.

OWNER:

MITCHELL & MITCHELL LAND
DEVELOPMENT CO.

By: M. D. Thompson, Jr.
Vice President

LIENHOLDER:

Cornelia E. Smith
Cornelia E. Smith



THE STATE OF TEXAS |
 |
COUNTY OF HARRIS |

BEFORE ME, the undersigned authority, on this day personally appeared M. D. Thompson, Jr., known to me to be the person whose name is subscribed to the foregoing instrument, as Vice President of MITCHELL & MITCHELL LAND DEVELOPMENT CO., a corporation, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 28th day of May, 1970.

Suzanne A. Golden
Notary Public in and for
Harris County, Texas



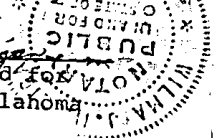
THE STATE OF OKLAHOMA X
COUNTY OF ~~WALLER~~ TULSA X

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BEFORE ME, the undersigned authority, on this day personally appeared CORNELIA E. SMITH, a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 11 day of June, 1970.

Wilma J. Melligan
Notary Public in and for ~~Waller~~ TULSA County, Oklahoma



Filed for record June 18, A. D., 1970 at 11:00 o'clock A.M.
Recorded June 22, A. D., 1970 at 2:10 o'clock P.M.

DICK CUNY, County Clerk, Waller County, Texas.
By Linda Wallingford, Deputy.

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THE STATE OF TEXAS §
COUNTY OF WALLER §

KNOW ALL MEN BY THESE PRESENTS:

THAT THE UNDERSIGNED, JACOB DIEZI, JR., and wife, PATRICIA V. DIEZI, hereinafter called Grantor whether one or more, for and in consideration of Ten and no/100 (\$10.00) Dollars and other good and valuable considerations, cash in hand paid, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey unto INTRATEX GAS COMPANY, a Texas corporation, its successors and assigns, hereinafter called Grantee, a right-of-way and easement to lay, construct, maintain, inspect, operate, protect, repair, alter, replace, relocate, substitute, remove and change the size of a pipeline and appurtenant facilities, for the transportation of gas, oil, petroleum products or any other liquids, gases or substances which can be transported through a pipeline, on, in, over, under, through and across the hereinafter described lands situated in Waller County, Texas, described as follows:

A right-of-way and easement fifty (50) feet in width extending over, through, along and across that certain forty-eight (48) acre tract of land, more or less, being a part of the Samuel Heady League, A-31, located in Waller County, Texas, being duly recorded in Vol. 183, p. 187, of the Deed Records of Waller County, Texas, to which reference is here made for all purposes; and

A right-of-way and easement over an additional twenty-five (25) foot wide strip of land for a temporary work area, said additional strip being located parallel, contiguous and immediately adjacent to the north boundary line of the said fifty (50) foot wide easement and right-of-way described hereinabove and extending the entire length of same, said twenty-five (25) foot wide strip to revert automatically to Grantor upon completion of the construction of the proposed pipeline.

A plat showing the proposed pipeline through the said lands of Grantor is hereby attached, marked Exhibit A, and made a part hereof.