

DEED RESTRICTIONS

"CANNON EAST SUBDIVISION" GONZALES COUNTY, TEXAS

This declaration of Restrictions is made on **July 24th, 2019** in **Gonzales, Texas** by **River Land Holdings, LLC**, "Declarant", whose mailing address is P.O. Box 1621 Gonzales, Texas 78629.

RECITALS

- A. Declarant is the owner of all the certain real property located in **Gonzales County, Texas** described as follows. **Lots 1 through 11** of the "**Cannon East Subdivision**", **Gonzales County, Texas**.
- B. Declarant has constructed this general plan for the entire property as a whole, with provisions for **lots 1 - 11** of the "**Cannon East Subdivision**" which provides a general scheme of development designed to secure and benefit the property in general and each owner of an interest in the property.
- C. In effect the Declarant desires in accordance with the restrictive covenants to restrict the property in accordance to the following restrictions.

ARTICLE I General Provisions 1.01 Definitions

- A. Developer "Developer" means Declarant.
- B. Lot "Lot" means all of **lots 1 – 11** shown on the plat of the "**Cannon East Subdivision**" map recorded in slide **136-B** of the map or plat Records of **Gonzales County, Texas** on which a single family dwelling is or will be built.
- C. Subdivision "Subdivision" shall mean the "**Cannon East Subdivision**" as described by those certain tracts of land known as "**Cannon East Subdivision**" as recorded in the Deed of Records in **Gonzales County, Texas**.
- D. Owner "Owner" shall mean the legal title holder of record, whether one or more persons or entities, of any portion of the property, including owners who have contracted to sell any

property and any person or entity holding legal title as trustee, but excluding those having such interest merely as security for the performance of an obligation.

ARTICLE II Restrictions

II.01

- A. Only one (1) home is permitted per Lot.
- B. All homes must have a minimum of 1,000 square feet of living area with no maximum building size limit.
- C. All homes shall have siding of wood, metal, or Masonite. No vinyl siding is allowed.
- D. All homes must have front and back porches, minimum size of 6' X 10' and must be constructed with the home.
- E. Lots 1-5 will have a minimum building setback of 80' ft. from the center line of the interior road located within the subdivision and 20' ft. minimum building setback on all 3 remaining lot lines.
- F. Lots 7-11 will have minimum building setback of 100 ft. from County Road 342 and 20' ft. minimum building setback on all 3 remaining lot lines.
- G. The Developer reserves the right to grant variances as needed.

Houses

- H. II.02 All homes must be 5 years old or newer, minimum size of 1,000 square feet in living area (no maximum size limit). Any home older than 5 years must be approved by the developer in writing prior to installation.

Out Buildings-Structures

II.03 Any structure or improvements attached to the home must be new construction and of the same style, material, color and design of the current residence. Additional buildings used as a shed, barn etc. will have a maximum building size of 3,000 sq. ft. with no minimum. All swimming pools must be located in the rear of the residence and must be fenced.

Sewer Systems

II.04 All homes or structures with sanitary facilities shall be connected to a septic system which meets the requirements of the Texas Department of Health and **Gonzales County**, Texas. All septic systems must be inspected according to the guidelines set by the Texas Department of Health. Only one septic system per lot shall be used and installed.

Construction Completion

II.05 All homes or residences must be completed within seven (7) months from initial start of construction.

Temporary Residence

II.06 No trailer, tent, shack, camper, or other outbuilding may at any time be used as a residence, temporarily or permanently. At any time, visitors of a resident may set up an R V for "overnight" purpose only for up to one week if the RV is parked and leveled properly.

Re-Subdivision

II.07 No part of any of this subdivision may be further sub-divided.

Vehicle Limitations

II.08 No unlicensed, inoperable, or junk motor vehicles or equipment of any kind may be located or stored on the property unless it is located within a completely enclosed structure.

Single Family Use

II.09 The property is restricted to use for single family residential purposes. Only one dwelling or residence may be located on each lot and only one family may reside in each dwelling.

Unsuitable Storage of Trash and Garbage

II.10 Lots at no time shall be used for storage of building materials or other property; only exceptions are during construction of a dwelling or residence. All trash and garbage must be stored in a sanitary container and disposed of by means of a commercial garbage company. All sanitary containers must be stored or placed out of "line of sight" except on said days of garbage-trash pickup. Burning of garbage is not allowed on any lots in subdivision.

Business Restrictions

II.11 No business or commercial activity of any kind shall be allowed or conducted on any of the lots within the subdivision. Only commercial vehicles with a gvwr weight rating of 12,000 or less is allowed within subdivision. A maximum of (4) four vehicles per residence are allowed. Commercial vehicle exceptions - If a commercial vehicle is used by the tenant for their primary income then no more than 2 commercial vehicles are allowed per lot at any time.

Drainage

II.12 Land owners or tenants cannot create or build any "dam" or blockage on any natural water drainage to make water back up on any other lot or lots temporarily or permanently.

Animals and Livestock

II.13 No swine (hogs) are allowed. Chickens are allowed with a maximum of 40 birds (HENS ONLY - NO ROOSTERS ALLOWED). All chickens and birds of any kind must be kept in a pen (1,000 sq. ft. maximum) and are not allowed to roam onto adjoining property. Maximum total of livestock including but not limited to cattle or horses is 3 head at any time. Maximum total head of other farm animals including but not limited to goats and sheep must not exceed 6 head any time. Maximum of five (5) dogs are allowed in the subdivision per lot and must be confined inside property boundaries at all times. Only Exception is a FFA or 4-H project in which all animals must have dedicated pens or fencing. Overgrazing

of the property is not allowed at any time. It will be the sole responsibility of the owner to manage the grazing of the property in order to maintain the esthetics of the subdivision.

Leasing

II. 14 Lots may be leased for residential purposes only which are outlined in the restrictions. All leases shall require that the tenants acknowledge receipt of a copy of the declaration of covenants and conditions. Residences and lots cannot be leased or used for oilfield or commercial "man" camps.

Nuisance

II.15 It shall be the responsibility of each owner and occupant to prevent the development of any unclean, unsightly, or unkempt condition on his/her property. NO obnoxious or offensive activity shall be carried on within the properties, or shall anything be done to cause discomfort, annoyance, or nuisance to any person using any of the properties within the subdivision. No hunting or discharging of firearms is allowed within the subdivision.

Fencing

II.16 A maximum height of 6' allowed on all fencing within the subdivision.

ARTICLE V
ADDITIONAL PROVISIONS

Severability

V.01 Should any one or more of the Restrictions set forth herein be held to be invalid or unenforceable by final judgment of any court, the same shall in no way affect the remainder of the Restrictions contained herein not directly affected by such final judgment, and the remainder of such Restrictions shall remain in full force and effect.

Enforcement

V.02 The Declarant or assigns, or any other persons owning a lot in the "**Cannon East Subdivision**" shall have the right to prosecute any action at law or in equity that it or they deem advisable and to enjoy any violation or attempted violation of any of the Restrictions contained herein, and to prosecute the same against the person or persons in violation or attempting to violate the same. All owners in violation of these rules will receive a warning via certified mail for their violation. They will be given 21 days in which to resolve the matter in full. Any owner who does not resolve this matter within the 21 day time frame will be issued a fine of \$500.00. If the matter is not resolved within 30 days such owner will be fined an additional \$500.00. If the violation is still not resolved the violator will be fined \$500.00 every 30 days until such violation has been resolved or until court order rules otherwise.

Duration

V.03 These Restrictions shall remain in effect perpetually.

Attorney's Fees

V.09 In the case of any controversy, dispute or claim that arises relating to this document or the provisions set forth, breach, or an enforcement, the prevailing party shall be entitled to recover from the losing party any reasonable expenses and attorney's fees.

Interpretation

V.10 This Declaration shall be liberally construed to relate its purpose of establishing a uniform plan for lots **1 – 11** of the **Cannon East Subdivision**.

Witnessed on this the 26th Day of July, 2019

Henry C. Schmidt III
River Land Holdings, LLC

State of Texas

County of **Gonzales**

Before me, the undersigned authority on the day personally appeared **Henry C. Schmidt III (manager)** of **River Land Holdings, LLC** known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledge to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office this the 26th Day of July, 2019

Lavelta Dodson
Gonzales County, Texas **Notary Public**



FILED AND RECORDED

Instrument Number: 19300277 V: 1317 P: 509

Filing and Recording Date: 07/26/2019 02:00:47 PM Pages: 7 Recording Fee: \$36.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Gonzales County,



**Lona Ackman, County Clerk
Gonzales County, Texas**

***DO NOT DESTROY - Warning, this document is part of the
Official Public Record.***

**Returned To:
HENRY SCHMIDT
1414 BRANCH RD
SEGUIN, TX 78155**