

BY-LAWS OF LAKELAND SECTION FOUR CIVIC CLUB  
 (Adopted by Lot Owners at General Meeting Held April, 1984)  
 (Amended by Lot Owners at General Meeting Held July 14, 1985)  
 (Amended by Lot Owners at General Meeting Held July 14, 1987)

## ARTICLE I

### AGREEMENT

All lot owners in Section 4 in Lakeland Subdivision in Montgomery County, Texas, do hereby agree to the following Rules and Regulations which are for the benefit of Grantor's land and are covenants running with lots, including all blocks, one (1) through thirteen (13).

### PURPOSE

The purpose of Lakeland Section Four Civic Club is to:

- (a) Operate and maintain Lakeland Subdivision Section 4 in the best interest of its property owners.
- (b) Maintain the club house and grounds, roadways, trees, lakes, fishing and swimming areas, water system and any and all other community property.
- (c) Do any and all things necessary, incident to the fulfillment of the foregoing purpose.

## ARTICLE II

### MEMBERSHIP

Membership is defined as any person owning property by virtue of a deed. Only property owners who agree to support and abide by the charter and by-laws of this Corporation shall be eligible. To enjoy full privileges, each member shall keep current in the payment of assessments.

### PRIVILEGES

Each member and/or his or her immediate family (unmarried children at home) shall have the privilege of using all of the facilities of the association; subject to these by-laws and the rules and regulations promulgated hereunder.

Each member and his spouse shall be entitled to vote at all meetings of the membership, in accordance with the provisions of these by-laws, and either or both shall be eligible to hold office or serve on committees provided they are in good standing on assessments.

On rent property, both the owner and the renter have swimming and fishing privileges. The owner retains all other privileges. Renters' privileges are valid after the Secretary is notified by certified mail, from the owner, the name of the renter and his immediate family. Privileges may be terminated or suspended by the Board of Directors.

ARTICLE III

MEMBERSHIP MEETINGS

Regular Meetings

Time and Place: There shall be regular meetings of the membership at 7:30 p.m. on the second Tuesday of each January, April, July and October at the clubhouse. The June meeting will be held on the second Sunday in June at 2:00 p.m.

Should there not be enough present for a quorum at a General Meeting, the meeting shall automatically revert to a Board Meeting. All Board members should realize this and attend.

Purpose: The regular meetings of the members shall be for the purpose of conducting any business requiring action by the membership; and at the regular meeting of the members held in June of each year, there shall be an election of officers and directors as hereinafter set out.

Special Meetings

Time and Place: Special meetings of the members may be called by the President or any three Directors of the Corporation for any time to be held at the clubhouse.

Notice by mail to the last known address of each member at least ten (10) days prior to the meeting date.

Quorum

Quorum shall consist of fifteen (15) members present at a regular or special meeting.

The majority vote of a membership quorum may change the date and/or time of the regular meetings without changing the Deed Restrictions or By-Laws.

Vote

Refer to Deed Restrictions; Duration - paragraph 7, items (b), (c), and (d).

Proxies

No proxies to be used at any meeting for any reason.

Absentee Voting

Applicable at election meetings only. Absentee ballots are to be mailed by and returned to the Secretary plainly marked "ballot" and to be opened only by the election committee and qualified by the Treasurer.

Procedure

All meetings shall be governed by Roberts Rules of Order unless covered by Oakland By-Laws and Deed Restrictions.

ARTICLE IV

OFFICERS AND DIRECTORS

1. Number and Term of Office

Term of office shall be for one (1) year beginning with the July general meeting. There shall be thirteen (13) Directors and thirteen (13) alternates elected at large who shall serve until a new Board is elected. Each 13 Directors and alternates shall be listed in alphabetical order.

Nominating Committee

At the general meeting in April, a nominating committee shall be chosen; two appointed by the President and three elected by the membership. This committee shall present to the Board of Directors a slate of officers, directors and alternates. Anyone interested in holding any office must submit their name to the Nominating Committee by April 25. The 13 names with the most votes will be seated to the Board. The next 13 will be named as alternates.

The names of all members seeking office will be placed on the ballot. Nominations will be accepted from the floor.

2. Election

At the election meeting in June, there shall be elected a President, Vice-President, Secretary, Treasurer, three member architectural control committee and thirteen directors and thirteen alternates. Election meeting is the second Sunday in June at 2:00 p.m.

3. Director's Meetings

The Board of Directors shall hold regular meetings at 7:30 p.m. on the second Tuesday of each month except those months having a general meeting. The newly elected Directors shall meet the last Tuesday in June for the purpose of levying amount of assessment and setting up the budget for the coming year. Special meetings may be called by the President or any three Directors upon notice to the Directors.

4. Powers and Duties

At the regular meeting in July of each year, the Board shall announce their budget and the necessary maintenance charge for the succeeding year to be levied against each member owning property served by the Corporation. At the July meeting each year, the President shall appoint the following Commissioners: Ground, Lakes, Water, Recreational, Publicity, Clubhouse, and Finance; which commissioners shall appoint two other persons who are members of the Corporation to serve with him or her as a committeeman to perform the duties relative to the commission.

At the request of a Director, or in his absence, the President may appoint an alternate board member to serve in his stead.

The Board of Directors shall, through the Commissioners aforesaid, manage all of the affairs of the Corporation and shall establish and maintain one checking and one savings account in one bank, issue checks against the same, to be executed by the President and the Treasurer. All purchases made or services furnished for the Corporation shall be with proper authorization. The Directors shall not incur any indebtedness for which there are no funds available.

Seven (7) Directors shall constitute a quorum for the purpose of transacting any business at either a regular or special meeting.

Vacancies in the Board may be filled by a majority of the remaining Directors, should less than a quorum remain; a special meeting of the membership must be called for the purpose of electing new Directors to fill those unexpired terms of the Directory so vacated. Should a vacancy occur in the chair of the President, Vice-President, Secretary or Treasurer, the Directors shall elect a replacement.

Two consecutive unexcused absences of an officer or a Director shall constitute voluntary resignation. Any officer or Director that does not maintain a current dues status may be disallowed to serve.

The Board of Directors has the authority and the responsibility to see that all of the By-Laws are carried out or enforced.

#### 5. Duties of the Officers

The officers of the Corporation shall have such powers and duties, except as modified by the Board of Directors, as generally pertain to their offices respectively, as well as such powers and duties as from time to time shall be conferred by the Board of Directors; provided, however, that the President shall be the chief executive officer of the Corporation and all other officers of the Corporation shall be subordinate to said President, and shall from time to time report as he may direct. In the absence of the President, the Vice-President shall have and may exercise all the powers of said President.

#### PRESIDENT

The President shall be the chief executive officer of the Corporation, and shall have general direction of the affairs of the Corporation and have general supervision over its several officers, subject, however, to the control of the Board of Directors. He shall at each annual meeting, and from time to time, report to the membership and to the Board, all matters within his knowledge which, in his opinion, the interest of the Corporation may require to be brought to their notice; shall preside at all meetings; shall sign and execute in the name of the Corporation all contracts or other instruments authorized by the Board of Directors, except in cases where the signing and execution thereof shall be expressly delegated or permitted by the Board or these By-Laws to some other officer or agent of the Corporation; and in general shall perform all duties incident to the office of President, and such other duties as from time to time may be assigned to him by the Board of Directors or as are prescribed by these By-Laws.

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VICE-PRESIDENT

At the request of the President, or in his absence or disability, the Vice-President shall perform the duties of the President, and when so acting shall have the powers of and be subject to all restrictions upon the President. The Vice-President shall perform such other duties as may from time to time, be assigned to him by the Board of Directors or, the President.

SECRETARY

The Secretary shall keep or cause to be kept in books provided for the purpose, the minutes of the meetings of the membership and of the Board of Directors; shall see that all notices are duly given in accordance with the provisions of these By-Laws; shall be custodian of the records; shall keep or cause to be kept a register of the post office address of each member; and in general, the Secretary shall perform all duties incident to the office of the Secretary and such other duties as may from time to time be assigned to him by the Board of Directors or the President.

TREASURER

The Treasurer shall receive and be the custodian of all funds of the Corporation and countersign all checks against the Corporation's account for all necessary expenditures therefore authorized. Ninety (90) days prior to election, an audit committee shall be appointed to make a complete audit of books, thirty days prior to the election of officers. The Treasurer shall also render a statement of the condition of the finances of the Corporation at all regular meetings of the Board of Directors, and a full financial report at the annual election meeting of the membership, if called upon to do so.

RIGHT TO RECALL

With ten (10) days notice to the membership, any Board member or officer may be recalled at any general meeting by a majority vote of a quorum.

ARTICLE V

WATER SYSTEM

The water system shall always be managed by funds assessed by the Board of Directors in accordance with good business practices.

The water system shall be maintained at all times so as to provide an adequate sanitary supply of potable water. Samples of the water shall be taken from each well and from at least one other outlet in the system, once a month and analyzed to determine the potability of such. Lakeland's water system shall be operated and maintained in accordance with the Texas State Department of Health's acceptable practices.

The tap-on fee shall be that amount charged by the plumber contacted by the Water Commissioner to make the tap-on. Water use is part of and included in the water assessment which is payable in advance. After sixty (60) days delinquency,

water will be cut off; all past dues must be paid, plus a reconnection fee, prior to restoration of water service.

Anyone turning water on without proper authorization will be prosecuted.

All water wells in Section Four shall be used to maintain lakes and to provide water service to lot owners who have paid a tap-on fee to main water line. Any tap-on shall be made by a licensed plumber or at the discretion of the Water Commissioner.

#### ARTICLE VI

##### RULES FOR USE OF RECREATIONAL FACILITIES

Any Lakeland owner may have use of the clubhouse upon accepting full responsibility for same. No one is to remove any clubhouse equipment without proper authority. No clubhouse equipment or furniture to leave Lakeland except by the Volunteer Fire Department and that with Board approval.

A commissioner shall be appointed to be in charge of keeping the clubhouse in proper order.

Trot lines shall be restricted to Lakes 1, 2 and 3. Throw lines are allowed in Lake 4. All trot lines or throw lines must be identified with date, name and address and then installed. This message will be at the end of the line and in a container which can be opened for inspection. No trot line or throw line to remain for more than 48 hours.

#### ARTICLE VII

##### RULES FOR BUILDING AND CONSTRUCTION AND ENVIRONMENT

All residences and outbuildings shall be constructed on site in accordance with conditions set forth in deed restrictions.

It is the responsibility of every member to do his utmost to promote a cleaner environment. It is also each proper owner's legal and moral obligation to abide by all Texas statutes and Montgomery County provision pertaining to sanitation and health protection.

#### ARTICLE VIII

##### AMENDMENT TO BY-LAWS

Method - By-Laws Change: If a majority at a regular meeting or board meeting desire to make a By-Law change, then they must mail the proposed change to all property members for their approval or non-approval.

NOW THEREFORE, we the Officers and Directors of Lakeland Subdivision Section Four Civic Club, a Texas Corporation, hereby adopt the foregoing By-Laws this 8th day of April, 1984. Adopted by property owners at the General Meeting held April 8, 1984, at Lakeland Section Four Civic Clubhouse; Amended July 14, 1985. Amended July 14, 1987.

IN WITNESS WHEREOF, we have hereunto set our hands and signatures this day..

Directors:

C.C. Booth  
C.C. Booth

Johannie Armstrong  
Johannie Armstrong

J.R. Kinder  
J. R. Kinder

Marie Kaleel  
Marie Kaleel

Diane Burch  
Diane Burch

Carl R. Goforth  
Carl Goforth

R. W. Seyler  
R. W. Seyler

R. L. Johnson  
R. L. Johnson

Lois Burch  
Lois Burch

Bill V. Johnson  
Bill V. Johnson

Diana Markuson  
Diana Markuson

Arlene Nash  
Arlene Nash

The State of Texas  
County of Montgomery

On this the 22nd day of May, 1988, personally appeared Keith A. Markuson, known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that it is within his personal knowledge and correct.

My Comm. Expires: 7-88

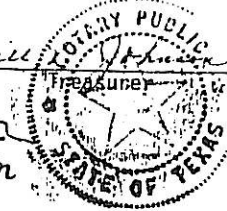
Notary Public  
Roy L. Johnson  
State of Texas

Keith A. Markuson  
President

R. W. Seyler  
Vice-President

Diana Markuson  
Secretary

Bill V. Johnson  
Treasurer



to Markuson  
7 Lakeland  
1400 TEXAS  
7384

FILED FOR RECORD

88 MAY 23 AM 10:35

Roy Harris  
COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY  
I hereby certify that this instrument was filed in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED in the official Public Records of Real Property of Montgomery County, Texas

MAY 23 1988



Roy Harris  
COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

7638460

LAKELAND SECTION FOUR SUBDIVISION

DEEDS

THE STATE OF TEXAS )  
 COUNTY OF MONTGOMERY ) KNOW ALL MEN BY THESE PRESENTS:

That, the property owners of Lakeland Section 4 desire to create and carry out a uniform plan and scheme for the improvement, development, maintenance, sale, and maintain exclusiveness for residential purposes of all property in Lakeland Section 4, and to accomplish such end does hereby adopt establish, promulgate and impress the following Reservations, Restrictions and Covenants which shall be and are hereby made applicable to those properties located in Lakeland Section 4 which are herein defined as the "Subdivision":

### I. DEFINITIONS

**SUBDIVISION** - Lakeland Section 4 of the George Taylor Survey, Abstract No. 55 in Montgomery County, Texas, including Block 13.

**PROPERTY OWNERS' GOVERNING AUTHORITY** - Lakeland Section 4 Civic Club through duly elected Board of Directors. Lakeland Section 4 Civic Club was founded by the property owners; set up and incorporated under Texas statutes as a non-profit organization; and received Charter No. 173763, dated April 6, 1961, from the Secretary of State to legally transact business necessitated in maintaining and operating a subdivision; after L. W. Peay, original owner and developer, divested himself of all interests in the Subdivision and legally deeded these interests, namely, roads, lakes, levies, parkways, water wells, a lines, Club House area, etc., to the property owners or trustees of Lakeland Section 4 Civic Club. By the term, Board of Directors, as used herein, it is meant the Board of Directors of the Lakeland Section 4 Civic Club.

**BY-LAWS OF LAKELAND SECTION 4 CIVIC CLUB** - These by-laws are guidelines for the operation of the Civic Club and for the election of a 13-member Board of Directors. The by-laws in force were adopted by Lot owners at a General Meeting held January 10, 1971.

**LOT** - That portion of platted territory or fractional part of block measured and set apart for individual and private use and occupancy according to the recorded plat of the Subdivision on file in the Plat Records of Montgomery County, Texas.

**COMMUNITY PROPERTY** - This includes all premises of the Subdivision on the recorded plat that are not designated as Lots defined above. Each property owner shall have an equal interest in this Community Property.

### II. GENERAL PROVISIONS

#### APPLICABILITY

1. Each Contract, Deed or Deed of Trust which may be hereafter executed with respect to any property in the Subdivision shall be deemed and held to have been executed, delivered and accepted subject to all of the provisions of this instrument, including, without limitation, the Reservations, Restrictions and Covenants herein set forth, regardless of whether or not any of such provisions are set forth in said Contract, Deed or Deed of Trust, and whether or not referred to in any such instrument.

#### RESERVATIONS

2. All conveyances of property made in Section No. 4 have been made subject to all easements, rights-of-way, stipulations, restrictions and reservations of record.



3. The property owners within the Subdivision have the right to use all Community Property shown on the recorded plat of the Subdivision only so long as they are in "good standing" with regard to "Maintenance Dues" and are not in violation of any of these restrictions. Further, the Community Property can be used for the enjoyment of such Lot owners' guests, representatives, and invitees subject to all reservations.

4. The Community Property shown on the recorded plat is for the common use and benefit of Lot owners, their guests, and invitees, with such common use limited to that of walkways, horse and bicycle paths and shall not be used by any motor vehicle except such necessary vehicles used for the improvement and maintenance of the Subdivision, and designated parking areas in existence. By majority vote of property owners, sections of the common use property may be reserved or set aside for specific common uses and benefits other than above.

5. The utility easements shown on the recorded plat are dedicated with the reservation that such utility easements are for the use and benefit of any public utility and for the benefit of the property owners in the Subdivision to allow for the construction, repair, maintenance and operation of a system or systems of electric light and power, telephone lines, gas, water, sanitary sewers, storm sewers and any other utility or service which the Civic Club may find necessary or proper.

6. Specifically set out is the right to repair waterlines. The Board of Directors or Civic Club shall not be liable for any damage done to shrubbery, trees, flowers or other property of the land owner, with necessary notification in advance, if possible.

DURATION

7. The provisions hereof, including the Reservations, Restrictions and Covenants herein set forth, shall run with the land, shall be perpetual and shall be binding upon all persons or parties claiming under it or them, except that at any time and from time to time, with thirty (30) day's written notice, a majority of these Lot owners in the Sub division shall have the right to execute and record an instrument or instruments changing the provisions hereof in whole or in part, and the provisions of said instrument or instruments shall become effective on the next day following the day on which such executed instrument shall be recorded in the Deed Records of Montgomery County, Texas. Each property owner shall have one vote.

ENFORCEMENT

8. In the event of any violation or attempted violation of any of the provisions hereof, including any of the Reservations, Restrictions or Covenants herein contained, enforcement shall be authorized by any proceedings at law or in equity by the Board of Directors or any person or persons owning property in the Subdivision against any person or persons violating or attempting to violate any of such provisions, including proceedings to restrain or prevent such violation or attempted violation by injunction, whether prohibitive in nature or mandatory in commanding compliance with such provisions; and it shall not be a prerequisite to the granting of any such injunction to show inadequacy of legal remedy or irreparable harm. Likewise, any person entitled to enforce the provisions hereof may recover such damages as such person has sustained by reason of the violation of such provisions.

PARTIAL INVALIDITY

9. In the event that any portion of the provisions hereof shall become or be held invalid, whether by reason of abandonment, waiver, estoppel, judicial

decision or otherwise, such partial invalidity shall not affect, alter or impair any other provision hereof which was not thereby held invalid; and such other provisions, including Restrictions, Reservations and Covenants shall remain in full force and effect, binding in accordance with their terms.

III.

ARCHITECTURAL CONTROL

GENERAL

1. Until such time as an Architectural Control Committee or Building Committee is elected, a committee that controls the quality of construction herei the Board of Directors has the authority to control the quality of all propose construction to assure that it is to be in compliance with the intent of these deed restrictions. If necessary, the Board may request construction plans, specifications and plats showing the location of any home on any property in the Subdivision. Approval shall be granted or withheld based on matters of compliance with the provisions of this instrument, quality of materials, harmo of external design with existing and proposed structures and location with respect to topography and finished grade elevation.

2. The Architectural Control or Building Committee shall consist of three (3) members who are property owners within the Subdivision. These committee members shall be elected in the same manner as the officers of the Civic Club. Upon the death, resignation, refusal or inability of any member of the committ to serve, the Board of Directors may fill the vacancy by appointment, pending the next election.

IV.

GENERAL RESTRICTIONS

LAND USE AND BUILDING TYPE

1. All Lots of the Subdivision are hereby designated to be used for singl family residential purposes only. The term residential purposes as used herein excludes hospitals, clinics, apartment houses, boarding houses, hotels and commercial and professional uses, whether from homes, residences or otherwise, and all such uses of the Lots are expressly prohibited. No house trailer, mobile home, motor home, camper vehicle or motor vehicle (or portion thereof) shall be used as a residence, (either temporarily or permanently) on any Lot. Mobile homes or house trailers cannot be brought into the Subdivision. Recreational vehicles are allowed. No Lot in the Subdivision shall be used for any commercial, business or professional purpose nor for church purposes, except Lot 1 in Block 2 and Lots 1 and 11 in Block 13, which are designated as either residential or for commercial purposes. However, in order to maintain a high standard and to eliminate the type of business that may be objectionable to a desirable residential section, the Board of Directors reserve the right to approve type of building and/or type of business if contemplated. Specifically excluded would be bill boards, junk yards, tourist camps, dance halls, used car lots, beer gardens, massage parlors.

2. No noxious or offensive activity of any sort shall be permitted, nor shall anything be done on any Lot which may be or become an annoyance or nuisance to the Subdivision.

3. No structure of a temporary character nor any trailer, tent, shack, garage, barn or other outbuilding shall be used on any Lot at any time as a residence.

4. No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot, except that dogs, cats or other common household pets may be kept as household pets provided they are not kept, bred or maintained for commercial purposes and provided they do not constitute a nuisance and do not, in

the sole judgement of the Board of Directors, constitute a danger or potential or actual disruption of other Lot owners, their families or guests. No animal or poultry may roam on Community Property unless on a leash or accompanied by owner.

5. All Lots shall be kept at all times in a sanitary, healthful and attractive condition, and the owners or occupants of all Lots shall keep all weeds and grass thereon cut and shall in no event use any Lot for storage of material or equipment except for normal residential requirements or incident to construction of improvements thereon as herein permitted, nor shall such owners or occupants permit the accumulation of garbage, trash or rubbish of any kind thereon. Boat trailers, boats, travel trailers, automobiles, campers or vehicles of any kind are not to be semipermanently stored in the street rights-of-way. Semipermanent is defined as exceeding an eighteen (18) hour period of time.

In the event of default on the part of the owner or occupant of any Lot in observing the above requirements or any of them, such default continuing after ten (10) days' written notice, by certified mail, thereof, the Board of Directors may, without liability to the owner or occupant in trespass or otherwise enter upon (or authorize one or more others to enter upon) said Lot, and cause to be cut, such weeds and grass, and remove or cause to be removed such garbage, trash and rubbish or do any other thing necessary to secure compliance with these restrictions, so as to place said Lot in a neat, attractive, healthful and sanitary condition, and a charge not to exceed \$25.00 may be charged to the owner or occupant of such Lot for the reasonable cost of such work and associated materials. The owner or occupant, as the case may be, agrees by the purchase or occupation of the property to pay such statement immediately upon receipt thereof; however, the payment of such charge is not secured by any nature of lien on the property.

6. The digging of dirt or the removal of any dirt from any Lot is expressly prohibited except as necessary in conjunction with the landscaping of or construction or repair on such Lot.

7. No rifles shall be fired on lake or lake property. Shot guns can be used during duck season or to kill snakes. No minors will be allowed to carry any firearms unless accompanied by parent.

8. Nothing which obstructs sight lines at elevations between two (2) and six (6) feet above the roadways with the triangular area formed by intersecting street property lines and a line connecting them at points fifteen (15) feet from the intersection of the connecting property (or extensions thereof) shall be placed, planted or permitted to remain on corner lots.

9. No outside toilets will be permitted, and no installation of any type of device for disposal of sewage shall be allowed which would result in raw or untreated or unsanitary sewage being carried into any water body. No septic tank or other means of sewage disposal may be installed unless approved by the proper governmental authorities having jurisdiction with respect thereto or the Board of Directors, except for construction purposes.

10. At no time shall the drilling, usage or operation of any water well be permitted on any Lot where used for human consumption.

#### BUILDING LOCATIONS

11. In accordance with the recorded plat, and except as provided herein, no part of any building shall be located upon any Lot nearer to the front line than twenty (20) feet, where possible, or nearer than five (5) feet to a side Lot line, nor nearer than five (5) feet to the rear Lot line; except that where a

Lot is adjacent to a side street, no building located upon such Lot shall be nearer than ten (10) feet to the side street line. In the event a Lot contains a utility easement, then no building shall be constructed upon such utility easement. Notwithstanding the foregoing, an owner of two or more adjacent Lots shall be permitted to build a single residence upon such Lots without regard to restrictions which would otherwise be applicable to the side Lot lines which separate such Lots.

The front of the Lot is the property line having the smallest dimension on a street, where possible.

#### LOT AREA AND WIDTH

12. Lots may be resubdivided into building sites comprised of a part of one or more Lots as platted, provided that no detached dwelling shall be erected or placed upon any building site containing less than 7,500 square feet in area or having a width of less than 75 feet at the front building line shown on the recorded plat of said Subdivision.

#### DWELLING SIZE AND CONSTRUCTION

13. The living area of the main residence structure exclusive of porches, whether open or screened, garage, or other carparking facility, terraces, driveways shall not be less than 900 square feet of floor space.

#### USE OF LAKES

14. The lakes are designated for the use and benefit of property owners in Lakeland Section 4, husbands or wives and single children living at home, and guests, only when property owner is physically on his premises, or carries badge of authority from owner.

All parties using said lakes in the Subdivision shall do so at their own risk and benefit, and the Subdivision/<sup>Civic Club, or Board of Directors</sup> does not assume any liability by reason of the use of said lakes. Owners are liable for any damage caused by guests.

15. Each property owner shall have no more than four fishing guests on any one day other than relatives. For more, prior arrangements must be made.

16. All swimming must take place in Lake No. 7, or lake provided for swimming.

17. Each Lot owner shall take an active part in trying to improve the lake fish and fishing conditions.

18. Row boats shall be permitted or used on the water of the lakes but no gasoline motors to propel said rowboats may be used nor any motor boats of any type except at the direction of the Board of Directors in the maintenance of the lakes. Electric trollers are permissible.

#### USE OF ROADS

19. All roads in the Subdivision are private roads and are designated for the use of property owners.

To maintain the privacy of the roads and not let them become public roads by useage, once each year in September the entrance to the Subdivision shall be blocked from public use.

20. The speed limit shall not exceed 20 miles per hour, except where otherwise posted.

21. Trucks and/or trailers or both in excess of 10 tons shall not be permitted use of the roads, except for construction purposes.

1ST Para. Replaced By  
Change APRIL 6 1999

V.  
MAINTENANCE FUND

1. Each property owner in the Subdivision shall be and is hereby made subject to a maintenance charge of not less than \$7 per month (\$84.00 per year) nor more than \$15 per month (\$180 per year). Except as otherwise hereinafter provided, the maintenance charge shall be paid quarterly by the property owner in advance, on or before the 1st day of each month. Each property owner pays one assessment per occupied dwelling.

2. The maintenance charge shall be used to create a fund to be known as the "Maintenance Fund."

3. The exact amount of each monthly maintenance charge will be determined by the Board of Directors with each change becoming effective thirty (30) days after the date of notice to the property owners of such change. All other matters relating to the assessment, collection, expenditure and administration of the Maintenance Fund shall be determined by the Board of Directors.

4. The maintenance charges collected shall be paid into the Maintenance Fund to be held in trust and used for the benefit directly or indirectly, of the Subdivision; and such Maintenance Fund may be expended by the Board of Directors for any purposes which, in the judgment of the Board of Directors will tend to maintain the property values in the Subdivision, including, but not by way of limitation;

- a. Providing for the enforcement of the provisions of this instrument
- b. For the maintenance, operation, repair of water wells and lines;
- c. For the maintenance, operation, repair, benefit and welfare of any recreational facilities or maintenance service easements;
- d. Maintenance of streets, paths, parks, parkways, resident security, mosquito control;
- e. Generally for doing any other thing necessary or desirable in the opinion of the Board of Directors to maintain or improve the property of the Subdivision.

The use of the Maintenance Fund for any of these purposes is permissive and not mandatory, and the decision of the Board of Directors with respect thereto shall be final, so long as made in good faith.

5. In order to secure the payment of the maintenance charge hereby levied, a lien shall be and is hereby reserved in this instrument of Restrictions which lien shall be enforceable through appropriate judicial proceedings by the Board of Directors on any Lot or Lots held to be three (3) months delinquent in payments. Said lien shall be deemed subordinate to the lien or liens of any bank, insurance company or savings and loan association ("Institutional Lender") which hereafter lends money for the purchase of any property in the Subdivision, and/or for the construction (including improvement) and/or permanent financing of improvements on any such property. All past due maintenance charges shall bear interest from their due date at 8% per annum until paid.

LAKELAND SECTION FOUR SUBDIVISION

THE STATE OF TEXAS

The following restrictions shall become effective January 1, 1977, and hereby supersede, cancel and void the restriction covenants and lake rules on L. W. Peay's lots in Section No. 4 in Lakeland Subdivision of the George Taylor Survey, Abstract No. 555 in Montgomery County, Texas (including reservations), recorded in Volume 432, Page 381, and the same on Block 13, recorded in Volume 503, Page 505 of the Deed Records of Montgomery County, Texas.

These new restrictions are put into effect in the manner prescribed by the original restrictions in that they can be changed in whole or in part by vote of a majority of the present lot owners. A majority of the present lot owners have signified their vote of acceptance of the new restrictions by their signature on the last pages.

At the General Meeting of Lakeland Section 4 Civic Club, October 10, 1976, with a quorum of members present, a vote was taken on these Deed Restrictions (after being discussed and voted on article by article); and a majority voted to adopt them and have them become effective at the designated time.

IN WITNESS whereof, we, the Officers and Directors, set our hands and signatures this day

J. R. Glenn Jander  
Block 1

Mary L. Simpson  
Block 2

Walter H. Reed  
Block 3

Louis Kafetz  
Block 4

H. W. Wells  
Block 5

Arma B. Hankel  
Block 6

David Diceshew  
Block 7

Clara W. Anderson  
Block 8

W. H. Lee  
Block 9

Walter C. Hankel  
Block 10

Don Cook  
Block 11

Zim Harrison  
Block 12

Bill Lee  
Block 13

at

Eugene T. Hanks  
President

H. W. Wells  
Vice-President

L. E. Burch  
Secretary-Treasurer

THE STATE OF TEXAS  
COUNTY OF MONTGOMERY

BEFORE me the undersigned authority, on this day personally appeared Eugene T. Hanks, known to me to be the person whose name is subscribed to the above as President of Lakeland Section 4 Civic Club, and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN under my hand and seal of office on this 26<sup>th</sup> day of December 1976.

H. W. Wells  
Notary Public  
MONTGOMERY COUNTY TEXAS

7956-C

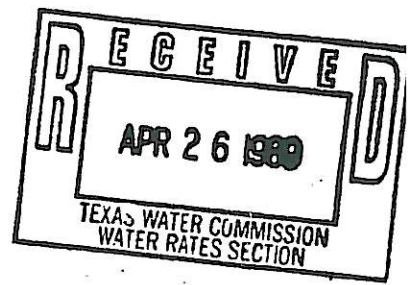
RF

April, 6, 1989

Lakeland Section Four Civic Club  
Montgomery County  
State of Texas  
Incorporated # 173763-1

We the following, duly elected officers and board of directors of  
Lakeland Section Four Civic Club:  
President: Dorothy Talley Dorothy Talley  
Vice President: Kent Hahne Kent Hahne  
Secretary: Cynthia Lyon Cynthia Lyon  
Treasurer: Doris Dilleshaw Doris Dilleshaw

Board of Directors:  
Wendell Ragsdale Wendell P. Ragsdale  
Bernard Thompson Bernard Thompson  
Kent Hahne Kent Hahne  
Ella Whitworth Ella Whitworth  
Gilbert May Gilbert May  
Irene May Irene May  
Doris Dilleshaw Doris Dilleshaw  
Bill Dilleshaw Bill Dilleshaw  
Cynthia Lyon Cynthia Lyon  
Lucille Watson Lucille Watson  
Matilda Armstrong Matilda Armstrong



Do hereby acknowledge that the following persons being members of  
Lakeland Section Four Civic Club by virtue of a deed, have voted by a  
majority of 58 of the 112 owners to revise the deed restrictions of  
Lakeland Section Four pertaining to the Maintenance Fund. Article Five,  
Paragraph One, Page Six.

To read and be recorded as follows:

1. Each property owner in Lakeland Section Four Subdivision shall  
be and is hereby made subject to a maintenance fee of no more than \$15.00  
per lot per month.

Each property will be assessed according to the following formula.

- A. All properties consisting of a dwelling, plus adjoining lots, shall  
be subject to a full maintenance fee for the primary lot and one third  
maintenance fee for each adjoining lot.
- B. Owners of separate single lots shall pay a full maintenance fee for  
each lot owned.
- C. Except as herein after provided, the maintenance fee shall be paid  
quarterly by the property owner in advance, on or before the fifth day of each quarter.

Signature  
President  
Dorothy M. Talley  
Dorothy Talley

STATE OF TEXAS  
COUNTY OF MONTGOMERY

BEFORE ME, a Notary Public, on this the 6th day of April, 19 89,  
personally appeared the Officers and Board of Directors of the  
Lakeland Section Four Civic Club whose names are subscribed to the  
foregoing instrument and acknowledged to me that they executed the  
same for the purposes and considerations therein expressed.

J. Paige Thurmasson  
J. Paige Thurmasson, Notary Public



7956-C

RF

April, 6, 1989

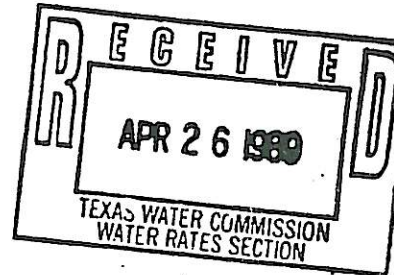
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President

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Wendell Ragsdale