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DEDICATION, PROTECTIVE COVENANTS AND RESTRICTIONS
AND APPLICATION TO ACCEPT ROAD FOR THE BENEFIT OF
WALLER COUNTY APPLICABLE TO EL INDIO ACRES

THE STATE OF TEXAS)
)
COUNTY OF WALLER)

KNOW ALL MEN BY THESE PRESENTS: That I, D. M. McCULLOUGH, being the owner of 124.718 acres of land out of the Simpson Scott Survey in Waller County, Texas, do hereby adopt the attached map and plat creating a subdivision of said acres, said plat having been prepared February 22, 1979, by W. D. KENNEDY, Registered Public Surveyor, such subdivision to be known as EL INDIO ACRES, and do hereby dedicate same as such, and do further dedicate to the use of the public the streets, alleys and easements shown thereon.

In dedicating this Subdivision, to be known as EL INDIO ACRES, located in Waller County, Texas, the following restrictions and protective covenants shall be applicable to all of the lots in said Subdivision:

I.

These restrictions are to run with the land and shall be binding on all parties claiming under them and shall be enforceable by Waller County or any citizen thereof, by injunction, as follows:

II.

That drainage of septic tanks into roads, streets, alleys or other public ditches, either directly or indirectly, is strictly prohibited.

III.

Drainage structures under private ditches shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater, and shall be a minimum of one and three-fourths (1 3/4) square feet (18" diameter pipe culvert). Culverts or bridges must be used for driveways and/or walks.

IV.

That property owners comply with Waller County Commissioners' Court orders of the 21st day of February, 1975, concerning subdivisions.

V.

Easements for constructing, maintaining and repairing a system providing for light and power, telephone and telegraph service to said area and the inhabitants thereof, for the purposes incident to the development and use of said property as a suburban home community are reserved as shown on the recorded plat. Said easements shall be Ten (10) feet in width. Neither San Bernard Electric Cooperative, Inc. nor any utility company using the easements or rights-of-way as reserved by plat of this subdivision filed for record in the Map Records of Waller County, Texas, shall be liable for any damage done by either of them or their assigns, agents, employees

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or servants to shrubbery, trees, flowers or other property of any owner situated on the land covered by the easements or adjacent to said rights-of-way.

VI.

I, D. M. McCULLOUGH, desire to convey the road described in the deed attached hereto as Exhibit "A" to the County of Waller to be used and maintained by the County as a County Road. I would respectfully show the Court that the road has been fully constructed in accordance with the guidance provided by the County Road Administrator, and that all necessary culverts, ditches and road surfaces have been installed.

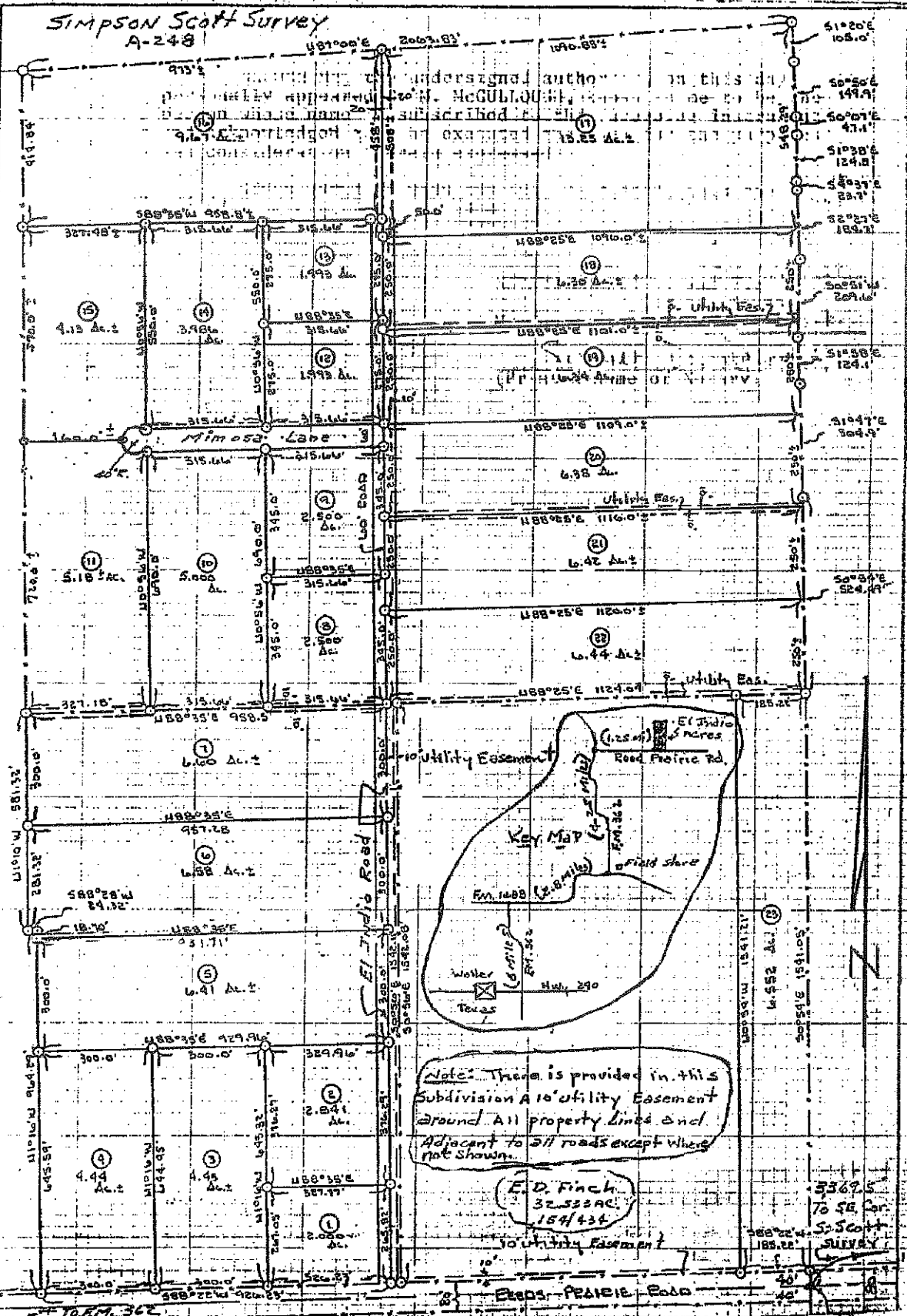
Wherefore, premises considered, we respectfully request the Court to give notice as required by law and to hold necessary hearings hereon and upon final hearing hereof, accept the road on behalf of Waller County, Texas, for the use of the general public as a County Road and to approve the subdivision known as EL INDIO ACRES.

IN WITNESS WHEREOF, this instrument is executed this
the 11th day of July, ¹⁹⁷⁸ ~~1980~~


D. M. McCULLOUGH

SIMPSON SCOTT SURVEY
A-248

undersigned author... in this...
personally appearing... N. McGUIRE...
subscribed...
acknowledged...
considered...



Note: There is provided in this
Subdivision A 10' utility Easement
around All property lines and
Adjacent to all roads except where
not shown.

E. D. Finch
32.533 AC.
184434

33675
To SE Cor.
S. Scott
Survey

10.77.362

Deeds - Prairie Road

<u>EL INDIO ACRES</u>		Survey A-248
A Subdivision of 124.718 ACRES in the Simpson Scott Survey A-248		A-248
Scale: 1" = 300'		
Date: June 10, 1978	This is to testify that I, W. D. Kennedy a Registered Public Surveyor for the State of Texas have plotted the above Subdivision from an actual Survey on the Ground & that 14" iron pipes are on all Corners. <i>W. D. Kennedy</i>	



EL INDIO ACRES SUBDIVISION

APPROVED BY THE COMMISSIONERS' COURT OF WALLER COUNTY, TEXAS
THIS 28 DAY OF July A.D. 1980

A. M. McLaugh
COUNTY JUDGE

Richard Frey
COMMISSIONER, PREC. NO. 3

Emilio R. Zach
COMMISSIONER, PREC. NO. 1

W. C. Taylor
COMMISSIONER, PREC. NO. 4

James R. Rouse
COMMISSIONER, PREC. NO. 2

Ann H. Rappert
ROAD ADMINISTRATOR

Elva D. Mathis
County Clerk
By Juanita Hand, Deputy
Juanita Hand

THE STATE OF TEXAS

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BEFORE ME, the undersigned authority, on this day personally appeared D. M. McCULLOUGH, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 11th day of July, 1980.

Susan Donaway
NOTARY PUBLIC in and for
County, Texas
My Commission Expires: 8-2-80
SUSAN DONAWAY
(Printed Name of Notary)

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Filed for Record July 30 A.D., 1980 at 11:30 o'clock A. M.
Recorded Aug. 04 A.D., 1980 at 9:30 o'clock A. M.

ELVA D. MATHIS, County Clerk, Waller County, Texas
By *Barbara J. Dockrill* Deputy