

**Deed Restrictions for Falcone Forest Subdivision Section One**

**Phase I Lots 1 – 9 on Highway 190**

**Livingston, Texas**

Lot 9 for Falcone Forest Subdivision Section One, lots one through nine on Highway 190 (the "Property")

1. Use of Property. The Property shall be used for commercial and/or residential purposes. Property may not be used as a commercial storage facility of any nature and items including but not limited to inoperable vehicles, or scrap must be located inside a Permanent Structure (further defined). No visible trash or discarded materials can remain on the property. No toxic waste is permitted on the property.
2. Dwelling type and size guidelines. The total ground floor area of the main dwelling structure on the Property ("Main Dwelling"), exclusive of open porches, garages and carports shall be a minimum of 1000 square feet and shall be at least seventy-five (75) feet from the front property line. New manufactured or modular homes ("M or M Homes") are permissible for use as the Main Dwelling. Used mobile homes are permissible, however used mobile homes must be approved by developer. The M and M Home must be installed to meet all FHA and Polk County regulations for such structures. All exposed underpinnings of the M or M Homes shall be skirted with materials of the same type as the main building and painted with a matching color. All buildings constructed on the property shall be properly permitted as required by Polk County prior to construction commencing. Owners shall complete all building construction within a reasonable time frame.
3. Sanitary facilities. The Main Dwelling shall be equipped with a septic system which follows the laws, regulations and permitting of Polk County and the State of Texas for such systems.
4. Non-permanent structures. All structures or buildings located on the Property must rest on a permanent foundation which meets all applicable regulations ("Permanent Structure"). Structures such as temporary tents, or non-compliant mobile homes shall not be erected, maintained or used on the Property.
5. Outbuildings. Outbuildings shall be defined as Permanent Structures that are not attached to the Main Dwelling and shall be similar in construction and design to the Main Dwelling such as exterior paint color and scheme and must be located at least one hundred (100) feet from the front property line. Outbuildings of corrugated iron or other metal construction must be primed and painted in accordance with the above guidelines.
6. Perimeter fences. Perimeter fencing is limited to privacy and security purposes of the lot. Acceptable fence designs include the commonly accepted definitions for wooden vertical and horizontal board, split-rail, metal pipe, chain link and barbed-wire fencing. Hog or poultry, razor-wire, and corrugated metal fencing are expressly prohibited. The maximum

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permissible height of the fence line is 7 feet, and fence posts shall be no further apart than 1 rod (16 and 1/2').

7. Animals. Domestic livestock, such as horses, cattle and goats, are permitted on the Property if they are properly constrained and tended to by the Owner. The Property shall not be used for the commercial raising or feeding of hogs or poultry animals. Commercial dog kennels are not permitted on the Property.
8. Vehicles. Non-operational and recreational vehicles (including motor homes, 4/3-wheelers, travel trailers, motorcycles and other vehicles of similar recreational character) shall remain hidden from view from all points along the main subdivision road or located inside a Permanent Structure suited for the storage of such vehicle(s).
9. Architectural control. Seller shall have and maintain architectural control over any Permanent Structures to be located on the Property for the term of these restrictions as herein provided, and its decision in connection with the same shall be final and binding upon purchaser, its heirs, personal representatives, successors or assigns. Approval shall not be unreasonably withheld so long as the Permanent Structure to be located on the Property is complimentary in nature and meets reasonable standards in quality of materials, harmony of existing design and color as respect to existing Permanent Structures located in the Subdivision and the surrounding community within Polk County, Texas.
10. Maintenance. Regular maintenance is required for all improvements to the land. The exterior surfaces of all built structures, whether painted, stucco, stained or otherwise improved, must be kept in good condition. Any visible metal surfaces must be free of excessive rusting and deterioration. Areas visible from all roads shall remain free of clutter and debris, both natural and man-made. Burning of brush and vegetation, whether piled or not, is subject to all rules and regulations of Polk County.
11. Duration. These restrictions run with the land and are binding and effective until January 1, 2025 after which time said restrictions shall be automatically extended for successive 10 year periods unless and until terminated or changed by a recorded vote of a majority of the then-current owners of the subdivided property in the section or survey of which this property comprises a part.
12. Conveyances. At the time that the purchaser shall become entitled to a conveyance of all or part of such property covered by such contract, these restrictions shall be incorporated in such conveyance as covenants and restrictions running with the land.
13. Enforcements. If these restrictions and covenants are violated, Seller may at its option enforce any of the remedies provided in such contract. Other than as stated, violation of these restrictions will not cause title to such property to go back to Seller, but Seller may go to court and restrain any violation without proving irreparable damaged. Even if one or more of these restrictions is invalidated, the rest will continue in force.

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Signed and accepted as forming a part of the sales contract covering the property on the description attached hereto.

These Deed Restrictions are filed with the Polk County Clerk's office in Livingston, Texas.

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Ivis Del Carmen Pimienta Lopez Date

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Gustavo R. Morales Escalante Date

Assigned to:

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Kevin and Breeze Holman Date

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