

Declaration of Restrictive Covenants

Date: December 31, 2013

Declarant: HIDEOUT SPRING, LLC, a Texas limited liability company

Declarant's Address: 28615 IH-10 West, Boerne, Texas 78006

Benefitted Property: 2008.648 acres of land, more or less, being situated in Fayette County, Texas and being more particularly described by Exhibit "A" attached hereto and made a part hereof.

Declarant hereby declares that all of the Property shall be held, sold and conveyed subject to the following covenants, conditions and restrictions which are for the purpose of protecting the value and desirability of, and which shall run with the Property and shall be binding upon and inure to the benefit of Grantor and all parties having any right, title or interest in the Benefitted Property as herein defined, or any part thereof, and their heirs, executors, successors and assigns.

- (1) No mobile homes, house trailers, modular or other not-on-site manufactured homes or structures of any kind shall be permanently or temporarily placed or erected or otherwise permitted on any portion of the Property. A mobile home is a "mobile home" within the meaning of this restriction even if its wheels have been removed and the structure set in or on a permanent foundation or slab or if connected to water, electrical and other utilities. No multi-family dwellings of any kind, including apartments or condominiums, shall be erected or otherwise permitted on any portion of the Property.
- (2) There shall be no operation of a commercial business of any kind on any portion of the Property, with the exception of agricultural grazing or forage production. No poultry or swine operations will be permitted. No tower of any kind, including without limitation, radio, microwave, cellular telephone and television towers, shall be erected, maintained or permitted on any portion of the Property. Minerals including rock, gravel, sand, topsoil, caliche, and other substances which may be associated with and / or appurtenant to the surface interest of the property cannot be commercially mined.
- (3) No building or other structure of any kind shall be located on any portion of the Property nearer than 150 feet to any perimeter boundary line of the portion of the Property on which the building or structure is located.
- (4) No trash, garbage, construction debris, rubbish, abandoned or junk cars, or any refuse, including any hazardous or toxic substances may be dumped, disposed of or maintained on any portion of the Property. All trash, garbage or other waste shall be kept in a clean, sanitary and slightly condition and all containers shall be screened from view from adjoining landowners. No refuse shall be burned on any portion of the Property at any time except in accordance with the regulations of Fayette County, Texas. All trash, garbage and other refuse shall be removed from the Property and properly disposed of in the appropriate local landfill or other disposal facility.

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This document to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office.

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- (5) Although no fencing is required, all fencing must be Ranch Style in nature. No Chain Link, Razor Wire or Privacy Fencing of any kind will be permitted. All fencing along Entrance roadway to be maintained in good clean working condition. In addition, any fencing built along the main roadway must not be constructed within 45 foot of centerline of said roadway. Horse fencing consisting of split rail or pipe with net wire will be permitted.

Covenants Running with the Land. The provisions of this agreement will be deemed to be covenants running with the land that are for the benefit of, and create burdens on, the respective portions of the Benefitted Property described herein.

Binding Effect. This agreement binds, benefits, and may be enforced by the successors in interest to the parties.

Choice of Law. This agreement will be construed under the laws of the state of Texas, without regard to choice-of-law rules in any jurisdiction. Venue is in Fayette County, Texas.

Attorney's Fees. If any party retains an attorney to enforce this agreement, the party prevailing in litigation will be entitled to recover reasonable attorney's fees and court and other costs.

Severability. If any provision in this agreement is for any reason unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision of this agreement, and this agreement will be construed as if the unenforceable provision had never been a part of the agreement.

Remedies Cumulative. Except as otherwise provided herein, all rights, privileges, and remedies afforded the parties by this agreement will be deemed cumulative and not exclusive and the exercise of any remedy will not be deemed to be a waiver of any other right, remedy, or privilege provided for herein or available at law or in equity. It is expressly understood that a recovery in damages may not be an adequate remedy for a violation of the provisions of this agreement and that the granting of equitable remedies may, and probably will, be necessary.

Number and Gender. The use of the singular will be deemed to mean the plural, the masculine to mean the feminine or neuter, and the neuter to mean the masculine or feminine when context requires.

Captions. Captions used in this agreement are for convenience only and will not be considered as a limitation on or an expansion of the terms of the agreement.

Construction of Agreement. The terms and provisions of this agreement are the result of negotiation between the parties, each of which has been represented by counsel of its selection, and neither of which has acted under duress or compulsion, legal, economic, or otherwise. Consequently, the terms and provisions of this agreement will be interpreted and construed in accordance with their usual and customary meanings, and the parties expressly waive and disclaim any rule of law or procedure interpreting or construing this agreement otherwise, including, without limitation, any rule of law to the effect that ambiguous or conflicting terms or provisions in this agreement must be interpreted or construed against the party whose attorney prepared this agreement or any draft hereof.

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Time. Time is of the essence with respect to each covenant, agreement, and obligation of the parties set forth in this agreement.

EXECUTED this 31st day of December, 2013.

HIDEOUT SPRING, LLC, a Texas limited liability company



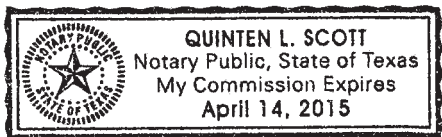
Harold T duPerier, III, Manager


STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on this 31st day of December, 2013, by Harold T. duPerier, III, Manager of HIDEOUT SPRING, LLC, a Texas limited liability company, on behalf of said company.

(Seal)





Notary Public, State of Texas

After Recording Return to:
Hideout Springs, LLC
28615 IH-10 West,
Boerne, Texas 78006

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JULIE KANOTEDT
COUNTY CLERK, FAYETTE COUNTY, TEXAS

Exhibit "A"
Legal Description

**JAMES E. GARON
& ASSOCIATES, INC.**
PROFESSIONAL LAND SURVEYORS

P.O. Box 1917
Bastrop, Texas 78602
512-303-4185
Fax 512-321-2107
jgaron@austin.rr.com

June 14, 2013

LEGAL DESCRIPTION: BEING A 2008.648 ACRE TRACT OF LAND LYING IN AND BEING SITUATED OUT OF THE MONTRAVILLE WOODS SURVEY, ABSTRACT 115 AND JAMES P. McFARLAND SURVEY, ABSTRACT 232, ALL IN FAYETTE COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN PROPERTY CONVEYED BY DEED OF INDEPENDENT CO-EXECUTRICES RECORDED IN VOLUME 1003, PAGE 88 OF THE OFFICIAL (DEED) RECORDS OF FAYETTE COUNTY, TEXAS; SAID 2008.648 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN JULY, 2008:

BEGINNING at a stone found for an ell corner of said McFarland Survey, the southeast corner of the Thomas Cochran Survey, Abstract 147 and the southeast corner of that certain 966.25 acre tract of land conveyed to Alexander 263, LTD by deed recorded in Volume 1251, Page 807 of said deed records;

THENCE N 00°00'00" E a distance of 4529.31 feet with the east line of said 966.25 acre tract and Cochran survey and west line of the McFarland and Woods Surveys to a petrified rock found for an ell corner hereof and the southwest corner of that certain 296 ½ acre tract of land conveyed to Melba Fay Young by deed recorded in Volume 1425, Page 632 of said deed records;

THENCE N 89°53'28" E a distance of 2985.39 feet to a rock pile found for an ell corner hereof and the southeast corner of said 296-½ acre tract;

THENCE N 00°04'01" W a distance of 3187.03 feet along the east line of said 296 ½ acre tract to an Iron rod set on the southerly right-of-way line of US Highway 71 as conveyed by deed recorded in Volume 649, Page 29 of said deed records for the northwesterly corner hereof;

THENCE with said right-of-way line the following four (4) calls:

- 1. S 63°41'55" E** a distance of 1270.80 feet to a concrete right-of-way monument found for an angle point;
- 2. S 64°56'13" E** a distance of 446.03 feet to a concrete right-of-way monument found for the beginning of a curve to the left;

Exhibit "A"
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June 14, 2013

3. an arc length of 951.02 feet along said curve to the left having a radius of 4532.26 feet and a chord bearing S 65°38'59" E, a distance of 949.27 feet to a concrete right-of-way monument found for endpoint;
4. S 71°39'39" E a distance of 867.95 feet to an iron rod set at the intersection with the west line of that certain 162.50 acre tract conveyed to Robert Ruckert by deed recorded in Volume 934, Page 355 of said deed records for the northeasterly corner hereof;

THENCE S 00°19'58" E a distance of 4219.07 feet to a 3/8" iron rod found on the common line of the Woods and McFarland Surveys for an ell corner hereof and the southwest corner of that certain 62.14 acre tract of land conveyed to George W. Blair, Jr. and Virginia Blair by deed recorded in Volume 1037, Page 717 of said deed records;

THENCE N 89°47'59" E a distance of 941.21 feet along said survey line to a 3/4" iron rod found for an ell corner hereof, the northeast corner of the McFarland Survey, the northwest corner of the David Berry Survey, Abstract 140 and that certain 10.00 acre tract of land conveyed to Ronald Johnson by deed recorded in Volume 996, Page 680 of said deed records;

THENCE S 00°18'41" W a distance of 5253.15 feet to a 1/2" iron rod with cap stamped "RPLS 4401" found for an ell corner hereof and the northeast corner of that certain 51.20 acre tract of land conveyed to Timothy J. Kosler by deed recorded in Volume 1380, Page 764 of said deed records;

THENCE N 89°23'29" W a distance of 2847.36 feet to an iron rod set for an ell corner hereof and the northwest corner of that certain 142.110 acre tract of land conveyed to Adolph J Matocha, Jr. and Helen B. Matocha by deed recorded in Volume 722, Page 195 of said deed records;

THENCE S 00°19'46" W a distance of 4120.24 feet to a fence corner post found on a northerly line of that certain 579 acre tract of land conveyed to Walter B. Van Wart by deed recorded in Volume 263, Page 33 of said deed records for the southeast corner hereof and an ell corner of said 142.110 acre tract;

THENCE N 89°28'08" W a distance of 3626.83 feet along said line to a fence corner post found for the southwest corner hereof and an ell corner of said 579 acre tract;

THENCE N 00°27'00" E a distance of 1977.14 feet to a fence corner post found for ell corner hereof and an ell corner of said 579 acre tract;

Exhibit "A"
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THENCE N 89°12'23" W a distance of 2293.37 feet to a point in the center of Cottonwood Branch for a corner hereof and that certain 743 acre tract of land conveyed to Walter B. Van Wart by deed recorded in Volume 308, Page 487 of said deed records;

THENCE with the meanders of said creek the following one hundred eighteen (118) calls:

1. N 41°13'34" W a distance of 65.89 feet;
2. N 04°33'23" E a distance of 50.94 feet;
3. N 48°28'03" E a distance of 49.00 feet;
4. N 01°46'31" W a distance of 36.56 feet;
5. N 22°47'35" E a distance of 88.40 feet;
6. N 04°23'37" W a distance of 61.83 feet;
7. N 54°03'47" W a distance of 80.95 feet;
8. N 18°40'06" W a distance of 59.40 feet;
9. N 58°16'02" E a distance of 46.00 feet;
10. S 62°54'38" E a distance of 59.91 feet;
11. S 73°19'42" E a distance of 52.79 feet;
12. N 63°04'24" E a distance of 147.92 feet;
13. N 03°07'45" W a distance of 43.26 feet;
14. N 61°06'34" W a distance of 181.57 feet;
15. N 85°03'32" W a distance of 103.57 feet;
16. N 15°31'18" W a distance of 30.17 feet;
17. N 52°01'32" W a distance of 123.65 feet;
18. N 03°41'45" W a distance of 85.35 feet;
19. N 60°07'42" W a distance of 50.81 feet;
20. N 16°31'27" W a distance of 46.63 feet;
21. N 30°29'06" E a distance of 50.11 feet;
22. N 61°55'07" E a distance of 52.63 feet;
23. N 22°03'29" E a distance of 57.98 feet;
24. N 11°43'49" W a distance of 55.79 feet;
25. N 58°07'23" W a distance of 92.67 feet;
26. N 50°30'53" E a distance of 111.03 feet;
27. S 56°41'03" E a distance of 88.24 feet;
28. N 77°31'47" E a distance of 33.40 feet;
29. N 32°49'29" E a distance of 32.68 feet;
30. N 10°23'39" W a distance of 65.15 feet;
31. N 47°16'50" W a distance of 49.26 feet;
32. N 12°35'40" W a distance of 109.40 feet;
33. N 29°26'32" W a distance of 146.74 feet;
34. N 09°25'48" W a distance of 30.28 feet;
35. N 36°50'26" E a distance of 127.04 feet;
36. N 11°19'05" E a distance of 218.15 feet;
37. N 25°30'53" W a distance of 103.94 feet;
38. N 19°54'33" E a distance of 65.57 feet;
39. N 08°25'44" E a distance of 115.92 feet;
40. N 05°51'50" W a distance of 82.76 feet;
41. N 29°00'10" W a distance of 58.76 feet;
42. N 84°18'04" W a distance of 104.63 feet;
43. N 10°25'31" W a distance of 108.01 feet;

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- 44. N 58°58'25" E a distance of 154.77 feet;
- 45. N 21°58'31" E a distance of 50.31 feet;
- 46. N 33°08'34" W a distance of 37.06 feet;
- 47. N 07°55'50" W a distance of 61.91 feet;
- 48. N 53°53'34" W a distance of 203.16 feet;
- 49. N 34°58'51" E a distance of 71.75 feet;
- 50. N 10°50'28" W a distance of 97.39 feet;
- 51. N 38°51'28" W a distance of 159.97 feet;
- 52. N 70°33'31" W a distance of 22.04 feet;
- 53. N 17°02'34" W a distance of 77.18 feet;
- 54. N 02°36'20" W a distance of 261.97 feet;
- 55. N 24°09'42" W a distance of 58.59 feet;
- 56. N 43°46'10" W a distance of 88.73 feet;
- 57. S 33°12'59" W a distance of 88.03 feet;
- 58. S 56°02'17" W a distance of 39.85 feet;
- 59. S 21°15'36" W a distance of 43.77 feet;
- 60. S 23°18'33" W a distance of 7.39 feet;
- 61. N 69°22'59" W a distance of 50.45 feet;
- 62. N 15°07'44" W a distance of 102.23 feet;
- 63. N 54°58'26" W a distance of 18.54 feet;
- 64. S 89°38'29" W a distance of 41.43 feet;
- 65. N 16°00'07" W a distance of 46.07 feet;
- 66. N 40°21'07" W a distance of 52.12 feet;
- 67. N 83°26'35" W a distance of 59.61 feet;
- 68. S 67°12'42" W a distance of 70.29 feet;
- 69. N 42°56'15" W a distance of 96.66 feet;
- 70. N 23°50'08" E a distance of 129.33 feet;
- 71. N 19°41'26" E a distance of 188.09 feet;
- 72. N 52°50'15" E a distance of 76.96 feet;
- 73. N 13°03'23" E a distance of 52.25 feet;
- 74. N 09°43'03" W a distance of 135.51 feet;
- 75. N 05°18'09" E a distance of 43.63 feet;
- 76. N 29°28'26" E a distance of 37.71 feet;
- 77. N 19°49'56" E a distance of 47.70 feet;
- 78. N 34°11'54" W a distance of 69.04 feet;
- 79. N 86°27'03" W a distance of 109.34 feet;
- 80. N 67°08'00" W a distance of 21.34 feet;
- 81. N 36°41'40" W a distance of 30.66 feet;
- 82. N 11°39'21" W a distance of 32.19 feet;
- 83. N 38°22'27" W a distance of 45.07 feet;
- 84. N 22°45'39" W a distance of 58.98 feet;
- 85. N 20°33'56" E a distance of 101.01 feet;
- 86. N 08°31'43" W a distance of 42.55 feet;
- 87. N 02°09'35" E a distance of 71.08 feet;
- 88. N 36°12'07" W a distance of 42.11 feet;
- 89. N 68°52'44" W a distance of 79.14 feet;
- 90. S 43°10'27" W a distance of 129.45 feet;
- 91. S 80°04'44" W a distance of 53.71 feet;
- 92. N 71°57'33" W a distance of 64.03 feet;
- 93. N 43°05'50" W a distance of 57.49 feet;
- 94. N 12°13'31" W a distance of 81.99 feet;

Exhibit "A"
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original on file and of record in my office.

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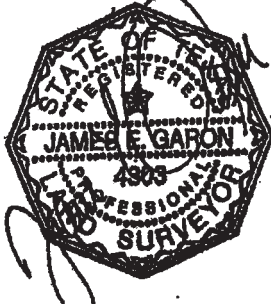
June 14, 2013

- 95. N 16°35'17" E a distance of 45.55 feet;
- 96. N 60°43'56" E a distance of 56.00 feet;
- 97. N 02°23'35" E a distance of 29.64 feet;
- 98. N 42°50'02" E a distance of 89.53 feet;
- 99. N 80°13'25" E a distance of 58.60 feet;
- 100. N 51°45'21" E a distance of 85.40 feet;
- 101. N 04°11'30" E a distance of 57.27 feet;
- 102. N 16°58'31" W a distance of 73.62 feet;
- 103. N 41°14'35" W a distance of 85.78 feet;
- 104. N 65°43'40" W a distance of 70.32 feet;
- 105. S 45°41'59" W a distance of 139.31 feet;
- 106. N 52°11'02" W a distance of 57.80 feet;
- 107. N 32°33'02" W a distance of 47.43 feet;
- 108. N 50°03'14" W a distance of 107.97 feet;
- 109. S 79°24'23" W a distance of 60.32 feet;
- 110. N 56°25'46" W a distance of 28.90 feet;
- 111. S 88°46'40" W a distance of 25.99 feet;
- 112. S 41°53'03" W a distance of 62.23 feet;
- 113. S 05°20'05" E a distance of 113.48 feet;
- 114. S 06°52'32" W a distance of 25.49 feet;
- 115. S 51°37'53" W a distance of 29.18 feet;
- 116. N 82°23'16" W a distance of 47.61 feet;
- 117. N 31°40'55" W a distance of 147.21 feet;
- 118. N 01°07'17" E a distance of 81.83 feet to a point at the intersection with the south line of said Cochran Survey;

THENCE S 89°43'02" E a distance of 3346.92 feet to the POINT OF BEGINNING, containing 2008.648 acres of land, more or less and as shown on map of survey prepared herewith.

Surveyed by:

January 02 2014 2:28 PM



STATE OF TEXAS COUNTY OF FAYETTE
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume and Page of the OFFICIAL RECORDS of Fayette County, Texas as stamped hereon above time.

JULIE KARSTEDT
COUNTY CLERK, FAYETTE COUNTY, TEXAS

James E. Garon
Registered Professional Land Surveyor

Stamps: 8 Page(s)

Server; co\Fayette\surveys\JP McFarland\B24108.doc

Exhibit "A"
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