

STATE OF TEXAS
COUNTY OF FAYETTE

copy

DEED RESTRICTIONS
OF
CLEAR LAKE PINES SUBDIVISION
SECTIONS 1, 2, 3 & 4

WHEREAS, Clear Lake Pines Maintenance Corporation is successor in interest to Clear Lake Pines, Inc. see untitled documents dated May 21, 1975, and recorded at Vol 481, Pages 204-206 and pages 207-209 and filed at the Fayette County Clerks dated May 23, 1975, and:

WHEREAS, on April 26, 2003, the Clear Lake Pines Maintenance Corporation Board of Directors, reviewed the amendments to the reservations/restrictions for Clear Lake Pines, Inc., as passed by 2/3 majority of the property owners at the duly conducted annual meeting in 2003. Motion was made and passed unanimously to amend the reservations, restrictions, and covenants recorded in the deed records of Fayette County, Texas at:

- Section One in Volume 425 Pages 217-220
- Section Two in Volume 427 Pages 441-444
- Section Three in Volume 440 Pages 288-289
- Section Four in Volume 462 Pages 937-940.

THEREFORE, LET IT BE KNOWN, that such restriction are hereby amended and incorporated and made a part of the restrictions as recorded in Exhibit "A" of above listed Clear Lake Pines, Inc., Reservations, Restrictions and Covenants, as follows:

- 1- The premises are conveyed and shall be used exclusively for residential purposes, except those lots designated as business or commercial areas on the recorded maps of Clear Lake Pines, and no more than one single-family dwelling house may be erected on each residential lot and shall not exceed two (2) stories in height. No building may be moved into Clear Lake Pines.
- 2- Plans for new construction of any kind must be submitted to the Clear Lake Pines Maintenance Corporation Board, hereafter referred to as "Board", for approval thirty (30) days prior to contractual obligation. In addition, a permit must be obtained for septic from the Fayette County Health Department.
- 3- Exterior of all building must be kept neat in appearance. All new construction must be completed in one hundred twenty (120) days from date construction begins. All building must be constructed entirely at the building site and shall be of materials that shall conform to the general appearance that prevails in the subdivision. No used materials may be used in any construction without written consent of the Board. No building or structure is permitted if the Board considers it to be detrimental to the development.
- 4- No exceptions to these covenants shall be permissible except as may be approved by the Board and then only on a case-by-case basis.
- 5- New dwellings must contain a minimum of 1200 square feet of living space, which includes all enclosed areas and screened porches. It does not include attached or unattached garages, carports, storage units or unattached additional living space.
- 6- No structure shall be constructed closer than twenty (20) feet from front property line of each lot. No structure will be permitted closer than five (5) feet from any property line side or rear.
- 7- No lot shall be re-subdivided.

- 8- Both prior to, and after the occupancy of a dwelling on any lot, the owner shall provide appropriate space for parking and no vehicle shall be parked on the street for more than a twenty four (24) hour period.
- 9- Easements are subject to the right to install and service electric lines, telephone lines, gas lines, water mains, sewer lines and drains along ten (10) feet of the front and five (5) feet of the back lines and sides of each lot; however, where an owner or two or more adjoining lots constructs a building which will cross over or through a said common lot line shall not be subject to the aforesaid side line easement. The right to construct said facilities shall also be retained on all street, rights of way, beaches or recreation areas.
- 10- No permanent outside toilets shall be allowed.
- 11- No waste shall be permitted to enter the lakes, and sanitary arrangements must comply with the Fayette County health laws and regulations.
- 12- No motors more than five (5) horsepower may be permitted on the lakes.
- 13- No skiing will be permitted on the lakes.
- 14- No trot lines or jug lines will be permitted on the lakes.
- 15- No animals except household pets shall be kept or maintained on said premises. No lot shall be used for the purpose of breeding any animals of any character. All animals susceptible to rabies must be vaccinated annually in accordance with state law. All animals must be maintained in such a way as to not infringe on the rights of other residents such as damaging or despoiling property, excessive barking, menacing or attacking persons.
- 16- Signs may be permitted for the sole purpose of directional, safety and for the sale of residential property. Any other signs must have approval by the Board and will be used on a temporary basis only.
- 17- The owner of each lot shall keep same clean and free of man made debris. Each lot must be maintained in a sanitary and healthful manner. Upon failure to do this the Board shall have the lot cleaned to meet the conditions stated in these restrictions. Costs shall be payable by the owner within thirty (30) days to Clear Lake Pines Maintenance Corporation.
- 18- No lot shall be used as a dumping ground for garbage or other refuse and all storage or disposal of such material shall be kept in a clean and sanitary condition and shall not be on public display except on pick-up days.
- 19- All unsightly vehicles, storage, accessories, parts or objects must be facilitated and protected from the view of the other residents of the subdivision and shall not be visible from the street.
- 20- No fireworks of any kind are allowed in Clear Lake Pines at any time.
- 21- No burning of any kind of material is allowed in Clear Lake Pines.
- 22- No noxious or offensive trade may be carried on upon any lot nor shall anything be done thereon which may be, or become, an annoyance to the neighbourhood.
- 23- Not structure of a temporary character, mobile home, travel trailer, bus, tent, shack, garage, barn or other out-building shall be used on any lot at any time as a residence.
- 24- Any and all types of fencing, boat decks, floats, or other structural improvements must be approved by the Board before erection of same can be commenced.
- 25- All recreational facilities at Clear Lake Pines are for the use of the property owners and their guests, when accompanied by property owner and are to be used at their own risk.

26- Any vehicle powered by an internal combustion engine using the roads of Clear Lake Pines must be licensed for use of roads.

27- Only licensed drivers are allowed to motorized vehicles on the roads of Clear Lake Pines.

28- The speed limit for all vehicles is 15 miles per hour on the roads of Clear Lake Pines.

29- No hunting or discharge of firearms are allowed within the boundaries of Clear Lake Pines.

30- These restrictions and covenants shall run with the land and may be changed or revoked by a majority vote of the members in Clear Lake Pines Maintenance Corporation with each member having one vote. Such restrictions and covenants shall apply to Section 1, 2, 3 & 4 of Clear Lake Pines and shall be binding on all owners, their heirs, assigns and successors.

31- The Corporation shall assess a maintenance fee per month against each property owner in the development. These fees are to be used to maintain the roads, lakes and community areas, and to pay other expenses including the cost of enforcing these restrictions by any proceedings at law or in equity. To secure payment of said maintenance fee Clear Lake Pines Maintenance Corporation is hereby granted a lien upon each lot to secure payment thereof.

32- The Board of Directors of Clear Lake Pines Maintenance Corporation shall from time to time review the needs of the property and subdivision to determine if the amount of maintenance fee is adequate to meet such needs. If it is determined that the maintenance fee is more or less than adequate, the Board may adjust the charge to meet such needs. The Board can never set such fee to increase more than 10% (ten) of the current maintenance fee and cannot increase more than one time within in a 12 twelve month period.

33- If any person shall violate or attempt to violate any of the restrictions or covenants herein, it shall be lawful for the Clear Lake Pines Maintenance Corporation or any other person(s) owning real property situated in the subdivision to prosecute any proceedings at law or in equity against the person(s) violating or attempting to violate any such covenants and either to prevent them from so doing or to recover damages or other dues from such violation.

Upon approval these restrictions will be recorded at the Fayette County Courthouse and will be enforced and become effective immediately. Any complaint from property owners in regard to violation of these restrictions must be submitted to the board in writing.

Election results, ballots and minutes pertaining to these restrictions are kept on file at the Clear Lake Pines Maintenance Board Office.

STATE OF TEXAS
County Clerk
I hereby certify that this instrument was FILED on the date and at the time specified herein by me and has duly RECORDED in the Volume and Page of the Indexed RECORDS of Fayette County, Texas as shown herein by me, on

CLEAR LAKE PINES, INC.

SEP 23 2003

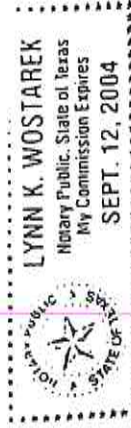


Lynn K. Wostarek
LYNN K. WOSTAREK
COUNTY CLERK, FAYETTE COUNTY, TEXAS

DON ATKINS
President

Don Atkins

This instrument was acknowledged before me on this the 19th day of September, 2003, by Don Atkins, President for the Clear Lake Pines Inc., a Texas corporation on behalf of said corporation.



\$17.00 Pd.

Filed by & Hand to:
Richard W. Schultze, Atty.

Lynn K. Wostarek
Lynn K. Wostarek
Notary Public State of Texas

FILED
2:15 P.M.
SEP 23 2003

Carolee Kuhn