

THE STATE OF TEXAS

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COUNTY OF FORT BEND

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RESTRICTIONS

WHEREAS, Vallie M. Teykl, Iris Nell Duesterhoff, Gilbert F. Duesterhoff, Louis Darrell Teykl, Brenda Teykl, Sally Ann Anderson, and Buddy Anderson are all the owners of the following described tract of land:

A 100.3983 acre tract of land in the H. & T. C. R.R. Company Survey, Section 23, Certificate No. 92, Abs. 217, Fort Bend County, Texas, being the same tract of land described in Deed from E. L. Light, et ux, to Louis Teykl, et ux, recorded in Vol. 224, Page 135, Fort Bend County Deed Records, to which refer in aid hereof, and being more fully described by field notes of Charlie Kalkomey, Registered Public Surveyor, on "Exhibit A" attached hereto and made a part hereof.

which has been partitioned by three Deeds of Partition as follows:

1. 3.00 acres of land deeded to Louis Darrell Teykl, by Deed of Partial Partition dated April 24, 1978, among Opal Teykl, et al, recorded in Vol. 771, Page 890 of Deed Records of Fort Bend County, Texas.
2. 1.6377 acres of land deeded to Iris Nell Duesterhoff and husband, Gilbert F. Duesterhoff, by Deed of Partial Partition dated April 5, 1998, among Opal Teykl, et al, recorded in County Clerk's File #FBC 9826603, 9 pages, Official Records of Fort Bend County, Texas.
3. Deed of Partition among Vallie M. Teykl, et al, dated March 3, 1999, of the 100.3983 acre tract of land described hereinabove, recorded in County Clerk's File #FTC 99 1999017506, 9 pages, Official Records of Fort Bend County, Texas.

WHEREAS, the undersigned owners are desirous of placing and publishing certain restrictions, limitations and conditions which shall apply to the above described property, and to any portions thereof in the manner as hereinafter provided as may hereafter be sold off, which restrictions, limitations and conditions shall relate to and affect the said 100.3983 acre tract of land described hereinabove, as hereinafter provided.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that we, Vallie M. Teykl, Iris Nell Duesterhoff, Gilbert F. Duesterhoff, Louis Darrell Teykl, Brenda Teykl,

Sally Ann Anderson, and Buddy Anderson, do hereby publish and set forth the following restrictions applicable to that certain 100.3983 acre tract described hereinabove and any portions thereof, and such conditions, limitations and restrictions are as follows:

1.

No part of the above described property shall ever be used for any other purpose other than single family residences during the term of these restrictions. All residences shall be of new construction. No tract shall be used for commercial or industrial purposes. This restriction shall be held and construed to exclude apartment houses, duplex houses and multiple family dwellings of any kind.

2.

No dwelling shall be erected on any tract less than one and one-half (1 ½) acre in size and no dwelling shall be erected on any tract containing less than one thousand eight hundred (1800) square feet of living floor area, exclusive of open porches, breezeways and attached garages. All such dwellings must be constructed of at least fifty-one (51%) percent brick or other masonry construction.

3.

Dogs, cats or other household pets, horses and livestock may be kept provided same are not kept, bred or maintained for any commercial purpose and same do not become an annoyance or nuisance to the neighborhood.

4.

No trailer, trailer house, basement, tent, shack, garage, garage apartment, barn, manufactured or prefabricated home or other outbuildings erected upon the above described property shall, at any time, be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

5.

No business, trade, or manufacturing shall ever be conducted, nor shall any noxious or offensive activity be carried on upon the above described property, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

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6.

No open or pit type toilets shall ever be constructed upon the above described property and all septic and sewage systems shall be constructed in accordance with the standards then approved by the governmental authority having jurisdiction of such matters, whether same be city, county or other governmental authorities.

7.

All owners of any portion of said 100.9383 acre tract shall keep all grass, weeds and brush cut so that property will have a neat and attractive appearance.

8.

Any house shall be set back a distance of forty (40) feet from the front property line.

9.

These restrictions are to run with the land and shall be binding on all parties and all persons claiming under them for a period ending January 1, 2040, after which time said restrictive covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners by acreage of all of said tracts in said 100.3983 acre tract has been recorded, agreeing to change said restrictive covenants in whole or in part.

10.

Each lot owner shall provide for an adequate culvert or other approved structure for drainage along the roadway or street in front of his lot, and said owner shall install and maintain said drainage structures.

11.

Enforcement of these restrictive covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any restriction, either to restrain violation or to prevent damages and it is hereby expressly provided and specified that any owner of any tract out of said 100.3983 acre tract or any group of owners shall have the right in himself or themselves to institute and prosecute a suit in the District Court of this county against anyone violating any of these restrictions.

The invalidation of any one of these restrictions by judgment or court order shall in no wise affect any of the other restrictions which shall remain in full force and effect.

WITNESS the execution hereof and signed for identification on this the 3rd day of MARCH, 1999.

Vallie M. Teykl  
Vallie M. Teykl

Iris Nell Dueterhoff  
Iris Nell Dueterhoff

Gilbert F. Dueterhoff  
Gilbert F. Dueterhoff

Louis Darrell Teykl  
Louis Darrell Teykl

Brenda Teykl  
Brenda Teykl

Sally Ann Anderson  
Sally Ann Anderson

Buddy Anderson  
Buddy Anderson

THE STATE OF TEXAS

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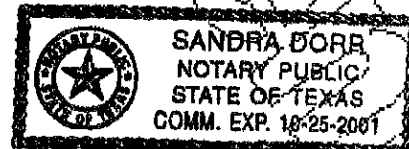
COUNTY OF FORT BEND

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 3rd day of March, 1999.

Sandra Dore  
NOTARY PUBLIC, STATE OF TEXAS



THE STATE OF TEXAS

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COUNTY OF FORT BEND

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 3rd day of March, 1999.

*Sandra Dorr*

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS

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COUNTY OF FORT BEND

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 3rd day of March, 1999.

*Sandra Dorr*

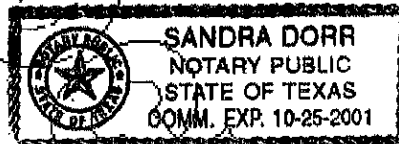
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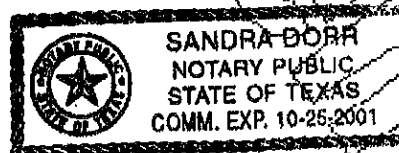


BEFORE ME, the undersigned authority, on this day personally appeared Louis Darrell Teykl, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 3rd day of March, 1999.

*Sandra Dorr*

NOTARY PUBLIC, STATE OF TEXAS



THE STATE OF TEXAS \*

COUNTY OF FORT BEND \*

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 3rd day of March, 1999.

*Sandra Dorr*

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS \*

COUNTY OF FORT BEND \*



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

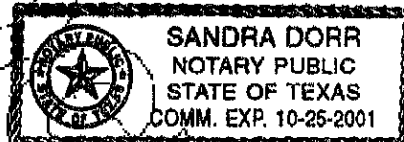
GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 3rd day of March, 1999.

*Sandra Dorr*

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS \*

COUNTY OF FORT BEND \*

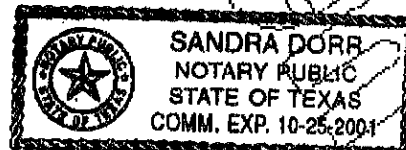


BEFORE ME, the undersigned authority, on this day personally appeared Buddy Anderson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 3rd day of March, 1999.

*Sandra Dorr*

NOTARY PUBLIC, STATE OF TEXAS



AS PER ORIGINAL

A 100.3983 acre tract of land out of the H. & T. C. R. R. Company Survey, Section 23, Certificate No. 92, Abstract 217, Fort Bend County, Texas, and being more particularly described by the field notes of Charlie Kalkomey, Registered Public Surveyor, as follows, to-wit:

BEGINNING at a two inch (2") iron pipe found in the centerline intersection of Baker Road and Williams School Road for the North corner and place of beginning of the herein described 100.3983 acre tract, same being the North corner of the H. & T. C. R. R. Company Survey Section 23;

THENCE South 45 degrees West along the Northwest line of the H. & T. C. R. R. Company Survey Section 23 as located in Williams School Road, 1916.44 feet to a 60-d spike set on said line for the West corner of the herein described 100.3983 acre tract;

THENCE South 45 degrees 05 minutes 15 seconds East along a line establishing the Southwest line of the herein described 100.3983 acre tract, at thirty (30) feet pass a one and one-fourth inch (1-1/4") iron pipe set on the Southeast line of Williams School Road, and continuing for a total distance of 2267.07 feet to a one and one-fourth inch (1-1/4") iron pipe set for the South corner of the herein described 100.3983 acre tract;

THENCE North 40 degrees 01 minute 12 seconds East along a fence line as located on the Southeast line of the herein described 100.3983 acre tract, at 1883.28 feet pass a one and one-fourth (1-1/4") iron pipe set on the Southwest line of Baker Road, and continuing for a total distance of 1913.28 feet to a 60-d spike set on the Northeast line of the H. & T. C. R. R. Company Survey, Section 23, as located in Baker Road, for the East corner of the herein described 100.3983 acre tract;

THENCE North 45 degrees 00 minutes West along the Northeast line of the H. & T. C. R. R. Company Survey Section 23, as located in Baker Road, 2301.12 feet to the PLACE OF BEGINNING and containing 100.3983 acres of land.

✓ AFTER RECORDING RETURN TO:

"Exhibit A"

Neal Kalinowski  
Attorney at Law  
1821 Mons Avenue,  
Rosenberg, Texas, 77471

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

*Dianne Wilson*

03-04-1999 11:24 AM 1999017507

CT \$21.50

DIANNE WILSON, COUNTY CLERK  
FORT BEND COUNTY, TEXAS

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