

Johnny W Ponton
3653 Skylark Way
Pearland, TX 77584
281 - 692 - 0427 home 281-384-4496 cell
Jwponton1@gmail.com

December 11, 2022

Sheri Sellers,

You will find attached to this e-mail;

1. Plat of subdivision showing lots 1, 2, 3; I still own lots 2 and 3
2. Deed restrictions P1145-2013082399-3 filed 7-30-2013 in Montgomery County Courthouse
3. Power of attorney 201 4040448 3 PAGES FILED IN Brazoria Co, TX 9-18-2014 giving J W Ponton power of attorney over his spouse Barbara
4. Letter from neighbors Doyle and Sandi Carver with their address and phone number. This property adjoins my lot 3 for about 164 ft where lot 3 runs into the railroad easement. Doyle Carver stated he purchased this 24 acre property for \$570,000.00 in January 2022. Property includes 8 acres with a 1940-1950 farmhouse on blocks with a large metal building between Jackson Rd and the railroad tracks and 16 acres of flood plain land over the railroad track adjoining Lake Creek.

J W Ponton



Deed Restrictions

STATE OF TEXAS }
COUNTY OF MONTGOMERY }

KNOW ALL MEN BY THESE PRESENTS :

That we, Johnny W. Ponton and Barbara M. Ponton, are the owners in Fee Simple of that certain tract and parcel of land situated in Montgomery County, Texas and known and described as follows :

Ponton's Lake, a Subdivision of a tract of land in the Noah Griffith Survey, A-16, according to the map and plat recorded March 12, 2007, file #2007-028947 of the Plat Records of Montgomery County, Texas, to which plat reference is here made for further description and all other appropriate purposes :

AND WHEREAS we desire to sell and convey various lots in said Subdivision to various persons, and desire that said subdivision shall be established as a restricted residential district and to place upon said lands certain restrictions, covenants, and conditions to the end that the values of said lands will be upheld and that the interests of the present and future owners of said lands will be protected :

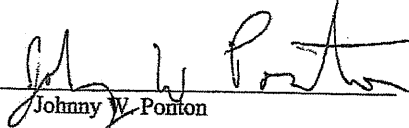
NOW THEREFORE, we do for ourselves, our heirs, executors, administrators, grantees and assigns, make, create, and place upon the afore described mentioned property and each and every part of every lot thereof, the following covenants, conditions and restrictions which shall run and be binding upon and against the said premises for a period of ten (10) years, after which said covenants shall be automatically extended for successive periods of ten (10) years, unless an instrument signed by a majority of the then owners of the lots within the said Subdivision has been recorded agreeing to change said covenants in whole or in part. For purposes of changing the restrictions the signatures or votes of the owners of two (2) separate lot owners shall suffice to change the restrictions. The signatures or votes of all the owners of each lot (whether ownership of lot is by one person or several persons) shall be considered one signature or vote to change the restrictions. Should a lot be re-platted each lot created by a re-plat shall have one vote.

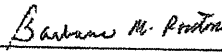
1. No part of said land above described shall be used or occupied for any purpose other than that of a private residence subdivision and shall be used and devoted solely to residential uses and purposes.
2. No house shall be erected within the Subdivision, or any lot thereof, that is less than 1425 square feet, exclusive of garages or porches. No apartments, duplexes, mobile homes, tents, shacks, or any temporary buildings or structures shall be placed or built upon said property. (Texas State Health Law requires 1 acre per dwelling with septic and public water; and 1.5 acres per dwelling with septic and a private well.)
3. No more than one single family dwelling, house, or residence shall be built per one and one-half (1 1/2) acres of lot space.
4. No building or house shall be located, built or situated on any lot or tract in the Subdivision closer than seventy (70) feet from the front lot boundary line with Jackson Road. No travel trailer, luggage or utility trailer, boat, tent, inoperative truck, auto or cycle or anything which may detract from the beauty of the surroundings may be stored closer than 90 feet from the front of the lot. Any vehicle not shown to move under its own power in a fourteen (14) period must be removed from subdivision unless it is kept inside an enclosed building in such a manner that said vehicle is not visible from Jackson Road or from the property owners on adjoining lots in the subdivision. No building shall be located closer than five (5) feet to an interior lot or boundary line, unless a greater interior setback from the property line is ordered by city, county or state law.
5. No lot shall be used as a dumping ground for rubbish, trash, garbage or other waste; and the same shall be kept in sanitary containers.
6. No noxious, offensive, or noisy activity shall be carried on or conducted on any of said property. No animals, poultry or livestock of any kind shall be raised, bred or kept on any portion of said property for trade or commercial purposes, it being understood that persons actually residing within the Subdivision may keep, breed and raise animals, livestock or poultry for their own personal use and enjoyment and that of their household. Dogs, cats and other household pets may be kept provided they are not kept, bred, or maintained for commercial purposes. It is further provided that under no circumstances shall any pigs or swine be kept or bred on any portion of this Subdivision.
7. No houses, mobile homes or other buildings shall be moved onto any of said lots. Any dwellings, houses, barns, garages or buildings built on said lots shall be of new construction and new materials and shall be constructed on site. Travel trailers may be stored (subject to other restrictions) but may not be used as a dwelling or residence either permanently or temporarily

unless the main residence constructed on that lot in the subdivision is destroyed by fire or storm, and then may be used as a dwelling only for a period of time not to exceed one (1) year to allow rebuilding of the main residence.

8. The discharge of firearms in the subdivision is forbidden; county and state law forbidding the same in subdivisions of Montgomery County where lots are smaller than ten (10) acres.

9. Enforcement of these covenants shall be proceedings at law or in equity against any person or persons violating or attempting to violate any covenant of these restrictions. The property owner or owners who shall incur court costs, attorney fees or other damages while attempting to restrain violation of the above listed covenants and restrictions shall be entitled to recover reasonable court costs, attorney fees and other damages incurred in enforcing these restrictions. The invalidity or illegality of any one or more of the above and foregoing covenants and restrictions shall not affect the other provisions, but the same shall remain of full force and effect.

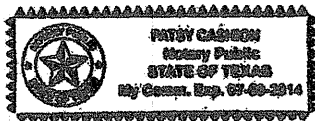

Johnny W. Ponton



Barbara M. Ponton

THE STATE OF TEXAS }
COUNTY OF BRAZORIA }

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Johnny W. Ponton and Barbara M. Ponton, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose therein expressed.

GIVEN UNDER MY HAND and seal of office this 30 day of July, 2013.




Notary Public in and for Brazoria, County, Texas

Return to:
Johnny Ponton
3653 Skylark way
Pearland, Tx 77584

FILED FOR RECORD

07/30/2013 2:18PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in file number
sequence on the date and at the time stamped herein
by me and was duly RECORDED in the Official Public
Records of Montgomery County, Texas.

07/30/2013



County Clerk
Montgomery County, Texas

STATUTORY DURABLE POWER OF ATTORNEY

I, Barbara M. Ponton, of 3653 Skylark Way, Pearland, Texas, 77584, appoint Johnny W Ponton, of 3653 Skylark Way, Pearland, Texas, 77584, as my agent to act for me in any lawful way with respect to all of the following powers that I have initialed below.

- (A) Real property transactions;
- (B) Tangible personal property transactions;
- (C) Stock and bond transactions;
- (D) Commodity and options transactions;
- (E) Banking and other financial institution transactions;
- (F) Business operating transactions;
- (G) Insurance and annuity transactions;
- (H) Estate, trust, and other beneficiary transactions;
- (I) Claims and litigation;
- (J) Personal and family maintenance;
- (K) Benefits from Social Security, Medicare, Medicaid, or other governmental programs or civil air military service;
- (L) Retirement plan transactions;
- (M) tax matters;
- (N) ALL OF THE POWERS LISTED IN (A) THROUGH (M).

I grant my agent (attorney-in-fact) the power to apply my property to make gifts to or for the benefit of a person, including by the exercise of a presently exercisable general power of appointment held by me, except that the amount of a gift to an individual may not exceed the amount all annual exclusions allowed from the federal gift tax for the calendar year of the gift.

Special instructions limiting or extending the powers granted to my agent.

I, Barbara M. Ponton, grant permission to my agent to sell real property on my behalf. Permission to my agent to sell my real property includes but is not limited to the following real property listed below by legal description, county and state where they are located.

1. S 810100 Ponton's Lake, Block 1, Lot 2, 1.5 acres, Montgomery County, Texas,
2. S 810100 Ponton's Lake, Block 1, Lot 3, 5.414 acres, Montgomery County, Texas.
3. Abst 3, Page 11, Lot 52, Semlac Mobile Home Subdivision, Galveston County, Texas
4. West Lea (80648 HT&B) Block 3, Lot 6, Brazoria County, Texas
5. AO 117 J A E Phelps, tract 3A1-3A1D, TVLB # 571-162087 21.56 acres, Brazoria County, Texas

(A) This power of attorney is not affected by my subsequent disability or incapacity.

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, photo-copy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded.

STEWART TITLE
1403938501-102

STATE OF TEXAS COUNTY OF BRAZORIA

I certify that the above and foregoing is a full, true and correct photographic copy of the original record on file in my office including redactions, if any, of social security numbers. Given under my hand and seal of the court in my lawful custody and possession.
JOYCE HUDMAN, BRAZORIA COUNTY CLERK

By Deputy

_____ (B) This power of attorney becomes effective upon my disability or incapacity.

I agree that any third party who receives a copy of this document may act under it. Revocation of the durable power of attorney is not effective as to a third party until the third party receives actual notice of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this power of attorney.

If any agent named by me dies, becomes legally disabled, resigns, or refuses to act, I name the following (each to act alone and successively, in the order named) as successors to that agent : Holly R. Thacker (my daughter) and Shirley Gardner (my sister).

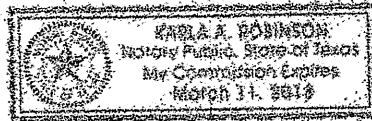
Signed this 23rd day of April, 2014.

Barbara M. Ponton
Barbara M Ponton

THE STATE OF TEXAS }
COUNTY OF HARRIS }

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Barbara M. Ponton, known to me to be the person whose names is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose therein expressed.

GIVEN UNDER MY HAND and seal of office this 23 day of April, 2014.



McKAR
Notary Public in and for HARRIS County, Texas

STATE OF TEXAS COUNTY OF BRAZORIA
I certify that the above and foregoing is a full, true and correct photographic copy of the original record on file in my office including redactions, if any, of social security numbers. Given under my hand and seal of the court in my lawful custody and possession.
JOYCE HUDMAN, BRAZORIA COUNTY CLERK

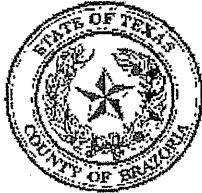
Joyce Hudman Deputy

FILED and RECORDED

Instrument Number: 2014040448

Filing and Recording Date: 09/18/2014 11:39:44 AM Pages: 3 Recording Fee: \$30.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in cursive script, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-megan

STATE OF TEXAS COUNTY OF BRAZORIA
I certify that the above and foregoing is a full, true and correct photographic copy of the original record on file in my office including redactions, if any, of social security numbers. Given under my hand and seal of the court in my lawful custody and possession.
JOYCE HUDMAN, BRAZORIA COUNTY CLERK

A handwritten signature in cursive script, appearing to read "Joyce Hudman".
Deputy

You are more than welcome to write us a letter if you do not wish to call.

Our address is:

Doyle & Sandi Carver
10015 Windriver Drive
Houston, TX 77070