

DEER GLEN WESTCOVENANTS & CONDITIONS

REAL PROPERTY RECORDS

8212583

A subdivision of 209.817 Acres in the T & N.O.R. Co. Survey, A-570, Montgomery County, Texas.

1. On home construction, plans must be approved by Seller before construction begins. Mobil homes will be allowed. They cannot be over five (5) years old without approval of Seller. Also, the front of the property must be left with trees, brush, etc. to give a wooded view of the home, or mobil. No temporary residence such as a tent, shack, old bus, etc. will be allowed.
2. All tracts in the subdivision shall be subject to a seventy five (75) foot front building line, and five (5) foot side and rear building line, excepting corner lot, which shall be subject to a side lot line facing side streets of at least 40'.
3. No unsightly or unsanitary conditions shall be allowed to exist on any lot or tract which in the opinion of the Seller shall detract from the overall attractiveness of the subdivision, and the Seller shall have the right to injunction and other remedies to prevent such conditions.
4. No trash, manure, garbage, or matter of debris of any kind shall be dumped on or permitted to accumulate on any lot. No junk or wrecked automobiles shall be permitted to remain on any lot.
5. No noxious or offensive activities shall be carried on upon any lot nor shall anything be done thereon which may become an annoyance or nuisance to the subdivision.
6. No timber larger than six (6) inches in diameter shall be sold or removed from any lot, except for home site and drive area, until it is paid for in full.
7. Seller, his successors or assigns reserves a fifteen (15) foot wide easement along all interior road rights-of-way for the purpose of installing, operating, and maintaining utility lines and mains thereon, together with the right to trim and/or cut or remove any trees and/or brush and the right to locate guy wires, braces and anchors wherever necessary; together with the right to install, operate and maintain gas lines, water wells and water lines and appurtenances, sewer lines, culverts, and drainage ditches, reserving the right of ingress and egress to such areas for any of the purposes mentioned above. Seller also reserves the right to cause or permit drainage of surface waters over and/or through said property. The owners of said lots shall have no cause of action against Seller either at law or in equity by reason of any damage caused said lots by installing or maintaining above mentioned installations.
8. If the owner of any lot or tract in this subdivision violates any of these restrictions it shall be lawful for the Seller or any individual or group of persons owning property in the subdivision to prosecute any proceedings at law in equity against such person or persons violating or attempting to violate any such covenant or restriction and either prevent him or them from so doing or to recover damages or other dues for such violation.
9. No business or commercial venture shall be permitted within the subdivision unless approved in writing in advance by the Seller. Rental or lease of any residence shall not be considered a commercial venture hereunder.
10. All livestock, poultry, etc. must be kept fenced and at least seventy-five (75) feet from the front property line, unless otherwise approved by Seller.
11. Notices hereunder shall personally be delivered in writing or mailed to Seller at its address below or at the address of the property covered by this contract, or such other address as the parties designate in writing to each other.
12. These covenants and conditions can only be changed if approved in advance in writing by Tom A. Martin, Trustee, his heirs, or assigns.

ORIGINAL DIM

Tom A. Martin
Deer Glen West
Tom A. Martin, Trustee

Mirco Poley
NOTARY IN AND FOR MONTGOMERY
COUNTY, TEXAS
EXPIRES: 12-5-72

RECORDERS MEMORANDUM
ALL BLACKOUTS, ADDITIONS AND
CHANGES WERE PRESENT AT THE TIME
THE INSTRUMENT WAS FILED AND RE-
CORDED.



124-01-0881

POST OFFICE BOX 1301
CONROE, TEXAS 77301

JOHN McGAUCHY
756-5266

December 28, 1981

VERA BRUMLEY
756-5205

FIELD NOTES

209.817 ACRES OF LAND IN THE T. & N. O. R. R. CO.
SUR., A-570, MONTGOMERY COUNTY, TEXAS, AND BEING
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a Concrete Monument for the southeast corner of the herein described tract, and being the southeast corner of that certain 454.97 acre tract described in Vol. 464, Page 91, of the deed records of Montgomery County, also being the southeast corner of the T. & N. O. R. R. Co. Sur., A-570;

THENCE S. $89^{\circ}38'50''$ W., with the south line of said 454.97 acre tract and the south line of said T. & N. O. R. R. Co. Survey, a distance of 4,127.12 feet to a Concrete Monument at the southeast corner of that certain 10.0 acre tract described in Vol. 56, Page 355, of the deed records of Montgomery County, for the south west corner of the herein described tract;

THENCE N. $0^{\circ}35'27''$ W., with the east line of said 10.0 acre tract, a distance of 431.16 feet to a 1/2" Iron Rod in the east line of the proposed Old Houston Road, 120 feet in width, for an Angle Point;

THENCE N. $6^{\circ}49'54''$ E., with said east line, a distance of 178.47 feet to a 1/2" Iron Rod at a Point of Curvature;

THENCE Northerly, continuing with said east line having a curve to the left with a Radius of 5,962.92 feet through a Central Angle of $4^{\circ}51'01''$, a distance of 504.78 feet to a 1/2" Iron Rod at a Point of Tangency;

THENCE N. $1^{\circ}58'53''$ E., continuing with said east line, a distance of 1,030.41 feet to a 1/2" Iron Rod at a Point of Curvature;

THENCE Northerly, continuing with said east line having a curve to the right with a Radius of 2,208.35 feet through a Central Angle of $2^{\circ}41'01''$, a distance of 103.43 feet to a point for the northwest corner of the herein described tract;

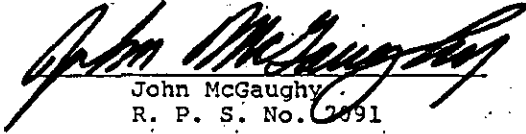
THENCE N. $89^{\circ}38'50''$ E., a distance of 4,016.21 feet to a point in the lower east line of the T. & N. O. R. R. Co. Sur., A-570, the west line of the Duncan McIntyre Sur., A-386 and the west line of that certain 91.8 acre tract described in Vol. 130, Page 256, of the deed records of Montgomery County, for the northeast corner of the herein described tract;

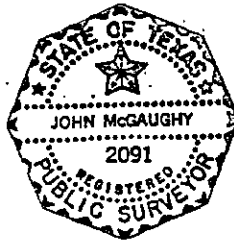
124-01-0882

209.817 acres of land in the T. & N. O. R. R. Co. Sur., A-570,
Montgomery County, Texas (cont.)
December 28, 1981

THENCE S.0°20'04"E., with said common line, a distance of
1,253.84 feet to a Concrete Monument for an Angle Point;

THENCE S.0°22'17"E., continuing with said common line, at
690.14 feet pass a 1" Iron Pipe at the southwest corner of said
91.8 acre tract and the northwest corner of that certain 21.3
acre tract described in Vol. 128, Page 588, of the deed records
of Montgomery County, continuing in all a distance of 990.04 feet
to the place of BEGINNING, and containing 209.817 acres of land.


John McGaughy
R. P. S. No. 2091

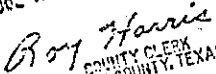


STATE OF TEXAS
COUNTY OF MONTGOMERY
I hereby certify that this instrument was filed
in File Number Sequence on the date and at the
time stamped hereon by me and was duly RECORDED.
In the official Public Records of Real Property of
Montgomery County, Texas.

APR 5 1982




COUNTY CLERK,
MONTGOMERY COUNTY, TEXAS

FILED FOR RECORD
1982 APR -5 PM 2:27

COUNTY CLERK,
MONTGOMERY COUNTY, TEXAS