

9/3/2008

RESTRICTIONS Pertaining to GOLDEN ACRES

I

All of the above described property shall be known and described as residential property, and no structure shall be erected, altered, placed or permitted to remain on said property other than one detached single family dwelling, having accommodations and occupied or to be occupied only by one family, together with other usual and customary accessory buildings. None of said lots shall ever be used for business purposes only.

II

Each dwelling house shall contain a minimum of one thousand (1000) square feet of floor space, exclusive of carports and garages. Residential structures must be constructed entirely at the building site. Factory built homes as defined in section VII are only allowed on the lots designated in Section XXII. All homes shall be finished with brick, masonry, Austin stone, lumber or comparable material. Outside materials for pitched roofs shall be asphalt shingles or equivalent material. Out buildings of the material described above may be placed or built on lots with an existing home. Painted steel or painted aluminum storage buildings may be placed on residential lots that have a home constructed upon it but no corrugated or unpainted metal buildings may be placed on any residential lot.

III

No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. No lot shall be used or maintained as a dumping ground for rubbish or inoperable vehicles. Trash, garbage, or waste material shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition.

IV

No nonresidential structure, trailer, bus, tent, shack, garage, barn or other out-building shall be used on any lot at any time as a residence, either temporarily or permanently.

V

No residential lot shall be subdivided without the approval of the Board of Directors of the Association. However, should any two owners so elect, they may acquire any lot between and contiguous to their lots and divide said lot between themselves in any proportions they may elect, and thereafter the portion acquired by each shall be deemed and considered for all purposes as a part of the lot then owned by each of them. The purpose of this provision is to allow Owners to enlarge the size of their lots by acquiring an intervening and contiguous lot and dividing it between themselves so as to enlarge their lots. The acreage of Blocks 12, 13, 14, and 16 can be subdivided into residential lots but no lot can be less than 12,000 square feet.

VI

No residence, including carport and/or garage, shall be located on any lot nearer than twenty (20) feet to the road lot line or any nearer than six (6) feet to the side lot line of any lot. All other buildings are considered outbuildings and none shall be constructed nearer than thirty (30) feet to the road lot line nor nearer than six (6) feet to the side lot line. In the event of common ownership of more than one lot and the residence is on more than one lot, the combined area of the lots containing the home shall be considered as one lot. Outbuildings may not be placed upon a lot unless there is a residence constructed upon it or it adjoins a lot with a residence upon it with common ownership.

VII

Factory built housing is defined to be any structure built in a factory or other off premises construction facility and is transported and assembled if necessary at its installation site. Factory built homes include but are not limited to manufactured homes (previously called mobile homes) and modular homes and are allowed only on the lots designated in section XXII of these restrictions. The factory built homes which are authorized under this paragraph are primarily designed for residential purposes and are not intended to be used as a vehicle for transporting persons or property. No factory built home shall be placed on any lot not designated as a mobile or factory built home area. Factory built homes which are moved onto any lot herein designated must be less than 2 years old and be a minimum of forty (40) feet in length and must be approved by the Board of Directors of the Association. Factory built homes which are moved onto the permitted lots must be completely skirted within sixty (60) days after they are placed on said lot, with no wheels, piers or piling exposed to view.

VIII

No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot except that dogs, cats or household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose.

IX

No signs, billboards, posters or advertising devices for any purpose shall be erected on any lot or plot except for a standard real estate For Sale sign that may be placed if it does not exceed sixteen (16) inches by twenty-four (24) inches in dimension.

X

The roads in the subdivision are the property of the Golden Acres lot owners, who make up the Golden Acres Lot Owners Association (GALOA), who elect their own officers, and collect such sum or sums as they deem appropriate for maintenance and improvements for such roads. A portion of the maintenance fee can be used for the purpose of maintaining and improving the boat ramps, piers, parks and other facilities owned by GALOA.

XI

All buildings and structures shall be neat in appearance and all residences must be completed on the exterior within one hundred and twenty (120) days from the beginning date of construction. The Golden Acres Board of Directors must approve all house plans, including additions. All house plans must be submitted to the Board of Directors for approval prior to the beginning of construction.

XII

Owners retain an easement five (5) feet in width along the perimeter of the lots to be used for utilities. The exact location of utility lines is to be decided by the utility company.

XIII

The owners of each lot shall keep the same free of weeds and debris. Upon failure to do this, the Golden Acres Lot Owners may have the lot cleaned and the cost or expense thereof shall be payable by the appropriate owner to the Golden Acres Lot Owners Association

XIV

No dwelling shall have outside toilet facilities but shall have a septic tank installed in accordance with the specifications and regulations of the State Department of Health of the State of Texas and the Houston County Lake Authority. Should a sewer system be built which could serve any owner, he may use the septic tank above mentioned or connect with the sewer system.

XV

These restrictions are covenants to run with the land and shall be binding upon all parties under them until same have been altered, changed, amended or revoked in whole or in part by the petition of the owners of at least sixty percent (60%) of the lots in the subdivision.

XVI

If any owner shall violate or attempt to violate any of the covenants and restrictions herein contained, GALOA or the Owner of any lot shown upon such plat shall be entitled to enforce these restrictions in law or in equity, and to restrain violation or threatening violation and to recover damage for any violation.

XVII

The invalidation of any of these covenants or restrictions by judgment or court order shall in nowise affect any of the covenants or restrictions herein contained, which shall remain in full force and effect.

XVIII

All utility lines shall be placed in the streets adjacent to the lot lines at the location directed by the Lot Owner Association.

XIX

All of the roads and streets on the plat of this subdivision are not dedicated to any public use, but these are and shall remain the property of the Golden Acres Lot Owners Association.

XX

This subdivision is part of the tract 191.11 acres on the Ramon de la Garza Eleven League Grant, Abstract No. 33, in Houston County, Texas, conveyed to Ira Rials and Troy F. Jones by B. E. Dailey et ux by deed now appearing of record in Book 463, page 164, Houston County Deed Records, and no hunting shall be allowed upon such 191.11 acres tract.

XXI

The plat of Golden Acres Subdivision shows roads, streets and parks. None of these are dedicated to any public use but are reserved for exclusive use of the lot Owners.

XXII

Lots have been designated for factory built homes as follows Lots Five (5) and Six (6) in Block Four (4); Lots Nine (9) and Ten (10) in Block Six (6); Lots One (1) through Ten (10) inclusive in Block Seven (7); All lots of Block Fifteen (15) except lots Twenty-two (22) through Twenty-nine (29), inclusive; and Lots Twenty-six (26) through Thirty-two (32) inclusive, of Block Sixteen (16)

BYLAWS

OF

GOLDEN ACRES LOT OWNERS ASSOCIATION

A NON-PROFIT CORPORATION

AMENDED OCTOBER 3, 1992

ARTICLE I. OFFICES

1.1 Principal Office

The Principal office of the Corporation in the State of Texas shall be located at the residence of the current president of the Lot Owners Association. The mailing address shall read: Route 3, Box 851, Crockett, Texas 75835.

1.2 Other Offices

The Corporation may have such other offices as the Board of Directors may determine or as the affairs of the Corporation may require.

ARTICLE II. MEMBERS

2.1 Qualifications

The members of the Corporation shall consist of all owners, including developers, of a fee title to a lot, or of an equitable title when purchasing under a contract, in the Golden Acres Subdivision.

2.2 Voting Rights

Each lot, as shown on the plat of Golden Acres Subdivision recorded in Volume 1 at Page 200 of the Deed Records of Houston County, Texas, shall be entitled to one vote, provided, however, that where more than one person holds such interest or interest in any lot, all such persons shall be members and the vote for such lot shall be exercised as they may among themselves determine, but in no event shall more than one vote be cast with respect to any lot. Provided, however, that regardless of the number of lots the developer may own, such developer shall not cast a number of votes in excess of the aggregate, less one, of the number of votes available to all other members of the Corporation.

2.3 Transfer of Membership

Membership in the Association is transferable only upon submission to the Secretary of the Corporation of copies of deeds or assignments of contract by the new owner.

ARTICLE III. MEETINGS

3.1 Annual Meeting

An Annual meeting of the members of the Golden Acres Lot Owners Association shall be held annually as determined by the majority of the members present at the previous meeting. The purpose of the meeting shall be to elect officers and directors as well as conducting business relative to the operation of Golden Acres Subdivision.

An annual notice of such meeting shall be mailed to each lot owner 30 days in advance to formulate personal plans.

3.2 Special Meetings

Special meetings may be called by the President or a majority of the Board of Directors.

3.3 Notice of Meetings

The Board of Directors may, upon ten (10) days notice, designate a different time and place for the annual meeting. The membership shall be notified at least ten (10) days in advance regarding the time and place of all special meetings of the membership,

3.4 Quorum

The members holding ten per cent (10%) of the votes that may be cast, personally or by proxy, at any meeting shall constitute a quorum at such meeting.

3.5 Proxies

At any meeting of members, a member entitled to vote may vote by proxy executed in writing by the member or by his duly authorized attorney in fact. No proxy shall be valid for more than eleven (11) months from the date of its execution, unless otherwise provided in the proxy. Cumulative voting for directors shall not be permitted.

ARTICLE IV. BOARD OF DIRECTORS

4.1 General Powers, Qualifications, Number and Tenure

The affairs of the Corporation shall be managed by its Board of Directors. All board members shall be members of the Corporation. The number of Directors shall be seven (7). The term of office of a Director shall be three (3) years. The initial Board of Directors shall be elected at the first annual meeting and shall draw by lot for their initial term as follows: Three (3) Directors for one (1) year terms, two (2) Directors for two (2) year terms, and two (2) Directors for three (3) year terms.

Board members shall be members in good standing (dues paid to date) and must reside in Golden Acres for a minimum of sixteen (16) days per month for a twelve (12) month period.

4.2 Regular and Special Meetings

A regular annual meeting of the Board of Directors shall be held without other notice than this Bylaw, immediately following the annual meeting of members. Special meetings of the Board of Directors may be called by the President or any two (2) members of the Board of Directors. Notice of special meetings of the Directors may be given in person, by mail or by telephone.

4.3 Quorum

A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

4.4 Vacancies and Compensation

Any vacancy occurring in the Board of Directors shall be filled by the affirmative vote of a majority of the remaining Directors, though less than a quorum of the Board of Directors. A Director elected in this manner shall be elected for the unexpired term of his predecessor. Directors shall receive no compensation for their services.

4.5 Loss of Property

The Board of Directors shall not be liable or responsible for the destruction or the loss of or damage to the property of any member or the guest of any member, or visitor, or other person.

4.6 Building and Grounds Committee

The Board of Directors shall constitute the Building and Grounds Committee and shall be responsible for approving all house plans and provisions of Article 13 and 15 of the Restrictions pertaining to Golden Acres Subdivision. The Board of Directors may request council from our existing membership should they so desire.

ARTICLE V. OFFICERS

5.1 Officers

The Officers of the Corporation shall consist of a President, Vice President and Secretary/Treasurer. The Officers shall constitute the executive committee.

All Officers including Board Members shall be elected by the members of the Golden Acres Lot Owners Association at the annual meeting. The Board of Directors may designate such powers as they deem necessary and proper to the executive committee.

5.2 Term of Office, Removal and Vacancies

The term of office of the President, Vice President and Secretary/Treasurer shall be one (1) year, provided, however, that any officer may be re-elected for additional terms without limitation. Any officer may be removed by a majority vote of the Board of Directors when, in the Board's judgment, the best interest of the Corporation would be served thereby. Any vacancy shall be filled by majority vote of the Board of Directors.

5.3 President

The President shall be the principal executive Officer of the Corporation and shall, in general, supervise and control all of the business and affairs of the Corporation. He shall preside at all meetings of the members and of the Board of Directors. He may sign, with the Secretary or any other proper Officer of the Corporation authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments that the Board of Directors or by these By Laws or by statute to some other Officer or agent of the Corporation; and, in general, he shall perform all duties incident to the office of president and such other duties as may be prescribed by the Board of Directors from time to time.

5.4 Vice President

In the absence of the President or in event of his inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions of the President. Any Vice President shall perform such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

5.5 Secretary/Treasurer

The Secretary/Treasurer shall keep the minutes of the meetings of the members and of the Board of Directors in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of these By Laws or as required by law; be custodian of the Corporate records and of the seal of the Corporation and see that the seal of the Corporation is affixed to all documents, the execution of which on behalf of the Corporation under its seal is duly authorized in accordance with the provisions of these By Laws; keep a register of the post office address of each member which shall be furnished to the Secretary by such member; and in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him by the President or by the Board Of Directors. If required by the Board of Directors, the Secretary/Treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine. He shall have charge and custody of and be responsible for all funds and securities of the Corporation; receive and give receipts for monies due and payable to the Corporation from any source whatsoever, and deposit all such monies in the name of the Corporation in such banks, trust companies, or other depositories as shall be selected by the Board of Directors. and, in general, perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him by the President or the Board of Directors.

ARTICLE VI. MAINTENANCE CHARGES

6.1 Assessment

The Board of Directors shall have the right and power to subject the lots in the Subdivision to the maintenance charges provided in the restrictions pertaining to the Golden Acres Subdivision. The Board shall have the right and power to subject the lots to such further charges as may be approved by a majority of the membership of the Association at a meeting when a quorum is present.

6.2 Due Date

All Maintenance charges shall be due and payable on or before the 31st of July, of each calendar year.

Outstanding past dues prior to 1992 shall be assessed 10% interest charge and subject to Small Claims Court action.

In addition, dues not paid by 31 July (regardless of the amount) shall be subject to Small Claims Court action. The dues will then be increased to cover Small Claims Court fees.

Hardship cases or extenuating circumstances regarding paymnet shall be presented to the Board of Directors for review.

6.3 Use of Funds

The Maintenance Fund shall be used to provide care and maintenance for all roads, parks and other common areas and facilities in the Golden Acres Subdivision on Houston County Lake in Houston County, Texas, to provide for the general sanitation and cleanliness of all common areas; to provide for the maintenance of drainage and upkeep of all areas owned by the Lot Owners Association, such as landscaping and control of weeds and debris; to maintain and control the use of roads, bicycle, walk and jog trails; to enforce the recorded restrictions relating to the Subdivision; and to conduct or provide other unrelated activities in the Subdivision for the mutual benefit of the lot owners. The maintenance fund shall be used exclusively for non-profit purposes and no part of such funds shall be used for the benefit of any private member, or to be used for any activity which would disqualify the Corporation from non-profit status.

6.4 Paving

All new paving of streets to the Subdivision shall be financed by paving assessments on the lot owners adjoining the property line of the road to be paved. All paving shall be initiated by a petition and proposal of the lot owners adjoining the property line of the proposed paving project. All paving proposals shall be approved by the Board of Directors and financed by the lot owners signing a petition. The Board of Directors shall be responsible for ensuring that the project is of sufficient quality to prevent undue maintenance costs on the paved roads. No portion of the general maintenance fund shall be used for the purpose of new paving.

The general maintenance fund shall be used for the purpose of repairing and maintaining all roads, paved or otherwise, in the Subdivision.

6.5 Liens

The Golden Acres Lot Owners Association shall have a lien on all the lots in the Golden Acres Subdivision to secure the payment of maintenance charges due and to become due, and record owners of such lots shall be personally liable for all maintenance charges. Upon demand, the Corporation shall furnish any owner or mortgagee or other interested party a statement showing the unpaid maintenance charges against any lot or lots. The Corporation may, in its discretion, subordinate in writing, for limited periods of time, the liens of the Corporation against any lot or lots for the benefit of a mortgagee.

ARTICLE VII. MISCELLANEOUS

7.1 Books and Records

The Corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members and Board of Directors. All books and records may be inspected by any member, or his agent or attorney, for any proper purpose at any reasonable time.

ARTICLE VIII. AMENDMENT

8.1 Power of Members

The By Laws of this Corporation may be amended by a majority of the members present at a meeting at which a quorum is present.

These By Laws were unanimously approved by all members in attendance at the October 3, 1992 annual Golden Acres Lot Owners Association meeting.

The above amended By Laws are on file at the County Court House.