

W A T E R W O N D E R L A N D

RESTRICTIONS AND AMENDMENT

RESTRICTIONS

For the purpose of setting forth a substantially uniform plan of development, Grantor and Grantee do hereby covenant and provide that they, their successors and assigns, and all parties holding title by, through and under them, shall hold such lands subject to the following restrictions running with the land, and shall run in favor of and be enforceable by any person who shall hereafter own any of the said tracts of land above described.

Section 1. General Provisions:

1. These covenants are to run with the land and shall be binding upon all the parties and all persons claiming under them until June 1, 1991, at which time 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 tracts has been recorded, agreeing to change said covenants in whole or in part. If the parties hereto, or any of them, or their heirs, successors and assigns shall violate or attempt to violate any of the covenants herein it shall be lawful for the undersigned, Grantor or Grantee, their successors or assigns to enter and abate such violation without liability, or their successors or assigns, and any other persons owning any real property situated in said resort shall have the right to prosecute any proceeding at law or equity against the person or persons violating or attempting to violate such restrictions, and either to prevent them from doing, or to cause to be removed such violation, or to recover damages for such violation.

2. The violation of any restriction or covenant herein shall not operate to invalidate any mortgage, deed of trust, or other lien acquired and held in good faith against said property or any part thereof, but such liens may be enforced against any and all property covered thereby, subject nevertheless to the restrictions herein.

3. If any one of such restrictions shall be held to be invalid or for any reason is not enforced, none of the others shall be affected or impaired thereby, but shall remain in full force and effect.

Section 11. Architectural Committee:

1. No building shall be erected, placed or altered on any building tract in this Resort until the plans, specifications and plot plan showing the location of such building has been approved in writing as to conformity and harmony of external design with existing structures in the Resort, and as to location with respect to topography and finished ground elevation by a majority of the Architectural Committee composed of Lewis Tyra, W. M. Schmuck and Joe F. Wheat, or by a representative designated by a majority of the members of the said committee. In the event of death or resignation of any member of said Committee, the remaining member or members shall have full authority to appoint a successor or successors with full authority; or, in any event, if no alterations have been commenced prior to the completion

thereof, such approval will not be required and this covenant shall be deemed to have been complied with. Neither the members of such Committee nor its designated representatives shall be entitled to any compensation for services performed pursuant to this covenant.

Section III. Water and Sewage:

1. No outside privies or toilets shall be permitted in this Resort. All toilets shall be inside the houses and prior to occupancy the same shall be connected to a sewage disposal system or a septic tank at the expense of the person building on the building tract, and such septic tank shall have a field line and shall be constructed and maintained in accordance with the requirements of the State Health Officer of Harris County, Texas or other governmental authority having jurisdiction, and shall be subject to the inspection and approval of such authorities.

Section IV. Other:

1. No tract shall be used except for residential purposes, except that Tract Nos. 1, 2, 6, 121, 122, 243, 259, 271, and 272 may be used for any legal purpose. The term "residential purposes", as used herein shall be held and construed to exclude hospitals, clinics, duplex houses, apartment houses, boarding houses, hotels, and to exclude all commercial and professional uses whether from homes or otherwise, and all such uses of said property are hereby expressly prohibited. No building shall be erected, altered, placed or permitted to remain on any residence tract other than one single family dwelling not to exceed one and one-half stories in height and a private garage for not more than two cars.

2. No residence shall be located on any tract nearer than 25 feet to the front line, nor nearer than 5 feet to any side street line, nor nearer than 20 feet from the rear lot line, nor nearer than 5 feet from any side line, except as may be herein specified to the contrary; and the following building set back lines shall govern the specific tracts indicated.

3. No noxious or offensive activity shall be carried on upon any tract or shall anything be done thereon which may be an annoyance or nuisance to the neighborhood.

4. No structure of a temporary character, trailer, basement, shack, garage, barn, or other outbuilding shall be used on any tract at any time as a residence either temporarily or permanently, except that owners themselves may camp on their own lot for week ends or summer vacations not to exceed one month and except first class trailer houses may be used as residences on these tracts provided the trailer house is approved by the Architectural Control Committee. However, in no event shall there be more than one trailer house to a tract nor shall there be a trailer house parked more than two weeks a year on any tract that contains a house.

5. No residential structure shall be placed on a residential tract unless its living area has a minimum of 600 square feet of floor area excluding porches and garages.

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

7. No sign of any kind shall be displayed to the public view except one sign of not more than five square feet, advertising the property for sale, or rent, or signs used by the builders to advertise the property during the construction and sales period.

8. No tract shall be used or maintained as a dumping ground for rubbish, trash, garbage or other wastes. Garbage and waste 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.

9. All residences shall be completed within six months from date of beginning construction unless such period is extended in writing by Architectural Committee. Exteriors must be completed within Ninety (90) days.

10. No boat docks, piers, boat houses, boat storage sheds, slips, pilings or rip rap shall be constructed, placed or excavated until plans and specifications have been approved in writing by the Architectural Committee.

11. All driveways shall connect to roads over culvert pipe of ample size to permit adequate flow of water through the road ditches or if a bridge is used it shall be of sufficient height to permit free flow of water under it. These bridges or culvert pipes shall be approved by the Architectural Control Committee prior to installation.

12. All tract owners shall pay to Grantor, its successors and assigns \$18.00 per year, payable on the first day of January of each year, to be used by it for the upkeep and maintenance of roads, easements, parks and boat launching ramps; and this charge shall be secured by a vendor's lien which is hereby retained; but such lien shall be inferior and subordinate to any bona fide construction loan to provide improvements on any tract and to all extensions and renewals thereof, provided that such charge and the lien securing it shall reattach as against any subsequent purchaser subject only to any vendor's lien retained in the deed to him.

VI.

It is further understood and agreed that the restrictions provided in said original deed of March 20, 1964 are hereby reformed and revised insofar as the following Sections are concerned, as if the corrected sections had been included in the original deed.

Section IV. No. 1 of the restrictions in the original deed (page 187) provided that Lots 1, 2, 3, 121, 122, 243, 259, 271, and 272 are not restricted for residential purpose. This provision is here and now amended so that Reserve A and Lots 1, 2, 8, 121, and 271 may be used for any legal purpose and need not be used for residential purpose, but Lots 122, 272, 243, and 259 will hereafter be restricted for residential purposes the same as other residential lots under said deed and under this amendment.

Regardless of the language contained in Section IV No. 2 of the restrictions contained in the original deed (Page 188), a building may be built on either of Lots 44, 45, 46, 47, 50, 51, 52 or 53 as close to the back line as the lot owner may desire, so long as the building on 44, 45, 46 and 47 do not interfere with the navigation of the channel, in the judgment of the Architectural Control Committee.

Section IV. No. 4 is hereby amended to read as follows:

"4. No structure of a temporary character, trailer, easement, shack, garage, barn or other outbuilding shall be used on any tract at any time as a residence either temporarily or permanently, except that owners themselves may camp on their own lot for week ends or summer vacations not to exceed one month and except first class trailer houses may be used as residences on Tracts 319 through 328, inclusive, and on those lots abutting Waterland Drive only, provided the trailer house is approved by the Architectural Control Committee. However, in no event shall there be more than one trailer house to a tract on Tracts 319 through 328, inclusive, or any tract abutting Waterland Drive, nor shall there be a trailer house parked more than two weeks a year on any tract that contains a house." ✓

VII.

It is further understood and agreed that in addition to the building lines provided in the restrictions in said original deed of March 20, 1964 (Pages 189 - 193) there shall be reserved by Grantee, its successors and assigns, the following additional building lines, the same as if they had been included in said original deed as herein amended:

Building Lines

Number One (Tract 1)

A 10 foot building line along the South side of Tract 1.

Number Two (Tracts 1 thru 32)

A 25 foot building line extending along the West lines of Tract 1 thru 8, along the Southwest lines of Tract 9 thru 11, along the South lines of Tracts 12 thru 21, along the Southeast lines of tract 22 thru 24, along the East lines of Tracts 25 and 26, and along the Northeast lines of Tracts 27 thru 32.

Number Three (Tracts 33 and 34)

A 10 foot building line along the East line of Tract 33 and the South lines of Tracts 33 and 34.

Number Four (Tracts 34 thru 43)

A 25 foot building line along the West lines of Tract 34 thru 43.

Number Five (Tracts 44 thru 47)

A 20 foot building line along the West lines of Tracts 44 thru 47.

Number Six (Tracts 48 and 49)

No building lines.

Number Seven (Tracts 50 thru 53)

A 20 foot building line along the East lines of Tracts 50 thru 53.

Number Eight (Tracts 54 thru 73)

A 25 foot building line extending along the East lines of Tracts 54 thru 67, along the Northeast lines of Tracts 68 thru 70, and along the North lines of Tracts 71 thru 73.

Number Nine (Tract 73)

A 10 foot building line along the East line of Tract 73.

Number Ten (Tracts 74 thru 97)

A 25 foot building line extending along the East line of Tract 74, along the South lines of Tracts 74 thru 78, along the Southwest lines of Tracts 79 thru 83, and along the West lines of Tracts 84 thru 97.

Number Eleven (Tract 98)

A 10 foot building line along the East line of Tract 98.

Number Twelve (Tracts 98 thru 103)

A 25 foot building line extending along the South line of Tracts 98 thru 103.

Number Thirteen (Tracts 103 and 104)

A 10 foot building line extending along the West lines of Tracts 103 and 104.

Number Fourteen (Tracts 104 thru 110)

A 25 foot building line extending along the North lines of Tracts 104 thru 110 and along the East line of Tract 110.

Number Fifteen (Tracts 111 and 120)

A 10 foot building line extending along the East line of Tracts 111 and 120.

Number Sixteen (Tracts 111 thru 115)

A 25 foot building line extending along the South lines of Tracts 111 thru 115.

Number Seventeen (Tracts 115 and 116)

A 10 foot building line along the West lines of Tracts 115 and 116.

Number Eighteen (Tracts 116 thru 120)

A 25 foot building line extending along the North lines of Tracts 116 thru 120.

Number Nineteen (Tracts 121 and 149)

A 10 foot building line extending along the East lines of Tracts 121 and 149.

Number Twenty (Tracts 121 thru 149)

A 25 foot building line extending along the South lines of Tracts 121 thru 133, along the West lines of Tracts 133 thru 137, along the Northeast lines of Tracts 137 thru 140, and along the North lines of Tracts 141 thru 149.

Number Twenty-One (Tracts 150 and 184)

A 10 foot building line extending along the North lines of Tracts 150 and 184.

Number Twenty-Two (Tracts 150 thru 157)

A 25 foot building line extending along the East lines of Tracts 150 thru 157.

Number Twenty-Three (Tract 157)

A 10 foot building line extending along the South line of Tract 157.

Number Twenty-Four (Tract 158 thru 169)

A 25 foot building line extending along the South lines of Tracts 158 thru 162 and along the Southwest lines of Tracts 163 thru 169.

Number Twenty-Five (Tracts 169 and 170)

A 10 foot building line extending along the North lines of Tracts 169 and 170.

Number Twenty-Six (Tracts 170 thru 184)

A 25 foot building line extending along the Northeast lines of Tract 170 thru 175, along the North lines of Tracts 176 thru 178, along the Northwest lines of Tracts 179 and 180, and along the West lines of Tracts 181 thru 184.

Number Twenty-Seven (Tract 185)

A 10 foot building line along the North line of Tract 185.

Number Twenty-Eight (Tracts 185 thru 193)

A 25 foot building line extending along the West lines of Tracts 185 thru 193.

Number Twenty-Nine (Tracts 194 thru 202)

A 25 foot building line extending along the East lines of Tracts 194 thru 202.

Number thirty (Tracts 202 and 203)

A 10 foot building line extending along the North lines of Tracts 202 and 203.

Number Thirty-One (Tracts 203 thru 240)

A 25 foot building line extending along the West lines of Tracts 203 thru 210, along the Northwest lines of Tract 211 and 212, along the North lines of Tracts 213 thru 221, along the Northeast lines of Tracts 222 thru 232, along the North lines of Tracts 232 and 233, along the East lines of Tracts 234 and 235, and along the South lines of Tracts 236 thru 240.

Number Thirty-Two (Tract 240)

A 10 foot building line along the East line of Tract 240.

Number Thirty-Three (Tracts 241 thru 248)

A 25 foot building line extending along the East lines of Tracts 241 thru 248.

Number Thirty-Four (Tract 248)

A 10 foot building line along the North line of Tract 248.

Number Thirty-Five (Tracts 249 thru 254)

A 25 foot building line extending along the North lines of Tracts 249 thru 254.

Number Thirty-Six (Tract 255)

A 10 foot building line extending along the North line of Tract 255.

Number Thirty-Seven (Tracts 255 thru 270)

A 25 foot building line along the West lines of Tracts 255 thru 261, along the Northwest lines of Tracts 262 and 263, and along the North lines of Tracts 264 thru 270.

Number Thirty-Eight (Tract 270)

A 10 foot building line along the West line of Tract 270.

Number Thirty-Nine (Tracts 271 thru 283)

A 25 foot building line extending along the East lines of Tracts 271 thru 283.

Number Forty (Tract 284)

A 10 foot building line extending along the West line of Tract 284.

Number Forty-One (Tracts 284 thru 288)

A 25 foot building line extending along the South lines of 284 thru 288.

Number Forty-Two (Tracts 288 and 289)

A 10 foot building line extending along the East lines of Tracts 288 and 289.

Number Forty-Three (Tracts 289 thru 295)

A 25 foot building line extending along the North lines of Tracts 289 and 290, along the Northeast line of Tract 291, along the East line of Tract 292, along the Southeast line of Tract 293, and along the South lines of Tracts 294 and 295.

Number Forty-Four (Tracts 295 and 296)

A 10 foot building line extending along the East lines of Tracts 295 and 296.

Number Forty-Five (Tracts 296 thru 301)

A 25 foot building line extending along the North lines of Tracts 296 and 301.

Number Forty-Six (Tract 301)

A 10 foot building line extending along the West line of Tract 301.

Number Forty-Seven (Tracts 302 thru 304)

A 25 foot building line extending along the west lines of Tracts 302 thru 304.

Number Forty-Eight (Tract 305)

A 10 foot building line extending along the West line of Tract 305.

Number Forty-Nine (Tracts 305 thru 318)

A 25 foot building line extending along the South lines of Tracts 305 thru 318.

Number Fifty (Tract 318)

A 10 foot building line extending along the East line of Tract 318.

Number Fifty-One (Tract 209)

A 10 foot building line along the South line of Tract 209.

Number Fifty-Two (Tract 211)

A 25 foot building line along the North line of Tract 211.

Number Fifty-Three (Tract 259)

A 10 foot building line along the South side of Tract 259.

Number Fifty-Four (Tracts 319 thru 328)

A 25 foot building line along the South lines of Tracts 319 thru 322 along the southerly Western line of Tract 323 along the Northerly western line of Tract 324 and along the North lines of Tracts 325 thru 328.

Number Fifty-Five (Tracts 329 thru 343)

A 25 foot building line extending along the South line of Tracts 329 thru 334 along the West lines of Tracts 335 thru 337 and along the North lines of Tracts 338 thru 343.