

Rolling Hills

all that certain tract or parcel of land being in Cherokee County, Texas, and being in Block #9, Jose Pineda West Four Leagues, Abstract No. 40, and being a part of Tract #27 described in Warranty Deed from M. L. Anderson to Gelnn H. Morby, et al, dated March 15, 1973, recorded in Volume 653, Page 456, of the Deed Records of Cherokee County, Texas, described as follows:

BEGINNING at the west corner of 7.78 acre tract on the southeast margin of graded road; THENCE South 30 deg. 25 min. West, with the southeast margin of said road 217.37 feet to 3/8" steel rod for corner; THENCE South 22 deg. 32 min. West, with the southeast margin of said road, 268.08 feet to 3/8" steel rod for corner in center of power line right of way; THENCE South 68 deg. 52 min. East, with the center of said power line right of way, 1,293.39 feet to corner in branch, from which a 3/8" steel rod for corner bears North 68 deg. 52 min. West, 10.00 feet; THENCE upstream with the center of said branch as follows:  
North 30 deg. 00 min. East, 5.97 feet;  
North 11 deg. 16 min. West, 109.40 feet;  
North 15 deg. 51 min. East, 50.76 feet;  
North 07 deg. 34 min. East, 160.52 feet;  
North 10 deg. 45 min. East, 153.04 feet to corner in branch from which a 3/8" steel rod on high bank bears North 67 deg. 29 min. West, 15.00 feet; THENCE North 67 deg. 29 min. West, with marked division line along the southwest line of 7.78 acre tract, 1,124.49 feet to the place of beginning, containing 12.944 acres of land.

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SUBJECT TO: (1) Right of Way Easement dated September 7, 1962, from Robert V. Dublin et al to General Telephone Company of the Southwest, recorded in Vol. 530, Page 74 of the Deed Records of Cherokee County, Texas. (2) Right of Way for Transmission Line from H. J. Weatherby to Texas Power and Light Company, dated October 5, 1927, recorded in Vol. 129, Page 203, Deed Records of Cherokee County, Texas. (3) Restrictive Covenants as follows:

- a. All buildings must be constructed entirely at the building site. No used materials may be used. Exterior must be completed in 180 days from date that construction begins. Buildings must be neat in appearance, and no building or structure shall be constructed or erected on the premises that shall be considered detrimental to the development.
- b. No outside toilets shall be allowed.
- c. No residence of less than 1000 square feet, including porch area and garage area, shall be erected or constructed on each lot.
- d. There shall be no building, porch or projection extending nearer than twenty feet from the front line of any lot, or nearer than five feet from the property line of any abutting owner.
- e. Subject to the right to install and service electric lines, telephone lines, gas and water mains, over and upon any and all lots, streets and rights of way. Subject to the right to install drains where necessary.
- f. No pigs.
- g. No lot shall be used as a dumping ground for garbage or other refuse.
- h. No noxious or offensive trade may be carried upon any lot nor shall anything be done thereon which may be, or become an annoyance to the neighborhood.

i. No mobile homes or structure of a temporary character, trailer, bus, tent, shack, garage, barn or other out-building shall be used on any lot at any time as a residence either temporary or permanent.

SAVE AND EXCEPT: There is reserved and excepted unto the Grantors, their heirs, executors, administrators and assigns, forever, all of the oil, gas and other minerals lying in, on and/or under the above described tract of land together with the right of ingress and egress for the purpose of exploring for, mining and producing the same, HOWEVER, there is expressly excluded from this reservation any interest in iron ore, coal, coal slurry, lignite, and/or any other mineral of any kind, the mining of which would require the open pit or surface mining methods.

Grantors do hereby expressly grant, bargain, sell and convey unto the Grantee herein all their interest in and to the iron ore, coal, coal slurry, lignite, as well as all other like or similar minerals, lying in, on and/or under the above described premises, the mining of which may require the open pit or surface mining methods.