

# For Sale



## Affleck Road, Brenham, TX

Check out these gorgeous homesites ranging from 9 to 11 acres with majestic live oaks in a park-like setting on Affleck Road! Located in Brenham ISD, close to recreational activities at Lake Somerville and an easy commute to College Station. Light restrictions include no manufactured or mobile homes and no commercial use. Seller will grant easement for electric from their adjoining property. Seller to keep minerals and waive surface rights.

**Gabri Means - 979.277.8687**

**Roger Chambers - 979.830.7708**

**Market Realty, Inc.**

[gabrimeans@gmail.com](mailto:gabrimeans@gmail.com)  
[appraisals@marketrealty.com](mailto:appraisals@marketrealty.com)



**Blakey Surveying, LLC**

4650 Wilhelm Lane  
Burton, Texas 77835-5794

Telephone 979-277-8549

**GERALD S. CALVERT, ET UX**  
**10.00 ACRE TRACT**

ALL THAT TRACT OR PARCEL OF LAND containing 10.00 acres, situated in Washington County, Texas, being out of the H. Chriesman Survey, Abstract No. 24, being a portion of a called 50.000 acre tract described in that deed dated December 23, 2003, from Eight Star Corporation to Gerald S. Calvert, et ux, recorded in Volume 1106, Page 574, Official Records of Washington County, Texas, said 10.00 acre tract being more particularly described as follows:

**COMMENCING** at a found ½ inch iron rod at fence corner (bent), lying in the South margin of F.M. Highway 390 (public right-of-way), marking the Northeast corner of the RKL D, Ltd called 69.945 acre tract (Volume 1246, Page 232, Official Records of Washington County, Texas), marking the Northwest corner of a 20.78 acre tract (surveyed this date), and marking the Northwest corner of the original called 50.000 acre tract (hereafter referred to as "original tract");

**THENCE** departing said highway margin, along a portion of the East line of the RKL D, Ltd tract, with a portion of the West line of the original tract, S 03deg 22min 08sec E, 868.89 ft., to a set ½ inch iron rod, marking the Southwest corner of said 20.78 acre tract (surveyed this date), and marking the Northwest corner and **PLACE OF BEGINNING** of the herein described 10.00 acre tract;

**THENCE** with the South line of the 10.00 acre tract (surveyed this date), and with the North line of the herein described tract, N 87deg 35min 39sec E, 994.42 ft., to a ½ inch iron rod, set for corner, lying in the West margin of Affleck Road (public right-of-way), marking the Southeast corner of said 20.78 acre tract (surveyed this date), and marking the Northeast corner of the herein described tract;

**THENCE** along the West margin of Affleck Road, with the East line of the herein described tract, S 02deg 54min 24sec W, 451.18 ft., to a ½ inch iron rod, set for corner, marking the Northeast corner of an 11.00 acre tract (surveyed this date), and marking the Southeast corner of the herein described tract;

**THENCE** departing Affleck Road, with the North line of said 11.00 acre tract (surveyed this date), and with the South line of the herein described tract, S 87deg 35min 39sec W, 945.09 ft., to a ½ inch iron rod, set for corner, lying in the East line of the aforementioned RKL D, Ltd tract, also lying in the West line of the original tract, marking the Northwest corner of said 11.00 acre tract (surveyed this date), and marking the Southwest corner of the herein described tract;

**THENCE** along a portion of the East line of said RKL D tract, with the West line of the herein described tract, N 03deg 22min 08sec W, 449.31 ft., to the **PLACE OF BEGINNING** and containing 10.00 acres of land.

W.O.#2023-3467  
October 12, 2023

  
\_\_\_\_\_  
Michael J. Blakey  
Registered Professional Land Surveyor No. 5935

Plat prepared and made a part of this description.



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**THENCE** departing said highway margin, along a portion of the East line of the RKLD, Ltd tract, with a portion of the West line of the original tract, S 03deg 22min 08sec E, 1318.20 ft., to a set ½ inch iron rod, marking the Southwest corner of a 10.00 acre tract (surveyed this date), and marking the Northwest corner and **PLACE OF BEGINNING** of the herein described 11.00 acre tract;

**THENCE** with the South line of the 10.00 acre tract (surveyed this date), and with the North line of the herein described tract, N 87deg 35min 39sec E, 945.09 ft., to a ½ inch iron rod, set for corner, lying in the West margin of Affleck Road (public right-of-way), marking the Southeast corner of said 10.00 acre tract (surveyed this date), and marking the Northeast corner of the herein described tract;

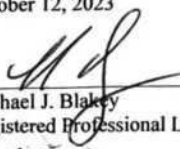
**THENCE** along the West margin of Affleck Road, with the East line of the herein described tract, S 02deg 54min 24sec W, 371.89 ft., to a ½ inch iron rod, set for corner, marking the Northeast corner of a called 9.00 acre tract (surveyed this date), and marking a Southeast corner of the herein described tract;

**THENCE** departing said road margin, with the Southeast line of the herein described tract, S 52deg 30min 55sec W, 347.11 ft., to a ½ inch iron rod, set for corner, marking a re-entrant corner of said 9.00 acre tract (surveyed this date), and marking a Southeast corner of the herein described tract;

**THENCE** with the North line of said 9.00 acre tract, and with the South line of the herein described tract, N 87deg 54min 55sec W, 619.74 ft., to a ½ inch iron rod, set for corner, lying in the East line of the aforementioned RKLD, Ltd tract, also lying in the West line of the original tract, marking the Northwest corner of said 9.00 acre tract, and marking the Southwest corner of the herein described tract;

**THENCE** along a portion of the East line of said RKLD, Ltd tract, with the West line of the herein described tract, N 03deg 22min 08sec W, 521.33 ft., to the **PLACE OF BEGINNING** and containing 11.00 acres of land.

W.O.#2023-3467  
October 12, 2023

  
\_\_\_\_\_  
Michael J. Blakey  
Registered Professional Land Surveyor No. 5935

Plat prepared and made a part of this description.



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**BEGINNING** at a found 3/8 inch iron rod at fence corner, lying in a Northwest line of the John W. White called 41.4054 acre tract (Volume 1779, Page 141, Official Records of Washington County, Texas), marking the Southeast corner of the RKLD, Ltd called 69.945 acre tract (Volume 1246, Page 232, Official Records of Washington County, Texas), marking the Southwest corner of the original called 50.000 acre tract, and marking a Southwest corner of the herein described tract;

**THENCE** along a portion of the East line of the RKLD, Ltd tract, with a portion of the West line of the original called 50.000 acre tract, N 03deg 22min 08sec W, 611.27 ft., to a 1/2 inch iron rod, set for corner, marking the Southwest corner of an 11.00 acre tract (surveyed this date), and marking the Northwest corner of the herein described tract;

**THENCE** with the South line of said 11.00 acre tract (surveyed this date), with the North line of the herein described tract, S 87deg 54min 55sec E, 619.74 ft., to a 1/2 inch iron rod, set for corner, marking a Southeast corner of said 11.00 acre tract (surveyed this date), and marking a re-entrant corner of the herein described tract;

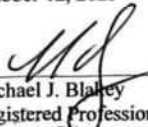
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**THENCE** along the West margin of Affleck Road, with the East line of the herein described tract, S 02deg 54min 24sec W, 357.54 ft., to a found 1/2 inch iron rod at fence corner, marking the North corner of the original called 0.8746 acre tract, and marking an angle in said road margin; and, S 20deg 12min 11sec E, 158.75 ft., to a found 1/2 inch iron rod at fence corner, marking a North corner of the aforementioned John W. White called 41.4054 acre tract, marking the East corner of the original called 0.8746 acre tract, and marking the East corner of the herein described tract;

**THENCE** departing said road margin, along the common boundary between the John W. White called 41.4054 acre tract and the original called 0.8746 acre tract, the following calls: S 69deg 00min 12sec W, 267.82 ft., to a found 1/2 inch iron rod at fence corner, marking a re-entrant corner of said White tract, and marking the South corner of the original called 0.8746 acre tract; N 19deg 11min 34sec W, 127.49 ft., to a found 1/2 inch iron rod, lying in the Southeast line of the original called 50.000 acre tract, marking a North corner of said White tract, marking the West corner of the original called 0.8746 acre tract, and marking a re-entrant corner of the herein described tract;

**THENCE** along a portion of a Northwest line of said White tract, with a Southeast line of the herein described tract, S 62deg 16min 15sec W, 681.90 ft., to the **PLACE OF BEGINNING** and containing 9.00 acres of land.

W.O.#2023-3467  
October 12, 2023

  
Michael J. Blakey  
Registered Professional Land Surveyor No. 5935

Plat prepared and made a part of this description.



cm = control monument  
 pp = power (utility) pole  
 OHE = overhead electric line  
 bld = building  
 dr = asphalt drive  
 tbx = telephone box  
 g = guy wire anchor  
 mb = metal building

D.R.W.C. = Deed Records of Washington County, Texas  
 O.R.W.C. = Official Records of Washington County, Texas

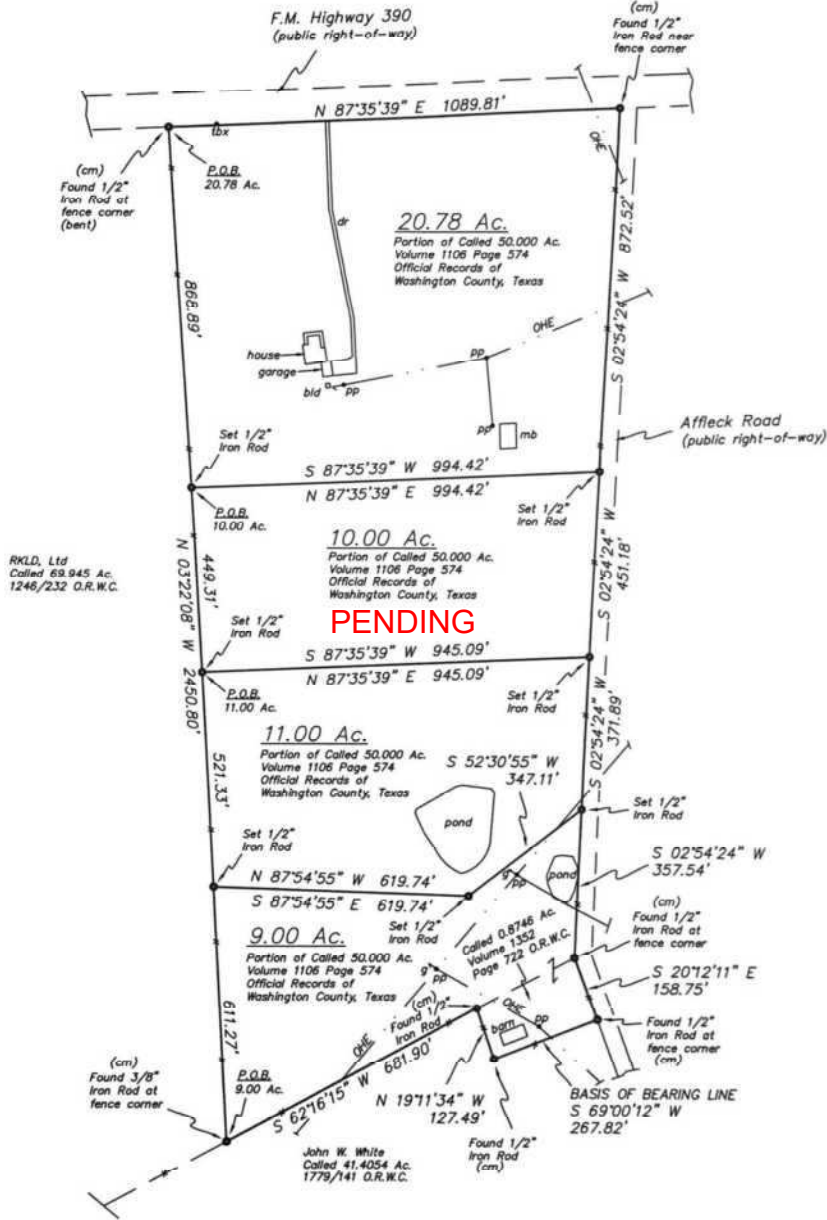
The tracts shown hereon do not appear to lie within the Special Flood Hazard Boundary according to the FEMA Flood Insurance Rate Map for Washington County, Texas, Map Number 48477C0125C, effective date 08/16/2011.

Bearings shown hereon are based on the record bearing for the Southeast line of the original called 0.8746 acre tract, recorded in 1352/722 O.R.W.C.

This plat accompanied by metes and bounds descriptions.

H. Chriesman Survey  
 Abstract No. 24  
 Washington County, Texas

Scale 1" = 300'



I, Michael J. Blakey, Registered Professional Land Surveyor, do hereby certify that the plat shown hereon accurately represents the results of an on the ground survey, made by me on October 12, 2023, and all corners are as shown. This survey was performed without the benefit of a current title report which may indicate easements or other encumbrances of record not apparent on the ground.

*(Signature)*  
 Michael J. Blakey  
 Registered Professional Land Surveyor No. 5935



W.O.#2023-3467

Gerald S. Calvert, et ux

Blakey Surveying, LLC

RPLS 4052 RPLS 5935

TEXAS FIRM REGISTRATION NO. 10085000

4650 Wilhelm Lane  
 Burton, Texas 77630

(979) 277-8549

**Land Use Restrictions (“Restrictions”)**

*30 acres (3) tracts containing 9, 10 and 11 acres H. Chrisman A24 Washington County, Texas.*

**Date:** December 1, 2023

**Declarant:** Gerald and Janis Calvert

**Declarant’s Address:** 1350 FM 390 E Brenham, Texas 77833

**Property:** The land described as 9, 10 and 11 acre tracts, metes and bounds description attached on exhibits A.

**I. Definitions**

“Applicable Law” means all federal, state and local laws, ordinances, regulations, or rules, applicable to the person, circumstance and/or property addressed in the provision of these Land Use Restrictions in which the term appears.

“Covenants” means the covenants, conditions, and restrictions in this these Land Use Restrictions.

"Declarant" means, Gerald Calvert and Janis Calvert, and any purchaser, successor, or assign that acquires all unimproved Tracts owned by Declarant for development. Declarant will name any successor in a recorded document evidencing the purchase and identifying the unimproved tracts.

"Easements" means easements within the Property for utilities, drainage, access, and other purposes as shown on the survey map or of record.

“Owner” means every record Owner of a fee interest of lands within the boundary of the Property, whether in whole or in part, any later tenant, lessee, or occupant of lands within the boundary the Property, whether in whole or in part.

“Real Property Records” means the real property records of the county or counties in which the Property is located.

"Residence" means a detached building designed for and used as a Single Family dwelling and constructed on one or more Tracts.

1. "Single Family" means a group of individuals related by blood, adoption, or marriage, or unrelated roommates not exceeding the number of bedrooms in a Residence constitute a single family under this paragraph.
2. "Structure" means any improvements on a Tract (other than a Residence), including a fence, wall, guest house, swimming pool, outbuilding, shop, barn, or similar improvement.

"Tract" means any land or portion of land containing any part of the Property described in Exhibit “A”.

## II.

### Clauses and Covenants 1.

#### Imposition of Covenants

- a. Declarant imposes these Covenants on the Property described in Exhibit A. All Owners and other occupants of the tracts by their acceptance of their deeds, leases, or occupancy of any tract agree to and are subject to the Covenants.
- b. The Covenants are necessary and desirable to establish a uniform plan for the development and use of the Property for the benefit of all Owners. The Covenants run with the land and bind all Owners, occupants, and any other person holding an interest in a Tract.
- c. Each Owner and occupant of a Tract agrees to comply with this Declaration and agrees that failure to comply may subject him to a fine, damages, or injunctive relief.

#### 2. Survey Map, Easements, and Setbacks

- a. Incorporation by Reference. The survey, easements, and all other matters shown of record affecting the Property are part of this Declaration and are incorporated by reference.

#### 3. Use and Activities

- a. Single Family Residential, Agricultural or Recreational Use Permitted. Owners may use the Property for single-family residential, agricultural, or recreational purposes conforming with other applicable covenants, conditions, and restrictions.
- b. Business Use Limitations. Business Use Prohibited. Whether for-profit or not, no business nor business activity shall be permitted in any Residence or on any Lot, except that an Owner or occupant may conduct business activities that are merely incidental to the Owner's residential use within a Residence. The Owner's incidental use may continue so long as (a) the existence or operation of the business activity is not apparent by sight, sound, or smell from outside the Residence; (b) the business activity conforms with other applicable covenants.
- c. Sewage Disposal. Any sewage disposal system must be designed, located, and constructed in compliance with state or county entities' requirements and standards.
- d. No tract may be subdivided in smaller tracts.

#### 4. Construction and Maintenance Standards

- a. *Maintenance.* Each Owner must keep the Tract, Residence, and all Structures in a well-maintained and orderly condition and shall in no event permit the accumulation of garbage, junk vehicles, trash, or rubbish of any kind thereon.

#### 5. Residences and Structures.

*Required Area.* The total area of a Residence, exclusive of porches, garages, or carports, must be 1,200 square feet or greater. No manufactured, modular, trailer, rv or any similar type of residence may be used as a residence on the land described in Exhibit "A".



## 6. General Provisions

- a. *Enforcement and Waiver.* The Declarant or any Owner shall have the right to enforce, by any proceeding at law or equity, all easements, and Covenants imposed by this Declaration. Failure to enforce any Covenant shall not be deemed a waiver of the right of enforcement either concerning the violation in question or any other violation. All waivers must be in writing and signed by the party to be bound. The Declarant shall have no liability for such enforcement or non-enforcement.
- b. *Term.* This Declaration runs with the land and is binding for a term of ten (10) years. Thereafter this Declaration automatically continues for successive terms of ten (10) years each, unless within six (6) months before the end of a term, sixty-seven (67%) percent of the Owners vote not to extend the term. Each Tract has one vote.
- c. *Corrections.* The Declarant may correct typographical or grammatical errors, ambiguities, or inconsistencies contained in this Declaration, provided that any correction must not impair or affect a vested property right of any Owner.
- d. *Amendment.* This Declaration may be amended at any time by the affirmative vote of sixty-seven percent (67%) of the Tract Owners. Each Tract has one vote. An instrument containing the approved amendment will be signed by the Tract Owners in favor of the amendment and recorded in the Official Public Records of Burleson County, Texas. Owners will be provided with a copy of the amendment after adoption.
- e. *Severability.* If a provision of this Declaration is unenforceable for any reason, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability does not affect any other provision of this Declaration, and this Declaration is to be construed as if the unenforceable provision is not a part of the Declaration.
- f. *Notices.* Any notice required by this Declaration must be given in writing by certified mail, return receipt requested. Unless otherwise required by law or this Declaration, actual notice, however delivered, is sufficient.
- g. *Covenants Running with the Land.* These restrictions, covenants, and conditions are for the purpose of protecting the value and desirability of the Property. Consequently, they shall run with the Property and shall be binding on all parties having any right, title, or interest in the Property in whole or in part, and their heirs, successors, and assigns. These easements, covenants, conditions, and restrictions shall be for the benefit of the Property, each Tract, and each Tract Owner.
- h. *Subordination.* No breach of the covenants or other restrictions in this instrument will defeat or render invalid the lien of any deed of trust made in good faith and for value on the above-described Property or any parcel in it; provided, however, that such covenants or other restrictions will bind any owner whose title is acquired by foreclosure, trustee's sale, or otherwise.

i. *Liberal Interpretation.* This Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the Property.

\_\_\_\_\_  
Gerald Calvert

\_\_\_\_\_  
Janis Calvert

STATE OF TEXAS )

COUNTY OF WASHINGTON )

Before me, on this day personally appeared Gerald Calvert, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that Gerald Calvert executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public, State of Texas

My commission expires: \_\_\_\_\_

STATE OF TEXAS )

COUNTY OF WASHINGTON )

Before me, on this day personally appeared Janis Calvert, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that Janis Calvert executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary Public, State of Texas

My commission expires: \_\_\_\_\_

Exhibit "A"

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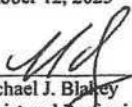
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October 12, 2023

  
Michael J. Blakey  
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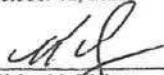
**THENCE** with the South line of the 10.00 acre tract (surveyed this date), and with the North line of the herein described tract, N 87deg 35min 39sec E, 994.42 ft., to a ½ inch iron rod, set for corner, lying in the West margin of Affleck Road (public right-of-way), marking the Southeast corner of said 20.78 acre tract (surveyed this date), and marking the Northeast corner of the herein described tract;

**THENCE** along the West margin of Affleck Road, with the East line of the herein described tract, S 02deg 54min 24sec W, 451.18 ft., to a ½ inch iron rod, set for corner, marking the Northeast corner of an 11.00 acre tract (surveyed this date), and marking the Southeast corner of the herein described tract;

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COMMENCING at a found ½ inch iron rod at fence corner (bent), lying in the South margin of F.M. Highway 390 (public right-of-way), marking the Northeast corner of the RKL D, Ltd called 69.945 acre tract (Volume 1246, Page 232, Official Records of Washington County, Texas), marking the Northwest corner of a 20.78 acre tract (surveyed this date), and marking the Northwest corner of the original called 50.000 acre tract (hereafter referred to as "original tract");

THENCE departing said highway margin, along a portion of the East line of the RKL D, Ltd tract, with a portion of the West line of the original tract, S 03deg 22min 08sec E, 1318.20 ft., to a set ½ inch iron rod, marking the Southwest corner of a 10.00 acre tract (surveyed this date), and marking the Northwest corner and PLACE OF BEGINNING of the herein described 11.00 acre tract;

THENCE with the South line of the 10.00 acre tract (surveyed this date), and with the North line of the herein described tract, N 87deg 35min 39sec E, 945.09 ft., to a ½ inch iron rod, set for corner, lying in the West margin of Affleck Road (public right-of-way), marking the Southeast corner of said 10.00 acre tract (surveyed this date), and marking the Northeast corner of the herein described tract;

THENCE along the West margin of Affleck Road, with the East line of the herein described tract, S 02deg 54min 24sec W, 371.89 ft., to a ½ inch iron rod, set for corner, marking the Northeast corner of a called 9.00 acre tract (surveyed this date), and marking a Southeast corner of the herein described tract;

THENCE departing said road margin, with the Southeast line of the herein described tract, S 52deg 30min 55sec W, 347.11 ft., to a ½ inch iron rod, set for corner, marking a re-entrant corner of said 9.00 acre tract (surveyed this date), and marking a Southeast corner of the herein described tract;

THENCE with the North line of said 9.00 acre tract, and with the South line of the herein described tract, N 87deg 54min 55sec W, 619.74 ft., to a ½ inch iron rod, set for corner, lying in the East line of the aforementioned RKL D, Ltd tract, also lying in the West line of the original tract, marking the Northwest corner of said 9.00 acre tract, and marking the Southwest corner of the herein described tract;

THENCE along a portion of the East line of said RKL D, Ltd tract, with the West line of the herein described tract, N 03deg 22min 08sec W, 521.33 ft., to the PLACE OF BEGINNING and containing 11.00 acres of land.

W.O.#2023-3167  
October 12, 2023

  
\_\_\_\_\_  
Michael J. Blakey  
Registered Professional Land Surveyor No. 5935

Plat prepared and made a part of this description.





# Information About Brokerage Services

Texas law requires all real estate license holders to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

### TYPES OF REAL ESTATE LICENSE HOLDERS:

- **A BROKER** is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- **A SALES AGENT** must be sponsored by a broker and works with clients on behalf of the broker.

### A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

### A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:

**AS AGENT FOR OWNER (SELLER/LANDLORD):** The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

**AS AGENT FOR BUYER/TENANT:** The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

**AS AGENT FOR BOTH - INTERMEDIARY:** To act as an intermediary between the parties the broker must first obtain the written agreement of *each party* to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:

- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
- Must not, unless specifically authorized in writing to do so by the party, disclose:
  - o that the owner will accept a price less than the written asking price;
  - o that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
  - o any confidential information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

**AS SUBAGENT:** A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

### TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

**LICENSE HOLDER CONTACT INFORMATION:** This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

<b>Market Realty, Inc.</b> <small>Licensed Broker /Broker Firm Name or Primary Assumed Business Name</small>	<b>462379</b> <small>License No.</small>	<b>agents@marketrealty.com</b> <small>Email</small>	<b>979.836.9600</b> <small>Phone</small>
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Buyer/Tenant/Seller/Landlord Initials

Date