

DEED RESTRICTION ANALYSIS

BRIDGEPOINT SUBDIVISION

February 15, 2023

This report is being furnished at the request of Mr. Len Vogel, President of the Bridgepoint Civic Association, to determine which properties within the boundaries of Bridgepoint Subdivision are affected or bound by the Deed Restrictions and Amendments thereto as found in the Public Records of Montgomery County, Texas. A history of said Restrictions is set forth as follows, to-wit:

- 1.) Restrictions dated August 1, 1978 as recorded in Volume 1078, Page 653 of the Deed Records of Montgomery County, Texas. Said Restrictions are applicable to 171.006 acres and 28.996 acres of land situated in the Neal Martin Survey, Abstract No. 26, Montgomery County, Texas. Said property is more particularly described by metes and bounds in deed recorded in Volume 1048, Page 227 of the Deed Records of Montgomery County, Texas. It is noted therein that the land north of Jones Gully (not identified) is excluded from said Restrictions, and the portion of said 171.006 acres lying 400 feet north of FM 1097 is also excluded from said Restrictions. (See Exhibit 1A.)
- 2.) Modification of Restrictions dated November 30, 1979 as recorded under Clerk's File No. 8020179 of the Real Property Records of Montgomery County, Texas. Amends Section 1, Paragraph 4 of the Original Restrictions.
- 3.) Restrictions reserved by Warranty Deed dated August 16, 1996 recorded under Clerk's File No. 9651557 of the Real Property Records of Montgomery County, Texas. This Deed is a conveyance of previously unsold property out of a 171.006 acre tract and a 28.996 acre tract and part of a 414.685 acre tract, all situated in the Neal Martin Survey, Abstract No. 26, Montgomery County, Texas. Said tracts are identified and described as Tract A through H, inclusive and containing a composite of 247.09 acres: (See Exhibits 1A and 1B.)

TRACT A -	1.999 acres
TRACT B -	11.116 acres
TRACT C -	1.269 acres
TRACT D -	66.648 acres
TRACT E -	17.299 acres
TRACT F -	145.686 acres
TRACT G -	2.206 acres
TRACT H -	0.068 acres

Composite Total: 247.09 acres

The property in this conveyance is subject to: "any and all restrictions, covenants, conditions, assessments, maintenance charges...." In addition, "no business of a commercial nature, whether for profit or not, shall be permitted, nor shall there be permitted manufactured housing, mobile homes, campers or trailers on any of the herein described property." These restrictions are applicable to all property acquired herein which is part of said 171.006 acres and 28.995 acre, including the property north of Jones Gully and the property lying 440 feet north of FM 1097.

- 4.) First Amendment of Restrictions of Bridgepoint Subdivision dated December 27, 1996 recorded under Clerk's File No. 9679843 of the Real Property Records of Montgomery County, Texas. The current owner, B. & A. Interest, Inc. having previously acquired certain properties from the original developer, being out and part of a 171.006 acre tract and a 28.995 acre tract desires to impose additional covenants and restrictions against said property which shall not be in violation of the original Restrictions. The portion of land to which said additional covenants and restrictions are being added has been platted as 125.22 acres, known as BRIDGEPOINT SECTION ONE, and recorded in Cabinet I, Sheets 150 and 151 of the Map Records of Montgomery County, Texas. Certain Lots have been excluded from the coverage of said Amended Restrictions, namely: (See Exhibit 2 – Recorded Plat)
Lots 11, 15, 18, 19, 20, 34 and 35 – Block One (1);
Lot 10 – Block Two (2)
- 5.) Amendment and Modification of Restrictions dated March 3, 1997 recorded under Clerk's File No. 9717572 of the Real Property Records of Montgomery County, Texas. This Amendment and Modification pertains to those restrictions set forth in Warranty Deed dated August 16, 1996 recorded under Clerk's File No. 9651557 of the Real Property Records of Montgomery County, Texas. It was the original intention of the parties to said Deed that Tract F (145.686 acres) described therein, be excluded and exempt from such restrictions. (See Exhibit 1B.) This amendment is executed to correct said mistake and thereby cancel, release and discharge said restriction as to said 145.686 acres. Said restriction is modified as to Tract F as follows: "no noxious or offensive activity or any activity which would constitute a nuisance offensive to persons of ordinary sensitivities." This amendment affects Lots 1 through 6 in Block 1 and Lots 1 through 6 and Lot 12 in Block 2 of the recorded Plat of Bridgepoint, Section One (1). (Crosshatched on Plat – See Exhibit 4 .)
- 6.) Second Amendment to Restrictions dated February 26, 2006 recorded under Clerk's File No. 2006-02476- of the Official Public Records of Montgomery County, Texas. This Amendment only affects the internal language to First Amended Restrictions (Item 4 above.)
Amends Article VI, Par. 6.02 (c).
Amends Article VI, Par. 6.02 (b).
Amends Article VIII, Par. 8.01
- 7.) Third Amendment to Restrictions dated September 14, 2006 recorded under Clerk's File No. 2006-109495 of the Official Public Records of Montgomery County, Texas. This Amendment only affects the internal language to First Amended Restrictions (Item 4 above.)
Amends Article III Par. 3.07 Water Supply
- 8.) Voluntary Adoption of Restrictions dated November 10, 2004 recorded under Clerk's File No. 2004-126726 of the Official Public Records of Montgomery County, Texas executed by Michael Paine and Carol. The parties agree to adopt the First Amended Restrictions set forth in Item 4 above as running with Tracts 28 and the S/2 of Tract 29 containing a total of 1.50 acres as described therein. Said property is now owned by CRAWFORD.

It is noted here that there were various Consent to Plat of a Subdivision documents recorded in the Public Records in 1996. These various "consents" were given to B. & A. Interests, Inc. with the understanding that their respective tracts would be shown on the proposed plat of Bridgepoint Subdivision, without altering the size or location of the individual tracts. These tracts were parcels which had been previously sold by the original developer, and not included in the Deed dated August 16, 1996 recorded under Clerk's File No. 9651557 of the Real Property Records of Montgomery County, Texas. These consents ratified all matters to be shown on the recorded plat, but it did not change or ratify the new Restrictions. These Consents are listed as follows:

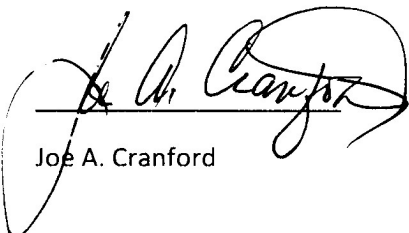
- Consent – August 27, 1996 – Clerk's File No. 9672473 Real Property Records – Lot 10 – 1.5 ac
- Consent – October 15, 1996- Clerk's File No. 9672479 Real Property Records – Lot 12 – 2.380 ac
- Consent – August 26, 1996 – Clerk's File No. 9672475 Real Property Records – Lot 14-A-1- 1.054 ac
- Consent – August 23, 1996 – Clerk's File No. 9672474 Real Property Records – Lot 15 & 17- 4.410 ac
- Consent – August 17, 1996 – Clerk's File No. 9672472 Real Property Records – Lot 18 – 1.590 ac
- Consent – August 31, 1996 – Clerk's File No. 9672477 Real Property Records – Lot 32 – 1.280 ac
- Consent – August 27, 1996 – Clerk's File No. 9672476 Real Property Records – Lot 34 – 1.000 ac
- Consent – September 3, 1996 – Clerk's File No. 9672478 Real Property Records – Lot 41 – 1.618 ac

CONCLUSIONS AND SUMMARY

My conclusions, based upon the Public Records reviewed herein, are as follows, to-wit:

- Lots in Bridgepoint affected by 1978 Restrictions – Item 1 – All Lots marked in yellow on Exhibit 4
- Lots in Bridgepoint affected by 1996 Deed Restrictions and First Amended Restrictions – Items 3 & 4 – All Lots marked in Red & Blue, EXCEPT those which are crosshatched – See Exhibit 4
- Lots affected only by First Amended Restrictions – Item 4 – All Crosshatched Lots – See Exhibit 4
- Lots affected by Consent to Recorded Plat – 9 Yellow Lots outlined in Red – See Exhibit 4
- Lots Adopting First Amended Restrictions – Item 7 – 1 Yellow Lot outlined in Green – Shown in the name of CRAWFORD – See Exhibit 4.

This report and accompanying copies and Exhibits are prepared for the use and benefit of Bridgepoint Civic Association and shall inure solely to its benefit. Any typographical error or omissions are unintentional. Prepared and respectfully submitted by:



Joe A. Cranford