DECLARATION, RESERVATIONS, CONDITIONS, EASEMENTS, AND RESTRICTIONS AFFECTING WOODHOLLOW, A SUBDIVISION IN LIBERTY COUNTY, TEXAS

THE STATE OF TEXAS S

COUNTY OF LIBERTY S

This Declaration made on the date hereinafter set forth by WOODWAY LAND COMPANY, INC., hereinafter referred to as "DEVELOPER,"

WITNESSETH:

That, WHEREAS, Developer is the owner of that certain property out of the Joseph Dugat Survey, Abstract No. 175, Liberty County, Texas, as shown on a final Plat or Map prepared by James O. Belcher, Registered Public Surveyor, dated the 25th day of January, A. D. 1982, and designated as "WOODHOLLOW," as filed for record in Vol. 8, Page 212, of the Map Records of Liberty County, Texas.

ARTICLE I

DEDICATION AND RESERVATIONS

NOW, THEREFORE, Developer does hereby subdivide and plat said land into lots as shown on said Map or Plat for the purpose of establishing a subdivision to be known as "WOODHOLLOW," and does hereby dedicate all streets, utility, drainage and other easements shown upon said Map or Plat to the public, but expressly reserving to Developer, his successors and assigns, the following rights, titles and easements, which reservations shall be referred to and made a part hereof and construed as being adopted in each and every Contract, Deed or other conveyance executed or to be executed by or on behalf of Developer conveying said property, or any part thereof.

Section 1. Developer reserves the exclusive right to construct and maintain, or cause to be constructed and maintained, in, over, upon, along and under the streets of WOODHOLLOW, and in the easements shown on the Map or Plat of said subdivision, all pipes, conduits and appurtenances necessary and proper for the maintenance of a system of drainage and a system for the distribution of domestic water, to serve the residents of said subdivision. In such connection and in order to perform any and all functions of Developer that in the Developer's opinion are necessary to further or complete the development of WOODHOLLOW, Developer reserves the right to come upon and across any of said land at all reasonable times.

Section 2. Neither Developer nor any utility company using the easements hereinafter referred to shall be liable for any damages done by them or their assigns, their agents, employees or servants, to shrubbery, trees, flowers or other property situated on the land covered by said easements.

Section 3. It shall be expressly agreed and understood that the title conveyed by the Developer to any lot or parcel of land in WOODHOLLOW by Contract, Deed or other conveyance shall not in any event be held or constructed to include the title to any of the instrumentalities constructed by Developer or any utility company along any of said streets or easements for the purpose of providing water, gas, storm sewer, electric power, telephone communications or any other utility, to serve any portions of the subdivision, and the right to maintain, repair, sell or lease such lines, utilities and appurtenances to any municipality or other governmental agency or to any public service corporation or to any other party, is hereby expressly reserved in Developer.

Section 4. Developer reserves a ten (10°)-foot utility easement as shown on the heretofore-mentioned Plat for the purpose of constructing and maintaining utilities of all types, including drainage. Within such easement, no structure, planting or other materials shall be placed or permitted to remain which shall interfere with the installation and maintenance of such utilities, which may change the direction of flow of drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels. Such easement area within any lot shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company assumes responsibility.

ARTICLE II

USE RESTRICTIONS FOR LOTS

Section 1. All lots shall be used for residential purposes only; and no building shall be erected, altered, placed on or permitted to remain on any lot other than one detached single-family dwelling. No commercial enterprise or business may be conducted on any lot or tract.

Section 2. Any single-story residence constructed on said lots must be of brick or wood frame construction and have a ground-floor area of not less than twelve hundred (1200) square feet, exclusive of open-air screened porches, terraces, patios, driveways, carports and garages.

Section 3. That Developer reserves the right to provide for a system of distribution of domestic water to serve residents of WOODHOLLOW, and for such purpose to charge a reasonable "tap-on" fee and also to set and charge reasonable rates for water provided through said system.

Section 4. No mobile home or pre-manufactured home may be placed on any lot adjacent to Farm-to-Market Road No. 1409. No mobile home may be placed on any other lot or tract of land within WOODHOLLOW, with the exception of new "double-wide" mobile homes or new pre-manufactured homes having exterior dimensions of at least twenty-four (24') feet width and fifty (50') feet length. No pre-viously occupied residence may be moved onto any lot or tract from another location. Any such "double-wide" mobile home or pre-manufactured home, when allowed hereunder, shall have decorative skirts in place on all sides thereof prior to occupancy in the subdivision and the tongue used for transportation purposes shall also be removed from any such home prior to occupancy.

Section 5. No home may be constructed or placed upon any lot unless it has complete sanitary facilities, including among others, a lavatory, toilet, wash basin, tub or shower and kitchen sink, all with running water; and all such facilities must be connected to the lot owner's private sewerage system in conformity with state and local health regulations. The Developer, its successors and assigns, does not assume (and will never assume) the obligation for constructing a sanitary sewerage system for said Subdivision, and each owner of each lot shall have the sole responsibility to construct his own sewerage facilities and same must be in strict compliance and under permit of the State and County Health Departments or other regulatory agency. No outside toilets may be constructed on any lot.

Section 6. No home shall be located on any lot or tract within WOODHOLLOW so that the walls are closer than seventy-five (75') feet from the East right-of-way line of Farm-to-Market Road 1409 for lots adjacent thereto, or closer than fifty-five (55') feet from the adjoining right-of-way line of any public or private street serving any other lot or tract within said subdivision, except for a corner lot

adjacent to two streets or roads, in which event the set-back required shall only apply to the street or road on which the home faces. Each home must face a street or road shown on said Plat. No walls of any home shall be located closer than five (5') feet from any other boundary line of said lots or tracts.

Section 7. The construction of any improvements on any lot shall be completed within nine (9) months from the commencement of construction, unless an extension in such time is granted in writing by the Developer, and no structure shall be deemed to be completed until its exterior is painted and otherwise finished in a reasonable manner.

Section 8. Reasonable plans depicting the proposed construction of a residential structure and/or any addition to a residence on a lot shall be submitted to the Developer prior to commencement of construction so that the Developer may determine that such construction or placement is in conformity with this Declaration and approval must be given in writing.

Section 9. No structure of a temporary character, basement, tent, camping trailer, shack, garage, barn or other outbuilding shall be used at any time as a residence.

Section 10. No obnoxious, offensive, unlawful or immoral activity or use shall be made of any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

Section 11. No spirits, vinous, malt liquors or medicated bitter capable of producing intoxication shall be sold or offered for sale on any lot.

Section 12. No fence or wall shall be placed, constructed or permitted to remain on any lot without the prior written approval of Developer.

Section 13. All lots, whether occupied or not, shall be maintained in a reasonably presentable manner; and no trash, garbage or other waste shall be kept upon any lot except in sanitary containers.

Section 14. All driveway culverts shall conform to any width and cover required or requested by the County or State and shall be constructed of a permanent-type material and installed before lot owner occupies lot.

Section 15. No automobile or automobiles shall be maintained on any lot unless the same shall be currently registered and licensed. No automobile or other vehicle shall be parked on subdivision streets which impede proper traffic flow. The commercial parking or garaging of vehicles of any type upon any lot shall be prohibited. All boats and travel trailers shall be parked, maintained or stored on any lot beyond the building setback line set forth in Section 6 above. No commercial tractor (truck) and/or trailer rigs or equipment may be parked or stored on any lot.

Section 16. Building materials shall be stored upon any lot only in an orderly and neat manner, and only beyond the building setback line.

Section 17. The general principle of waste shall apply with regard to all lots so that the excavation of soil for removal to another site is prohibited, and the cutting of trees is restricted to the reasonable clearing of land for the construction of improvements, to remove dead or unsightly trees or for the thinning of trees to improve the growth of remaining trees, in keeping with sound conservation principles.

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Section 18. All improvements placed upon any lot must be kept in a good state of repair and must be painted when necessary to preserve the attractiveness thereof.

Section 19. No lot may be re-subdivided in any fashion except that any person owning more than one lot may combine said lots into home homesite for building purposes.

Section 20. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot. However, dogs and cats may be kept on lots subject to such rules and regulations as may be adopted by the Developer so long as they are not kept, bred or maintained for commercial purposes.

ARTICLE III

ENFORCEMENT

Section 1. The Developer, or any owner of any lot, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants and reservations now or hereafter imposed by the provisions of this Declaration. Failure by the Developer or by any owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Section 2. No lot or tract shall ever be used for a commercial or public roadway or access to lands adjoining WOODHOLLOW on the East boundary thereof.

ARTICLE IV

GENERAL

Section 1. Invalidation of any one or more of the covenants or restrictions set out herein by the judgment of any court of competent jurisdiction shall in nowise affect any other provisions, all of which shall remain in full force and effect.

Section 2. The conveyance of all lots in WOODHOLLOW shall be made subject to the prior reservations of oil, gas or mineral interests, and the existence of all rights of way, easements, conditions, exceptions, restrictions and covenants of whatsoever nature of record, whether or not expressly stated or contained in a Deed or Contract for Deed with reference to any of said lots.

EXECUTED this the 25 day of A. D. 1981.

WOODWAY LAND COMPANY, INC.

By: Weldon Alders President

THE STATE OF TEXAS

COUNTY OF LIBERTY S

This instrument was acknowledged before me on the day of land , A. D. 1982, by WELDON ALDERS, President of WOODWAY LAND COMPANY, INC., a Texas corporation on behalf of such corporation.

ANN State

ANNIE MAE MAREK, NOTARY PUBLIC State of Texas My Commission Expires 4-7-84

Notary Public in and for Liberty
County, Texas

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FILED FOR RECORD

This the 25 day of Jan

A.D. 19 <u>82</u> st//: 20 O'clock A N LELA MAE CATCHINGS County Clerk, Liberty County, Texas

By Sarah Front De

STATE OF TEXAS COUNTY OF LIBERTY

I, LELA MAE CATCHINGS, hereby certify that this instrument was filled on the date and at the time stamped hereon by me; and was duly RECORDED, in the Volume and Page of the named RECORDS of Liberty County, Texas, as stamped hereon by ma, on



JAN 27 1982

COUNTY CLERK
LIBERTY COUNTY, TEXAS

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AMENDMENT OF RESTRICTIONS AFFECTING WOODHOLLOW, A SUBDIVISION IN LIBERTY COUNTY, TEXAS

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF LIBERTY

That WHEREAS, WOODWAY LAND COMPANY, INC., a Texas corporation, acting by and through its developer, as officers, and the undersigned owners of all of the lots, tracts and parcels of land contained within the boundaries of the said Woodhollow Subdivision, a map or plat of which is filed of record in Volume 8, Page 212 of the Map Records of Liberty County, Texas, desire to amend Article II, Section 4 of "Declaration, Reservations, Conditions, Easements and Restrictions Affecting Woodhollow, a Subdivision in Liberty County, Texas" dated January 25, 1982, recorded in Volume 933, Page 792 of $\sim \mathcal{I}$ the Deed Records of Liberty County, Texas.

NOW, THEREFORE, We, the undersigned, being all of the owners of all of the lots, tracts and parcels of land located within said Subdivision, in consideration of the mutual benefits to the above-described property resulting from the following amendment, do hereby amend the said Article II, Section 4 of said Declaration to hereafter read as follows:

"Section 4. No mobile home or pre-manufactured home may be placed on any lot, tract or parcel of land located within the boundaries of the said Woodhollow Subdivision. No previously occupied residence may be moved onto any lot, tract or parcel of land located within said Subdivision from another location."

The above-described Declaration is in all other respects ratified and confirmed.

A. D. 1982, EXECUTED this 25th day of JUNE in multiple counterparts.

WOODWAY LAND COMPANY, INC.

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FLORETTA M. WILBURN

Notary Public in and for Chambers County Texas

Chambers County, Texas
My commission expires 20,1989

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Notary Public in and for

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My commission expires fine 30, 1984

THE STATE OF TEXAS

COUNTY OF _ CHAMBERS

Thus instrument was acknowledged before me on the 25th MARCH , A. D. 1982, by PAMELA TURNER

day of

Notary Public in and for

Chambers County, Texas.

FLORETTA M. WILBURN

Notary Public in and for

Chambers County, Texas
My commission expires June 30,1984

James W. Gilbert

James W. Gilbert

Donnah S. Gilbert

vol 992 rage 178

THE STATE OF TEXAS	S
COUNTY OF CHAMBERS	_s
day of June	rument was acknowledged before me on the 11th
	Gleretta M. William
The state of the s	Notary Public in and for State Conference
EX Yanna	Chambers County, Texas FLORETTA M. WILBURN
	Notary Public in and for
THE STATE OF TEXAS	S Chambers County Texas
COUNTY OF CHAMBERS	My commission expired func 30,1984
്രൂറ്റ് ചെയ്യും സ്ഥാന്	rument was acknowledged before me on the 11th
day of JUNE	, A. D. 1982, by DONNAH S. GILBERT
	Notary Public in and for Exception Notary Public in and for
S. LEXY Survey	Chambers County, Texas
2.00	FLORETTA M. WILBURN Notary Public in and for
<u>.</u>	Chambers County, Texas
•	My commission expires fune 30,1989

THE STATE OF TE COUNTY OF Car

This instrument was acknowledged before me on the 3nd ugust, A. D. 1982, by HECTOR LOUIS SECOVIA

Notary Publi State of For

This instrument was acknowledged before me on the 3rd.

day, of lugust. A. D. 1982, by SUSAN ROSARIO

Rotary Providence.

ANDREW W. IPOCK

ANDREW W. IPOCK

JANELLE B. JANAK

JANELLE B. IKCK

COUNTY OF CHAMBERS S

COUNTY OF CHAMBERS S

This instrument was acknowledged before me on the 16th Andrew W. Ipock

Notary Public in and for STATE COUNTY, Texas

FLORETTA M. WILBURN

Notary Public in and for Chambers County, Texas

FLORETTA M. WILBURN

Notary Public in and for Chambers County, Texas

My commission expires My commission expires My commission expires My Janelle B. Ipock

Notary Public in and for STATE OF TEXAS S

This instrument was acknowledged before me on the 16th December A. D. 1982, by Janelle B. Ipock

FLORETTA M. WILBURN

Notary Public in and for

Chambers County, Texas

My commission expires (198)

Chambers County, Texas.

SIGNED:

EDGAR EARL ODON

BARBARA A. ODOM

THE STATE OF TEXAS

COUNTY OF CHAMBERS

day of JANUARY , A. D., 1983, by EDGAR EARL ODOM .

Notary Public in and for Chambers County, Texas

FLORETTA M. WILBURN
Notary Public in and for
Chambers County Texas
My commission expires

My 20/984

THE STATE OF TEXAS

COUNTY OF CHAMBERS

This instrument was acknowledged before me on the 18th day of This JANUARY, A. D., 1983, by BARBARA A. ODOM

Notary Public in and for Chambers County, Texas

FLORETTA M. WILBURN
Notary Public in and for
Chambers County Texas
My commission expires Sect 30/98%

ERNEST L. COOM

THE STATE OF TEXAS

COUNTY OF CHAMBERS

This instrument was acknowledged before me on the 26th

Notary Public in and for

Chambers County

FLORETTA M. WILBURN Notary Public in and for

Chambers County Texas
My commission expires

Janny Moletta
DANNY MELLETTE

Jena Mellette
TENA MELLETTE

THE STATE OF TEXAS

COUNTY OF CHAMBERS !

This instrument was acknowledged before me on the 14th
Off. FEBRUARY , A.D., 1983, by DANNY MELLETTE

day of FEE

Notary Public in and for Chambers County, Texas

FLORETTA M. WILBURN

Notary Public in and for

Chambers County, Texas

My commission expires 201984

THE STATE OF TEXAS

COUNTY OF CHAMBERS

This instrument was acknowledged before me on the 14th day of FEBRUARY , A.D., 1983, by TENA MELLETTE



Another M. Williams
Notary Public in and for
Chambers County, Texas

FLORETTA M. WILBURN

Notary Public in and for
Chambers County Texas

My commission expires June 30,1984

Roger D. Calvert

THE STATE OF TEXAS !

COUNTY OF CHAMBERS

This instrument was acknowledged before me on the 17th day of MARCH , A.D., 1983, by ROGER D. CALVERT.



Moretlash. Millium Notary Public in and for Chambers County, Texas

FLORETTA M. WILBURN
Notary Public in and for
Chambers County (Texas

Chambers County Texas

THE STATE OF TEXAS

COUNTY OF CHAMBERS

This instrument was acknowledged before me on the 17th day of MARCH , A.D., 1983, BY BARBARA CALVERT.



Notary Public in and for Chambers County, Texas

FLORETTA M. WILBURN
Natury Public in and for
Chambers County Texas
Wy commission expires 30, 1999

Kerns tord Well
KEVIN FORD YEBB

Bunda Lyntte Wall
BRENDA LYNETJE WEBB

THE STATE OF TEXAS	S
COUNTY OF	s
This inst	rument was acknowledged before me on the 12th _, A. D. 1982, by
	Notary Public in and for State of Texas
THE STATE OF TEXAS	FLORETTA M. WILBURN Notary Public in and for Chambers County, Texas My commission expires fluit 30,198/
	rument was acknowledged before me on the 12th A. D. 1982, by Brenda Lynette Webb
1000	Notary Public in and for State of Texas
CXAS	FLORETTA M. WILBURN Notary Public in and for Chambers County, Texas My commission expires

Datell Merryman

Alda Manyman

NELDA MERRYMAN

THE STATE OF TEXAS	Ì	
COUNTY OF CHAMBERS		
This inst	rument v	was acknowledged before me on the 25th
day of MAPRIL		, A.D., 1983 , by DARRELL MERRYMAN
A REEL		Notary Public in and for Chambers County, Texas
N. W. William		FLORETTA M. WILBURN
THE STATE OF TEXAS	ì	Notary Public in and for
COUNTY OF CHAMBERS	3	Chambers County, Texas My commission expires المرادة على المرادة المر
	rument	was acknowledged before me on the 25th
day of APRIL	<u> </u>	A.D., 19'83, by NELDA MERRYMAN.
		Blosetta M. William
		Notary Public in and for Chambers County, Texas
15		
2		FLORETTA M. WILBURN
(EVIIII)		Notary Public In and for
		Chambers County, Texas
		My commission expires free 30,784

JANICE DONNELLY

COUNTY OF CHAMBERS	•
This inst	rument was acknowledged before me on the 24th
day ornos MAY	, A.D., 1983, byJOE B. DONNELLY, JR.
39.1.1	
	Floretta M. William
198 : 188 : 198 :	Notary Public in and for Chambers County, Texas
Secretary of the second	
	FLORETTA M. WILBURN
	Notary Public in and for Chambers County/Texas
	My commission expires fune 30,1984
THE STATE OF TEXAS	1
COUNTY OF CHAMBERS	1
COUNTY OF CHAMBERS	•
This inst	rument was acknowledged before me on the 24th
day of o. MAY	_, A.D., 1983, by
3	_
图 四 周	Floretta M. William
Street Street	Notary Public in and for
1.50 P. July	Chambers County, Texas

THE STATE OF TEXAS

FLCRETTA M. WILBURN
Notary Public in and for
Chambers County Texas
My commission expires (1984)

JOHN C. KRAEER

CUELUM KRAEER

EVELYN KRAEER

The state of texas |

COUNTY OF CHAMBERS |

This instrument was acknowledged before me on the 23rd |

NOTATIVE PIBLIC in and for Chambers County, Texas |

FLORETTA M. WILBURN |

Notary Public in and for Chambers County, Texas |

My commission expires |

The state of texas |

COUNTY OF CHAMBERS |

This instrument was acknowledged before me on the 23rd |

day of MAY , A.D., 1983, by EVELYN KRAEER |

FLORETTA M. WILBURN
Notary Public in and for
Chambers County Texas
My commission expires (198)

JOE ALBERT TREVINO

CHRIS TREVINO

THE STATE OF TEXAS | COUNTY OF CHAMBERS |

This instrument was acknowledged before me on the 3rd One ALBERT TREVINO ONE ALBERT TREVINO

Notary Public in and for Chambers County, Texas

FLORETTA M. WILBURN
Notary Public in and for
Chambers County Texas
My commission expires funt 30,1984

THE STATE OF TEXAS ! COUNTY OF CHAMBERS !

This instrument was acknowledged before me on the 3rd day anos August , A.D., 1983, by CHRIS TREVINO

Notary Public in and for Chambers County, Texas

FLORETTA M. WILBURN
Notary Public in and for
Chambers County Texas
My commission expires flux 30,1989

O

THE STATE OF TEXAS COUNTY OF CHAMBERS |

This instrument was acknowledged before me on the 26th

, A.D., 1983, by RAMON PRINCE

Notary Public in and for Chambers County, Texas

FLORETTA M. WILBURN
Notary Public in and for
Chambers County, Taxas
My commission expires

FILED FOR RECORD

1983 SEP -2 PH 12: 44

COUNTY CLERK LIBERTY COUNTY. TEXAS

SEP 6 1983

