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RESTRICTIVE COVENANTS

THE STATE OF TEXAS §  
COUNTY OF FORT BEND §

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, the undersigned, owners or lienholders each own record title to property within the following described real property or own liens on portions of the below described real property, to wit; that certain tract of land in the I & G N Survey Abstract No. 366, Fort Bend County, Texas, more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof, each of us being the owner of a tract of land or owner of a lien on land within said tract, desiring to ensure the uniform improvements and development of such land, do hereby ADOPT, ESTABLISH AND IMPOSE the following reservations, restrictions, covenants and conditions upon said properties which shall constitute covenants running with the land and shall be binding upon and inure to the benefit of the present owners, their respective successors and assigns, and to each and every purchaser of any of said properties, their respective heirs, legal representatives, successors and assigns.

We, the undersigned, mutually agree for ourselves, our heirs and assigns, that the above described property shall be bound by the following restrictive covenants:

1. SUBDIVISION AND HOMESITES

The property has been subdivided into homesites or lots. No residence shall ever be constructed on a homesite or lot containing less than one acre of land.

2. LAND USE

All of the lands covered by these restrictions shall be known and used for residential purposes. No structure shall be erected, altered, placed or permitted to remain on each lot or homesite, other than one single family dwelling, a private garage, servants quarters, barn and outbuildings used in connection with such dwelling. This provision shall exclude hospitals, duplex houses, apartment houses, multiple family houses, places of worship, and all structures of whatever kind or character designed or used for commercial or industrial purposes.

3. STRUCTURES

All structures, residences, garages, barns and outbuildings constructed, erected or placed on any lot or homesite shall be new construction. New construction means that no used or second-hand structure shall be moved in or placed on any of said lands. In addition to the foregoing, every residence shall contain a minimum of 1700 square feet of ground floor living area; no residence shall be more than two (2) stories in height; provided that any story and one-half or two story residence shall contain not less than 1750 square feet of living area, with a ground floor living area of not less than 1200 square feet; living area does not include porches (either open, screened or closed), garages or other areas not occupied and used by the owners as living space. Materials of owners choice may be used in construction of improvements on this property, except that no artificial tarpaper brick, or sheet metal shall be used on any structure on said lands. In this connection, the owners of said lands may use manufactured colored metal panels for the construction of improvements on said lands. All wood shall be either painted or stained with not less than two coats of paint or protective material.

**4. ANIMALS**

No animals, livestock, fowl or poultry of any kind shall ever be raised, bred or kept on any part of this property for any commercial or semi-commercial purpose. This provision shall never be construed to prohibit the keeping of any animal, livestock, fowl or poultry for the purpose of a pet or hobby; provided only that such animals, livestock, fowl or poultry shall be kept and maintained in a clean and sanitary condition which will not be a nuisance or become offensive to the neighborhood.

**5. TEMPORARY RESIDENCES OR BUILDINGS**

No structure of a temporary character, house trailer, basement, tent, shack, garage, barn or other similar type erected on any part of said property, shall be used at any time as a residence, either temporarily or permanently.

**6. CULVERTS AND CROSSINGS**

All driveways or culverts crossing ditches or public drains shall be installed in accordance with the rules and regulations of the governing body having control over the streets and drains within said property. Driveways shall have a width of not less than fifteen (15) feet.

**7. TERM**

These restrictions and covenants are hereby declared to be covenants running with the land and shall be fully binding upon all persons acquiring part of said property whether by descent, devise, purchase or otherwise, and any person by the acceptance of title to any part of said property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants. The covenants are to run with the land and shall be binding for a period of 21 years from September 8, 1990, and shall be automatically extended for successive ten (10) year periods thereafter unless on or before one (1) month prior to the end of such period of time fifty-one (51%) percent of the owners of the land area described herein shall agree in writing, properly executed and recorded in the Office of the County Clerk of Fort Bend County, Texas, to amend or repeal such restrictions.

**8. ENFORCEMENT**

If any person or persons shall violate or attempt to violate any of these restrictions and covenants herein, it shall be lawful for any person or persons owning an interest in the land described on Exhibit "A" to prosecute proceedings at law or in equity against the person violating or attempting to violate any such restriction and covenant, either to prevent such person from so doing or to correct such violation or to recover damages or other relief for such violation. Invalidation of any one or any part of these restrictions by judgment or court order shall in no wise affect any of the other provisions or parts of provisions which shall remain in full force and effect.

**9. MULTIPLE COUNTERPARTS**

These restrictive covenants may be signed in any number of counterparts and will take effect and be binding upon any party signing them. When properly recorded in the Real Property Records of Fort Bend County, Texas, the individual counterparts shall collectively be deemed the whole of the Restrictive Covenants.

IN WITNESS WHEREOF, the parties have executed these Restrictive

FIELD NOTES FOR A 40.13 ACRE TRACT OUT OF THE INTERNATIONAL & GREAT NORTHERN RAILROAD COMPANY, SURVEY H, ABSTRACT NO. 366, FORT BEND COUNTY, TEXAS.

BEGINNING: At the North corner of the T. Robinson Survey, A-311 in the Southwest line of the George Cartwright Survey, A-149 also being the East corner of the I. & G.N. Railroad Company Survey;

THENCE: South 45° 00' 00" West with the Southeast line of the I. & G.N. Railroad Company Survey a distance of 2441.5 feet to the South corner of the I. & G.N. Railroad Survey;

THENCE: North 00° 03' 00" West with the West line of the I. & G.N. Railroad Survey at 615.49 feet passed the center line of Meadow Lane (60 foot width) continuing for a total distance of 1230.98 feet to the Northwest corner of a 4.89 acre tract;

THENCE: North 45° 00' 00" East a distance of 1571.06 feet to the Northeast line of the I. & G.N. Railroad Survey as located in Katy-Gaston Road; said corner also being the North corner of a 3.0 acre tract;

THENCE: South 45° 03' 00" East with said survey line a distance of 871.20 feet to the PLACE OF BEGINNING and containing 40.13 acres of land. The above description was prepared from deed records and does not represent an on the ground survey.

*David Leyendecker*  
 For Clay & Leyendecker, Inc.  
 David Leyendecker, R.P.L.S.  
 Texas Registration No. 2085  
 September 13, 1990



DL/mm

tive Covenants in multiple counterparts as of the date of their respective acknowledgement. The effective date (and date of this agreement) for reference purposes shall be the date of the latest acknowledgement.

Arthur Charles Wilson  
ARTHUR CHARLES WILSON

Address: 26402 Meadow Lane  
Katy, Texas 77494

Virginia L. Wilson  
VIRGINIA L. WILSON

Address: 26402 Meadow Lane  
Katy, Tx. 77494

Larry Charles Nix  
LARRY CHARLES NIX

Address: 26410 Meadow Ln.  
Katy, Tx 77494

Julia Carmen Whitesell  
JULIA CARMEN WHITSELL

Address: 26410 Meadow Ln  
Katy, Tx 77494

Sam A. Scardino  
SAM A. SCARDINO

Address: 26414 Meadow Ln  
Katy Texas 77494

Bennie Louise Scardino  
BENNIE LOUISE SCARDINO

Address: 26414 Meadow Ln  
Katy Texas 77494

Dieter H. Hopfe  
DIETER H. HOPFE

Address: 26418 Meadow Lane  
Katy, Texas 77494

Donna R. Hopfe  
DONNA R. HOPFE

Address: 26418 Meadow Lane  
Katy, Tx. 77494

\_\_\_\_\_  
DONALD RENSHAW

Address: \_\_\_\_\_

\_\_\_\_\_  
BARBARA RENSHAW

Address: \_\_\_\_\_

Dale H. McMILLAN  
DALE H. MCMILLAN

Address: 26319 Meadow Lane  
Katy, TX 77494

Janel C. McMILLAN  
JANEL C. MCMILLAN

Address: 26319 Meadow Ln  
Katy, Tx. 77494

Sidney P. Victory, Jr.  
SIDNEY P. VICTORY, JR.

Address: 26403 Meadow Lane  
Katy TX 77494

Jane B. Victory  
JANE B. VICTORY

Address: 26403 Meadow Lane  
Katy, Texas 77494

David W. Zapalac  
DAVID W. ZAPALAC

Address: 19607 Remington Crest Ct.  
Houston, TX 77094

Theresa L. Zapalac  
THERESA L. ZAPALAC

Address: 19607 Remington Crest Ct.  
Houston, TX 77094

John Travis Crowe Jr.  
JOHN TRAVIS CROWE, JR.

Address: 26511 Meadow Ln  
Katy, TX 77494

Martha L. Crowe  
MARTHA L. CROWE

Address: 26511 Meadow Lane  
Katy, TX 77494

Marion P. Lindsey Jr.  
MARION P. LINDSEY, JR.

Address: 26001 Stockdale School Rd  
Katy, Texas 77493

Grace W. Lindsey  
GRACE W. LINDSEY

Address: 26001 Stockdale School Rd  
Katy, Texas 77493

James M. Jamail  
JAMES M. JAMAIL

Address: 26611 Meadow Ln.  
Katy, Texas 77494

Dawn W. Jamail  
DAWN W. JAMAIL

Address: 26611 Meadow Lane  
Katy, TX 77494

John J. Swantner  
JOHN J. SWANTNER

Address: 26303 Meadow Ln.  
KATY, TX 77494

Jane R. Swantner  
JANE R. SWANTNER

Address: 26303 Meadow  
Katy, TX 77494

MIKE GAYLON DAVIS

Address: \_\_\_\_\_  
\_\_\_\_\_

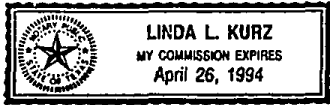
THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 5 day of November, 1992, by JOHN J. SWANTNER.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



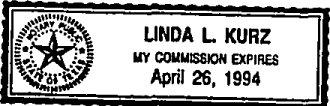
THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 5 day of November, 1992, by JANE R. SWANTNER.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



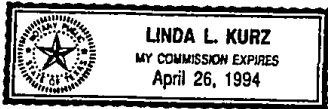
THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 5 day of November, 1992, by JAMES M. JAMAIL.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



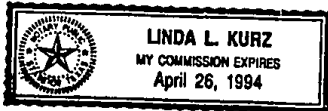
THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 5 day of November, 1992, by DAWN W. JAMAIL.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 5 day of November, 1992, by MARION P. LINDSEY, JR.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 5 day of November, 1992, by GRACE W. LINDSEY.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS





THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 2 day of November, 1992, by JOHN TRAVIS CROWE, JR.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 2 day of November, 1992, by MARTHA L. CROWE.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 5 day of November, 1992, by DAVID W. ZAPALAC.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



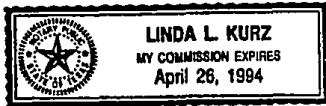
THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 5 day of November, 1992, by THERESA L. ZAPALAC.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 2nd day of November, 1992, by SIDNEY P. VICTORY, JR.

My commission expires:



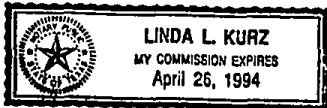
Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 2 day of November, 1992, by JANE B. VICTORY.

My commission expires:



Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS

2484 2180

THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 5 day of November, 1992, by DALE H. McMILLAN.

My commission expires:



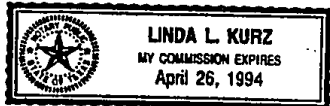
Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 5 day of November, 1992, by JANELL C. McMILLAN.

My commission expires:



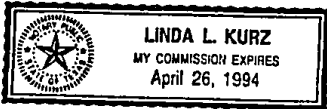
Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §  
COUNTY OF Harris §

This instrument was acknowledged before me on the 2 day of November, 1992, by DIETER H. HOPFE.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS

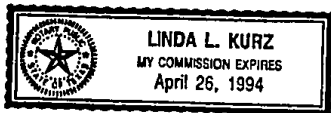


THE STATE OF TEXAS §  
COUNTY OF Harris §

This instrument was acknowledged before me on the 2 day of November 1992, by DONNA R. HOPFE.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



2484 2182

THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 2 day of November, 1992, by SAM A. SCARDINO.

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

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 2 day of November, 1992, by BENNIE LOUISE SCARDINO.

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

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 5 day of November, 1992, by ARTHUR CHARLES WILSON.

My commission expires:



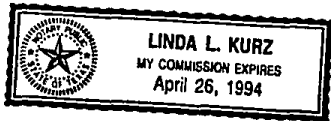
Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 5 day of November, 1992, by VIRGINIA L. WILSON.

My commission expires:



Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 2 day of November, 1992, by LARRY CHARLES NIX.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on the 2 day of November, 1992, by JULIA CARMEN WHITSELL.

My commission expires:

Linda L. Kurz  
NOTARY PUBLIC, STATE OF TEXAS



Ref Jane Victory  
26403 Meadow Ln  
Raty TX 77494  
392-9118



2484 2185

FILED FOR RECORD  
TIME 11:31 AM  
P.M.

JAN 21 1993

*Dianna Wilson*  
County Clerk, Fort Bend Co., Tex.

STATE OF TEXAS COUNTY OF FORT BEND  
I hereby certify that this instrument was filed on  
the date and time stamped herein by me and was  
only recorded in the volume and page of the Official  
Records of Fort Bend County, Texas as stamped by  
me.

JAN 25 1993



*Dianna Wilson*  
County Clerk, Fort Bend Co., Tex.