

## RESTRICTIONS ON AND FOR LAKE SHADOW ADDITION AMENDED

STATE OF TEXAS:

COUNTY OF HILL:

KNOW BY ALL MEN THESE PRESENTS

**WHEREAS**, Lake Shadow Properties, LLC, a Texas Limited Liability Company, (hereinafter referred to as ("Developer") is the owner and developer of:

All those lots in the Lake Shadow Addition according to the Final Plat prepared by Jessie Joseph Ince (P.E.#5175) thereof filed of record of the Plat Records of Hill County, Texas.

(Such plat, and any revisions, supplements or additions thereto are incorporated herein by reference for all purposes); and

**WHEREAS**, Developer will convey title to the lots above described to third parties; and

**WHEREAS**, for the purpose of creating and carrying out a uniform plan for the improvement and development of Lake Shadow Addition subdivision (including, but not limited to: preserving the natural beauty of the property; minimizing the erection of unsuitable structures; encouraging harmonious architectural schemes and advancing the highest and best development use of the property). Developer desires to implement the following restrictions, conditions and use limitations.

**NOW, THEREFORE**, in order to create and carry out a general and uniform plan for the Lake Shadow Addition subdivision (hereinafter referred to as "the Addition") and for the benefit of the present and future owners of lots in the Addition, Developer does hereby adopt and establish the following conditions and restrictions, which shall be applicable to all land within the Addition:

### I. RESTRICTIONS

- 1) All lots in Block One (1), Two (2), Three (3), Four (4) and Five (5) of the Lake Shadow Addition shall be used, known and described as single-family residential lots except on such lots as have been or may be set aside by the Developer for other use.
- 2) All lots in Block Six (6), Seven (7), and Eight (8) are restricted to commercial and business use.
- 3) No commercial activity or use shall be conducted on or from any lot within the Lake Shadow Addition restricted to single-family residential use; provided, however, that the sale or resale of lots in the Lake Shadow Addition, the use of lots for drill sites or the use of lots for utility services amenities shall not be considered to be commercial activity no lot may be re-subdivided. Persons owning two or more adjoining lots may consolidate such lots into one building site, with the right of constructing improvements as otherwise permitted in these restrictions.
- 4) The developer shall appoint an architectural Control committee (hereinafter called "the committee"), composed of three or more individuals. The committee shall function as the representative of the Developer and Owners of lots in the Addition to provide for and assist in preservation and architectural control of the Addition. A majority of the committee may designate a representative to act for it. No improvement or structure of any nature shall be erected, placed or altered on any lot until the construction plans, specifications and a plot plan (showing the location of the improvements on the lot) have been submitted to and approved by the committee. If the committee fails to approve or disapprove such plans and specifications within ten (10) days after actual receipt of such plans, then Committee approval shall be presumed.

- 5) Each residential dwelling constructed in Block One (1), Two (2), Three (3), Four (4) and Five (5) of the Lake Shadow Addition shall contain a minimum of :
- (a) 1,400 square feet of covered floor area exclusive of all porches, patios, carports, garages or breezeways attached to the main dwelling if the lot is nine-tenth (0.9) acre or larger.
  - (b) 1,000 square feet of covered floor area exclusive of all porches, patios, carports, garages or breezeways attached to the main dwelling if the lot is less than nine-tenth (0.9) acre.

No residential dwelling or structure on any lot shall exceed two (2) stories in height.

The outside wall area of each residential dwelling constructed in Block One (1), Two (2), Three (3), Four (4) and Five (5) of the Lake Shadow Addition, if the lot is nine-tenth (0.9) acre or larger, shall consist of not less than twenty-five percent (25%) masonry construction, consisting of brick, brick veneer, stone or stone veneer, stucco or stucco veneer, ledge stone, fieldstone or native types of stone veneer.

The outside wall area of each residential dwelling constructed in Block One (1), Two (2), Three (3), Four (4) and Five (5) of the Lake Shadow Addition, if the lot is less than nine-tenth (0.9) acre, shall consist of not less than:

- (a) one hundred percent (100%) fiber cement or other approved siding or
  - (b) not less than twenty-five percent (25%) masonry construction, consisting of brick, brick veneer, stone or stone veneer, stucco or stucco veneer, ledge stone, fieldstone or native types of stone veneer.
- 6) No mobile homes, manufactured homes, modular homes, prefabricated structures or improvements containing metal or asbestos exterior siding or metal, tarpaper or roll-type exterior or flat roofs shall be permitted on any lot within the Addition. All improvements must be constructed "on-site" and all construction must be of new materials, except stone, brick, inside structural material or other materials used for decorative effect, provided such use is approved in writing by the Committee.
- 7) Storage buildings may be constructed on all lots restricted to single-family dwellings in the Addition. Storage buildings must be of high quality construction and must be stained or painted. Storage building construction or placement on a lot must be approved in writing by the Committee. No storage facility shall be placed in front or side yards of any home.
- 8) Barns may be constructed in Blocks Two (2), Lots 12 through 47, and Block Five (5), Lots 1 through 23, of the Lake Shadow Addition. Barns shall contain a minimum of two hundred and twenty (220) square feet of floor space. Any portion of the barn left open shall be turned away from existing streets.
- 9) No animals, livestock, or fowl will be allowed within the Addition, except as otherwise provided herein or in paragraph (10) of these restrictions. Household pets shall be permitted provided they are not kept, or bred or maintained for commercial purposes.
- 10) Horses may be kept on fenced-in lots containing 1.8 acres or more (two lots), subject, however, to a maximum of two (2) horses per two (2) fenced-in lots.
- 11) Watering facilities for horses shall be installed adjacent to barns or stables and made of new material, either galvanized metal or concrete.

- 12) Individual water wells may be drilled on any lot in the Addition subject to the requirements of the Texas Natural Resource Conservation Commission and any other governing body.
- 13) Driveways shall be required on improved lots and shall be constructed of a permanent wearing surface subject to the approval of the Committee. Culverts for driveways on all lots shall be mandatory.
- 14) Fences may be constructed on any lot in the subdivision subject to approval of the Committee, but may not create a safety hazard at any intersection of Addition streets. Fences which serve to confine horses and which face any street must be constructed of wood, vinyl, or other high quality material subject to approval by the Committee.
- 15) Lakes or ponds may be constructed on any lot in the Addition, subject to approval by the Committee, but may be no closer than 20' from any lot line, and may not be larger than ten percent (10%) of the total area of the lot upon which they are located.
- 16) Any improvement commenced upon a lot shall be completed, as to exterior finish and appearance, within ten (10) months from the commencement date.
- 17) No recreational vehicle, bus or other vehicle, temporary structure, tent, shack, barn, storage building or other out-building shall be used on any lot at any time as a residence.
- 18) No ground fires shall be built or maintained on any lot. Burning of trash within the Addition is prohibited.
- 19) Discharge of firearms within the Addition is prohibited.
- 20) No hunting shall be permitted within the Addition.
- 21) Recreational vehicles shall be kept within the back one-half of any lot, hidden from street view, provided, that the lot has a residential dwelling.
- 22) Each lot shall be kept and maintained in a neat and orderly condition, with weeds, grass and/or unsightly growth properly controlled. No trash or refuse shall be allowed to accumulate and remain upon any lot with the Addition. Trash shall be kept only in sanitary containers located in appropriate areas screened and concealed from public view. Scrub trees must be removed from any and all lots. Failure on a property owner's part to maintain their property within these guidelines shall cause the owner to be billed by the Home Owners' Association for any and all expenses deemed necessary to rectify the problem. The property Owner will thereafter reimburse the Home Owners' Association within thirty (30) days of the incurred expense.
- 23) The right to amend the Restrictions is expressly retained by the developer.
- 24) At no time shall abandoned or inoperable vehicles be allowed to be kept on property for a period longer than 30 days.
- 25) All homes to be constructed in the Lake Shadow Addition shall be have a setback of forty-five (45) feet from the front of the property line if the lot is nine-tenth (0.9) acre or larger and have a setback of twenty-five (25) feet from the front of the property line if the lot is less than nine-tenth (0.9) acre. No structure of any nature shall encumber any part of the ten (10 ft.) easement on each side of the homeowner's property lines. No structure of any nature shall encumber any part of the ten (10 ft.) easement from the back of the homeowner's property line.

EXECUTED this the 15<sup>th</sup> day of January, 2003

Lake Shadow Properties, LLC.

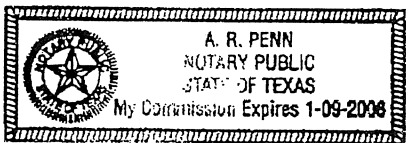
Paul Scott Bissing  
Paul Scott Bissing, Member

STATE OF TEXAS §

COUNTY OF HILL §

This instrument was acknowledged before me on this the 15<sup>th</sup> day of January, 2003, by Paul Scott Bissing, Member of Lake Shadow Properties, LLC, a Texas Limited Liability Company, on behalf of said company.

SEAL



A.R. Penn  
Notary Public, State of Texas  
Printed Name: A.R. PENN  
Commission Expires: 1-9-2006