

Lots Available for Building

197 CR 3377

Kempner, TX 76539

Lampasas County

Lot 57

Chica Ranch III

1.04 Acres

Chica Ranch Phase III**ALSO KNOWN BY ALL MEN OF THESE PRESENTS:**

THE STATE OF TEXAS ()
COUNTY OF LAMPASAS ()

That Jeff Dewald Construction, Inc., developer of Chica Ranch Phase III, to the County of Lampasas, Texas, do hereby adopt the following restrictions, protective covenants and conditions for its mutual benefit and interest of the neighborhood where said properties are located, have and do hereby mutually covenant, conclude and agree as follows:

I.

LAND USE AND BUILDING TYPE. No lot shall be used except for residential purposes. There shall be no structure erected on any lot other than single family dwellings that do not exceed two stories in height. All exterior walls shall not be less than 60% masonry on 2 story homes and not less than 75% masonry on single story homes. The architectural control committee will be the office of Jeff Dewald Construction, Inc., 13888 FM 580 Kempner, TX 76539 and can be reached at 254-681-3600.

II.

DWELLING SIZE. Single family homes shall have a minimum of 1600 square feet of floor area, not counting basements, garages, porches and patios. Any adjoining development by Jeff Dewald Construction, Inc. will have a minimum of 1600 square feet.

III.

AREA REGULATIONS. Lots: Building line setback shall be 30 feet from front property line. Side setbacks shall be minimum of 20 feet on either side. Rear setback shall be minimum of 40 feet to back building line. No lots shall be divided or re-platted unless approved by the architectural control committee.

IV.

OTHER STRUCTURES: Construction of site built buildings only will be permitted. These buildings and structures shall be limited to garages, tool sheds, guest houses, decorative structures such as gazebos, swimming pools, cabanas, and similar other structures. No such structure shall be constructed or placed within 10 feet of any property line and they will be on the side or rear of the main home. Swimming pools may be placed anywhere on the lot if they are in-ground pools. If they are above ground pools they may be placed anywhere other than the front of the house. The exterior finish of any other building structure shall be consistent with the main home. Carports are permitted in lieu of garages. The architectural control committee shall approve items in this paragraph.

V.

DRIVEWAYS AND WALKWAYS. All driveways and walkways will be constructed of an all-weather surface, such as concrete, asphalt, gravel or road base.

VI.

PARKING REGULATIONS. All parking shall be off street parking only. No vehicle shall park in street easement.

VII.

VEHICLES. No vehicle of any size, which normally transports hazardous materials, may be kept in the subdivision at any time. No inoperable or vehicles under repair should be left in plain sight of main street. No more than one vehicle at any one time that is inoperable or under repair will be permitted. No accumulation of vehicles other than those for family or business use will be permitted.

VIII.

FENCES. All fencing must be submitted in writing to the architectural control committee for approval prior to construction. Please give detailed description of the proposed fencing.

IX.

NUISANCES. No offensive activity shall be permitted on any lot at any time.

X.

TEMPORARY STRUCTURES. No structure of a temporary nature, such as, trailer, tent, garage, barn or other out-building shall be used on any lot at any time as a permanent residence.

XI.

SIGNS. No sign of any kind shall be displayed to the public on any lot except for signs advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

XII.

OIL AND MINING OPERATION. No oil and mining operations or the equipment to perform such activities will be allowed on or in the subdivision.

XIII.

GARBAGE AND REFUSE DISPOSAL. No lot shall be used or maintained as a dumping ground for rubbish. Garbage and other waste shall not be kept except in sanitary containers. All incinerators or other equipment used for storage or disposal of such material shall be kept in a sanitary condition.

XIV.

ANIMALS. No animals shall be kept on any lot for commercial breeding purposes. However, the owners of the lot may keep the following list of animals: dogs, cats and horses (no more than 2 horses per lot). No animal (other than cats) will be permitted to roam loose in the subdivision.

XV.

VARIANCES. All variance requests must be submitted to the architectural control committee in writing for consideration. Each variance will be considered on a case by case basis. However, variances will only be considered on the following sections of the restrictions: I, III, IV and XIV.

XVI.

ENFORCEMENT. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain the violation or to recover damages.

XVII.

SEVERABILITY. Invalidation of any one of these covenants by judgment or court order shall in no way effect any of the other provisions, which shall remain in full effect.

XVIII.

Electric Service. The subdivision shall have overhead electric service provided to each lot, however, each new home or any structure needing electric service shall be connected by underground electric service.

XIX.

The following section is mandated by Lampasas County:

- A) Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
- B) The existing creeks or drainage channels traversing along or across the subdivision will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
- C) Lampasas County will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
- D) Lampasas County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flooding conditions.

Executed on this the 26th day of April, 2006.

Jeff Dewald Construction, Inc.

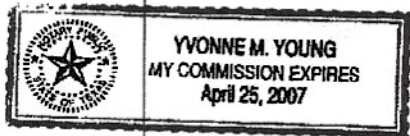
BY: *Jeff Dewald*
Jeff Dewald, President

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF CORYELL

This instrument was acknowledged before me on the 26th day of April, 2006, By Jeff Dewald, President of Jeff Dewald Construction, Inc., A Texas Corporation on behalf of said corporation.



Yvonne M. Young
Notary Public, State of Texas

123196

FILED FOR RECORD

10:00 AM
MAY 01 2006

CONNIE HARTMANN, COUNTY CLERK
LAMPASAS COUNTY, TEXAS
Connie Hartmann

Filed 5-1-06 @ 10:00 AM
Rec: 5-1-06 @ 11:36 AM

CONNIE HARTMANN, COUNTY CLERK
By: *Connie Hartmann* Dep.