

Rest.

174 / 0632

True and Accurate Copy of  
The Original Certified by  
Copperas Cove Abstract and Title Company  
*Joe Caruthers*

THE STATE OF TEXAS )  
                              )  
COUNTY OF LAMPASAS )

KNOW ALL MEN BY THESE PRESENTS:

That we, JOHN W. BOWEN and WILLIAM E. HATTAWAY, being the owners of all of the following described real property in Lampasas County, Texas, to-wit:

All that certain tract or parcel of land out of the C. K. Walker Survey, Abstract No. 1624, situated in Lampasas County, Texas, being a part of that certain 100 acres of land conveyed from Merle K. Segler and James E. Segler to Hans Bieseemann, et ux, by Warranty Deed dated December 13, 1967 and recorded in Lampasas County Deed Records Volume 136, page 180, same being Quit Claimed by Diane Vesta Bieseemann to Hans Bieseemann; and described by metes and bounds as follows:

BEGINNING at an iron pin at a fence corner for the Northeast corner of this tract, same being South 71° 24' 22" West 321.97 feet and South 18° 20' 16" East 926.27 feet from the Northwest corner of the G. S. Downs Survey, same being an ell corner of said Walker Survey;  
THENCE: South 17° 54' 20" East 608.95 feet to an iron pin set for corner;  
THENCE: South 72° 05' 39" West 377.93 feet to an iron pin set for an ell corner of this tract;  
THENCE: South 17° 54' 21" East 351.07 feet to an iron pin set for corner, same being Northeast corner of a 13.886 acre tract being retained by Hans Bieseemann;  
THENCE: South 72° 05' 39" West 1021.34 feet to an iron pin set for an ell corner, same being Northwest corner of said 13.886 acre tract;  
THENCE: South 17° 54' 21" East 592.24 feet to an iron pin set for corner, same being Southwest corner of said 13.886 acre tract;  
THENCE: South 72° 05' 39" West 346.70 feet to an iron pin set for the Southwest corner of this tract in the East margin of an old County Road;  
THENCE: North 17° 37' 11" West 1555.99 feet, along and with said East margin to an iron pin found for the Northwest corner of this tract;  
THENCE: along and with the occupied North line of this tract, North 72° 24' 23" East 1268.84 feet and North 71° 42' 17" East 469.40 feet to the place of beginning and containing 40.00 acres of land,

and all of the following described real property in Lampasas County, Texas, to-wit:

All that certain tract or parcel of land out of the C. K. Walker Survey, Abstract No. 1624, and the J. M. Chalk Survey, Abstract No. 974, situated in Lampasas County, Texas, being a part of that certain 100 acres of land conveyed from Merle K. Segler and James E. Segler to Hans Bieseemann, et ux, by Warranty Deed dated December 13, 1967 and recorded in Lampasas County Deed Records Volume 136, page 180, same being Quit Claimed by Diane Vesta Bieseemann to Hans Bieseemann; and described by metes and bounds as follows:

BEGINNING at an iron pin set for the Northeast corner of this tract in the South right of way of F.M. Hwy 2808, North 18° 20' 18" West 57.87 feet from the Northwest corner of the G. S. Downs Survey; same being an ell corner of said Walker Survey;  
THENCE: South 18° 20' 18" East 1497.15 feet, South 17° 29' 48" East 1230.90 feet and South 14° 56' 09" East 84.66 feet, along and with the occupied west line of said Downs Survey, to an iron pin set for the Southeast corner of this tract in the North margin of the old Belton-Lampasas Road;

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THENCE: along and with said Road South 72° 05' 39" West 1921.58 feet, North 80° 17' 10" West 124.63 feet, North 33° 27' 57" West 126.96 feet and North 17° 37' 11" West 92.17 feet to an iron pin set for corner;

THENCE: North 72° 05' 39" East 1368.04 feet to an iron pin set for an ell corner of this tract, same being the Southeast corner of a 13.886 acre tract of land retained by Hans Biesemann;

THENCE: North 17° 54' 21" West, at 592.24 feet passing the Northeast corner of said 13.886 acres, in all, 943.31 feet to an iron pin set for corner;

THENCE: North 72° 05' 39" East 377.93 feet to an iron pin set for another ell corner;

THENCE: North 17° 54' 21" West 608.95 feet and North 18° 20' 16" West 944.14 feet to an iron pin found for the Northwest corner of this tract in the South right of way of F. M. Hwy 2808;

THENCE: North 64° 29' 10" East 331.55 feet to the place of beginning and containing 40.00 acres of land,

to be known as SPANISH OAKS, do hereby adopt the following restrictions, protective covenants and conditions for their mutual benefit and for the 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 except those designated otherwise, shall be used for any purpose other than for residential purposes. There shall be no structure erected on any plot other than one (1) family dwelling per lot which shall not exceed two (2) stories in height. All exterior walls shall be of not less than sixty-five (65%) per cent masonry construction.

II.

DWELLING SIZE. The floor area of the main structure, exclusive of open porches and garages, shall be not less than one thousand five hundred (1,500) square feet.

III.

RE-LOCATION OF BUILDINGS. Construction of new buildings only shall be permitted, it being the intent of this covenant to prohibit the moving of any existing building onto a lot and re-modeling or converting same into a dwelling unit in this subdivision.

IV.

NUISANCES. No obnoxious or offensive trade or activity shall be carried on on any lot, or shall anything be done which may be or may become an annoyance or nuisance to the neighborhood.

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## V.

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

## VI.

EASEMENTS. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat.

## VII.

OIL AND MINING OPERATIONS. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted on any lot.

## VIII.

LIVESTOCK AND POULTRY. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets and horses or a cow for family use and entertainment may be kept provided that they are not kept, bred, or maintained for any commercial purposes.

## IX.

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

## X.

SIGHT DISTANCE AT INTERSECTIONS. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area

formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the street property lines extended. The same sight line limitations shall apply on any lot within ten (10) feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

XI.

TEMPORARY STRUCTURES. No trailer houses, mobile homes, etc. for the purpose of a residence will be allowed on any lot other than on a temporary basis, not to exceed six (6) months. Temporary housing of this type will be connected to septic tank and drain line meeting FHA or VA specifications.

XII.

TERM. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

XIII.

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 violation or to recover damages.

XIV.

SEVERABILITY. Invalidation of any one of these covenants by judgment of Court Order shall in no wise effect any of the other provisions which shall remain in force and effect in full.

WITNESS our hands, this the 7<sup>th</sup> day of May, 1976.

SPANISH OAKS

John W. Bowen  
John W. Bowen, Owner

William E. Hattaway  
William E. Hattaway, Owner

STATE OF TEXAS        )  
                                  )  
COUNTY OF CORYELL    )

BEFORE ME, the undersigned authority, on this day personally appeared John W. Bowen and William E. Hattaway, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 7<sup>th</sup> day of May, 1976.

NITA S BROWN  
Nita S Brown  
NOTARY PUBLIC, CORYELL COUNTY, TEXAS



01957

**FILED FOR RECORD**

JUN 7 1976  
10:30 AM  
NADINE HAYNES COUNTY CLERK, LAMPASAS  
COUNTY, TEXAS  
DEPUTY

**FILED**

7 day of June 1976  
Nadine Haynes  
COUNTY CLERK, LAMPASAS COUNTY, TEXA  
DEPUTY

Filed: 6-7-76 @ 10:30AM  
Rec: 6-7-76 @ 11:05A M  
Nadine Haynes, County Clerk  
By: Dawn Wendel Dep.

THE STATE OF TEXAS }  
COUNTY OF LAMPASAS }

KNOW ALL MEN BY THESE PRESENTS: *Joe Carothers*

That we, JOHN W. BOWEN AND WILLIAM E. HATTAWAY, being the owners  
of all of the following described real property in Lampasas County,  
Texas, to-wit:

All that certain tract or parcel of land out of the C.K. Walker Survey,  
Abstract No. 1624, situated in Lampasas County, Texas, being a part of  
that certain 100 acres of land conveyed from Merle K. Segler and James  
E. Segler to Hans Biesemann et ux, by Warranty Deed dated December 13,  
1967, and recorded in Lampasas County Deed Records Volume 136, page 180,  
same being described by metes and bounds as follows:  
BEGINNING at an iron pin at a fence corner for the Northeast corner of this  
tract, same being South 71° 24' 22" West 321.97 feet and South 18° 20' 16"  
East 926.27 feet from the Northwest corner of the G.S. Downs Survey, same  
being an ell corner of said Walker Survey;  
THENCE: South 17° 54' 20" East 608.95 feet to an iron pin set for corner;  
THENCE: South 72° 05' 39" West 377.93 feet to an iron pin set for an ell  
corner of this tract;  
THENCE: South 17° 54' 21" East 351.07 feet to an iron pin set for corner,  
same being Northeast corner of a 13.886 acre tract being retained by  
Hans Biesemann;  
THENCE: South 72° 05' 39" West 1021.34 feet to an iron pin set for an  
ell corner, same being Northwest corner of said 13.886 acre tract;  
THENCE: South 17° 54' 21" East 592.24 feet to an iron pin set for corner,  
same being Southwest corner of said 13.886 acre tract;  
THENCE: South 72° 05' 39" West 346.70 feet to an iron pin set for the  
Southwest corner of this tract in the East margin of an old County Road;  
THENCE: North 17° 37' 11" West 1555.99 feet, along and with said East  
margin to an iron pin found for the Northwest corner of this tract;  
THENCE: along and with the occupied North line of this tract, North 72°  
24' 23" East 1268.84 feet and North 71° 42' 17" East 469.40 feet to the place  
of beginning and containing 40.00 acres of land,  
and all of the following described real property in Lampasas County, Texas,  
to-wit:

All that certain tract or parcel of land out of the C.K. Walker  
Survey, Abstract No. 1624, and the J.M. Chalk Survey, Abstract No. 974,  
situated in Lampasas County, Texas, being a part of that certain 100 acres  
of land conveyed from Merle K. Segler and James E. Segler to Hans Biesemann,  
et ux, by Warranty Deed dated December 13, 1967 and recorded in Lampasas County  
Deed Records Volume 136 page 180, same being Quit Claimed by Diane Vesta  
Biesemann to Hans Biesemann; and described by Metes and bounds as follows:  
BEGINNING at an iron pin set for the Northeast corner of this tract in the  
South right of way of F.M. Hwy 2808, North 18° 20' 16" West 57.87 feet from  
the Northwest corner of the G.S. Downs Survey, same being an ell corner of  
said Walker Survey;  
THENCE: South 18° 20' 16" East 1497.15 feet, South 17° 29' 48" East 1230.90  
feet and South 14° 56' 09" East 84.66 feet, along and with the occupied  
West line of said Downs Survey, to an iron pin set for the Southeast  
corner of this tract in the North margin of the old Belton-Lampasas Road;  
THENCE: along and with said Road South 72° 05' 39" West 1921.58 feet, North  
80° 17' 10" West 124.63 feet, North 33° 27' 57" West 126.96 feet and North  
17° 37' 11" West 92.17 feet to an iron pin set for corner;  
THENCE: North 72° 05' 39" East 1368.04 feet to an iron pin set for an ell  
corner of this tract, same being the Southeast corner of a 13.886 acre tract  
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ell corner;  
THENCE: North 17° 54' 21" West 608.95 feet and North 18° 20' 16" West 944.14  
feet to an iron pin found for the Northwest corner of this tract in the South  
right of way of F.M. Hwy 2808;  
THENCE: North 64° 29' 10" East 331.55 feet to the place of beginning and  
containing 40.00 acres of land,

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to be known as SPANISH OAKS, do hereby file the following addendum to the following covenants and restrictions as to Section (1):

(1)

LAND USE AND BUILDING TYPE. No lot except those designated otherwise, shall be used for any purpose other than for residential purposes. There shall be no residential structures erected on any plot other than one (1) family dwelling per lot which shall not exceed two (2) stories in height. All exterior walls shall be of not less than sixty-five (65%) per cent masonry construction.

And do add to the covenants and restrictions:

(XV)

OUTBUILDINGS: Outbuildings (garage, carport, storage buildings, barn, doghouses, etc.) shall be of new construction and meet other restrictions with regard to avoidance of nuisances, observance of easements, and maintenance of sight distance at intersections.

WITNESS OUR HANDS, this the 9th day of August, 1976.

SPANISH OAKS

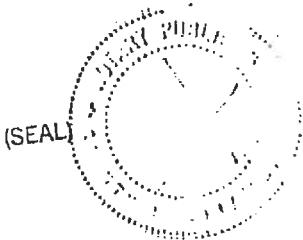
John W. Bowen  
John W. Bowen, Owner

William E. Hattaway  
William E. Hattaway, Owner

STATE OF TEXAS  
COUNTY OF CORYELL

Before me, the undersigned authority, on this day personally appeared John W. Bowen and William E. Hattaway, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 9th day of August, 1976.



Jessica A. Meis  
Notary Public, Coryell County, Texas  
JESSICA A. MEIS  
Notary Public

02389

FILED FOR RECORD

Filed: 8-11-76 @ 11:15AM  
By: Adeline Haynes County Clerk  
By: Adeline Haynes Dep.

AUG 11 1976  
11:15AM  
ADLINE HAYNES COUNTY CLERK, LAMPASAS  
COUNTY, TEXAS  
DEPUTY