

**RESTRICTIVE COVENANTS OF
PERSIMMON SPRINGS PHASE THREE**

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL

That we, the vested Owners of the majority of the lots of Persimmon Springs Phase Three, which the subdivision appears of record in Instrument 2024-013371, of the Official Public Records of Real Property of Bell County, Texas. We, do hereby adopt the following restrictions, protective covenants and conditions for the mutual benefit and interest on the neighborhood and owners of properties within said subdivision and do hereby covenant, conclude and agree as follows:

I.

LAND USE AND BUILDING TYPE: All lots shall be used for residential purposes. There shall be no structure erected on any lot other than one (1) family dwelling which shall not exceed two (2) stories in height. All exterior walls shall be of no less than eighty (80%) percent masonry, that of which must be eighty (80%) percent stone or brick. The remaining may be stucco or equivalent. The architectural committee shall have the power to decide whether or not a structure is in violation of any of the herein restrictions and issue a letter prohibiting or ordering removal of said structure. All homes must be a minimum of fifty-five feet (55') in width.

II.

DWELLING SIZE: Single family dwellings shall have a minimum of 1800 square feet of floor area for single story homes and 2300 square feet for two story homes, exclusive of basements, garages, and porches. Dwelling size may exceed the above requirements, but may not be less than the amount set forth in the foregoing. All first stories must constitute sixty (60%) percent of total living area for two story homes,

III.

SECONDARY STRUCTURES: Construction of new buildings only shall be permitted, it being the intent of these covenants to prohibit the moving of any existing building onto a lot and remodeling or converting same into a dwelling unit in this subdivision. Accessory buildings, of which may not be more than two (2), and structures shall be limited to garages, tool sheds, decorative structures such as gazebos, cabanas, and similar items. Exterior finish materials to follow same rules as the house and be constructed on a concrete slab. Roof design shall be similar to the house. **Minimum size of detached buildings is 180 and maximum 2,000 square feet.** No metal or prefab buildings shall be allowed on any lot.

Lots 2 through 8, Block 3 are not permitted to build any structure within 25 feet of the rear property line.

IV.

PARKING REGULATIONS: Parking on the streets of the subdivision is not permitted.

V.

DRIVEWAYS: All driveways must be concrete. Culvert pipes must be approved by architectural review committee. Culvert pipe size requirement is listed on the plat.

VIII.

NUISANCES: No obnoxious or offensive trade or activity shall be carried on on any lot nor shall anything be done which may be or become an annoyance or nuisance to the neighborhood.

IX.

TEMPORARY STRUCTURES: No structure of a temporary character, trailer, tent, basement, shack, garage, barn, or other out-building shall be used on any lot at any time. P.O.D.'s are allowed for no more than seven (7) days.

X.

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 builders to advertise the property during the construction and sale period.

XI.

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 sanitary condition. No abandoned or non-operable automobiles, trucks, motorcycles, boats, travel trailers, or other such nuisances shall be parked upon the streets or upon the lots, not worked upon mechanically or otherwise in such a manner as to be an unsightly nuisance to the neighborhood. Nuisances are further defined as anything which degrades the overall appearance or looks of the neighborhood, including, but not limited to obstructing the skyline. All hobby vehicles are to be kept in an enclosed area outside of public view.

XII.

ANIMALS: 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 may be kept provided that they are not kept, bred, or maintained for commercial purposes. In any event, no amount of animals may be kept that either exceeds 150 pounds collectively. 3 cats or 3 dogs. No animals allowed outside fenced area without a leash. **EXCEPTION: LOTS 9 THROUGH 23, BLOCK 1 CAN REQUEST APPROVAL FOR POULTRY (NO ROOSTERS). PRIVACY FENCE WILL BE REQUIRED ON FRONT AND SIDES.**

XIII.

SIGHT DISTANCES 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 pavements. No trees shall be permitted to remain within such intersection unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

XIV.

SOLAR PANELS AND ATTENNAS: Solar energy panels may not face any street. No large antennas, receivers or other similar type structures shall be allowed unless approved by the architectural committee.

XV.

SETBACK LINE: Side yard setback is fifteen (15') feet for any building unless superseded as shown on plat. Detached buildings that have an eve height of ten feet (10') or less shall be at a minimum of ten feet (10') from side and rear property lines. Detached buildings that have an eve height of ten feet (10') and up to fifteen feet (15') shall be at a minimum of fifteen feet (15') from side and rear property lines. Detached buildings that have an eve height of over fifteen feet (15') and up to twenty feet (20') shall be at a minimum twenty feet (20') from side and rear property lines.

XVI.

YARD MAINTENANCE: All front yards shall contain grass and be irrigated from house to the concrete curb. Yard shall be landscaped and maintained so as not to be unsightly. Property Owner is responsible for maintaining and mowing to edge of street.

XVII.

ARCHITECTURAL COMMITTEE: The architectural committee shall consist of members appointed by the Developer, and after development and sales are completed, shall be governed by not less than three (3) property owners appointed by Developer. The committee shall be able to grant variances to all restrictions herein so long as it does not take way from the overall aesthetics of the subdivision. Costs of correcting any restriction violated (such as removing old cars, mowing, etc.) incurred by the Committee shall accrue against the property itself, accruing interest as allowed by law, attorney's fees, and any other costs associated with correcting restriction violations. Committee may refer any matters or disputes to local courts. COMMITTEE SHALL PRE-APPROVE ALL HOUSE PLANS IN WRITING BEFORE CONSTRUCTION. ANY DEVIATION TO ANY COVENANT CONTAINED IN THESE RESTRICTIONS MUST BE APPROVED IN WRITING BY THE ARCHITECTURAL COMMITTEE.

Committee will be Ben Atkinson, Wesley Atkinson and James L. Baker, Jr. until such time as all development and sales are completed and Developer has appointed not less than three (3) property owners to be the Architectural Committee.

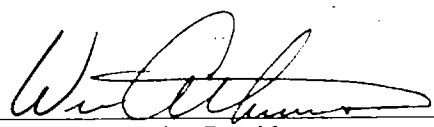
XVIII.

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.

SEVERABILITY: Invalidation of any one of the covenants by judgment of Court order shall in no way affect any of the other provisions which shall remain in full force and effect. Any unclear restriction or variation shall be clarified by the Architectural Committee.

Executed this 2 day of April, 2024.

BWA DEVELOPMENT INC a Texas corporation

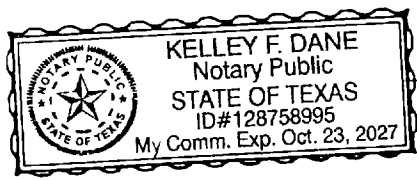


Wesley Atkinson, Vice-President

STATE OF TEXAS)

COUNTY OF CORYELL)

This instrument was acknowledged before me on April 2, 2024 by Wesley Atkinson, as Vice President of BWA Development, Inc., a Texas corporation, on behalf of said corporation.





NOTARY PUBLIC STATE OF TEXAS



Bell County
Shelley Coston
County Clerk
Belton, Texas 76513

Instrument Number: 2024013718

As

RESTRICTIONS

Recorded On: April 02, 2024

Parties: BWA DEVELOPMENT INC

To PERSIMMON SPRINGS PHASE THREE

Billable Pages: 4

Number of Pages: 5

Comment:

(Parties listed above are for Clerks' reference only)

**** Examined and Charged as Follows ****

CLERKS RMF:	\$5.00
RECORDING:	\$17.00
Total Fees:	\$22.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

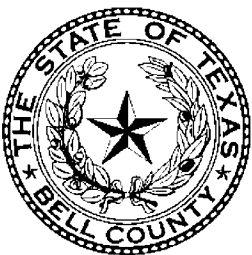
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information

Instrument Number: 2024013718
Receipt Number: 396271
Recorded Date/Time: 04/02/2024 1:00:34 PM
User / Station: fosterk - BCCCD0735

Record and Return To:

Carothers Abstract and Title



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

Shelley Coston
Bell County Clerk

**FIRST AMENDMENT OF RESTRICTIVE
COVENANTS OF PERSIMMON SPRINGS
PHASE THREE**

STATE OF TEXAS

COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS:

That we, the vested Owners of the majority of the lots of Persimmon Springs Phase Three, which the subdivision appears of record in Instrument 2024-013371, of the Official Public Records of Real Property of Bell County, Texas. We, do hereby adopt the following amendment to the restrictions, protective covenants and conditions that appear of record under Instrument No. 2024-013718, Official Public Record of Real Property of Bell County Texas, for the mutual benefit and interest on the neighborhood and owners of properties within said subdivision. This Amendment shall in no way affect any of the other part of the provisions/restrictions as recorded, which shall remain in full force and effect.

Paragraph III is hereby amended to read:

SECONDARY STRUCTURES: Construction of new buildings only shall be permitted, it being the intent of these covenants to prohibit the moving of any existing building onto a lot and remodeling or converting same into a dwelling unit in this subdivision. Accessory buildings, of which may not be more than two (2), and structures shall be limited to garages, tool sheds, decorative structures such as gazebos, cabanas, and similar items. Exterior finish materials to follow same rules as the house and be constructed on a concrete slab. Roof design shall be similar to the house. **Minimum size of detached buildings is 180 square feet and maximum 2,000 square feet.** No metal or prefab buildings shall be allowed on any lot.

Lots 2, 3 and 4, Block 3 are not permitted to build any structure within 25 feet of the rear property line.

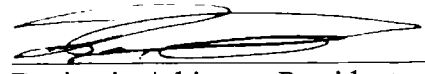
Lots 5, 6, 7 and 8, Block 3 are not permitted to build any enclosed structure within 50 feet of the rear property line.

SEVERABILITY: Invalidation of any one of the covenants by judgment of Court order shall in no way affect any of the other provisions which shall remain in full

force and effect. Any unclear restriction or variation shall be clarified by the Architectural Committee.

Executed this 12 day of April, 2024.

BWA DEVELOPMENT INC a Texas corporation

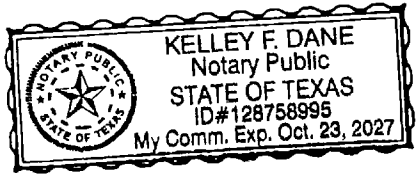


Benjamin Atkinson, President

STATE OF TEXAS)

COUNTY OF CORYELL)

This instrument was acknowledged before me on April 12, 2024 by Benjamin Atkinson, as President of BWA Development. Inc., a Texas corporation, on behalf of said corporation.



Kelley F. Dane
NOTARY PUBLIC STATE OF TEXAS



**Bell County
Shelley Coston
County Clerk
Belton, Texas 76513**

Instrument Number: 2024015412

As

RESTRICTIONS

Recorded On: April 15, 2024

Parties: BWA DEVELOPMENT INC

To PERSIMMON SPRINGS P3

Comment:

Billable Pages: 2

Number of Pages: 3

(Parties listed above are for Clerks' reference only)

**** Examined and Charged as Follows ****

CLERKS RMF:	\$5.00
RECORDING:	\$9.00
Total Fees:	\$14.00

******* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *******

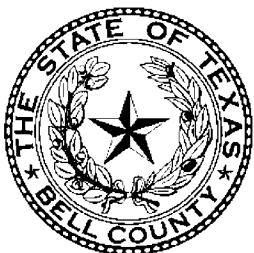
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information

Instrument Number: 2024015412
Receipt Number: 398058
Recorded Date/Time: 04/15/2024 8:06:29 AM
User / Station: smithae - BCCCD0640

Record and Return To:

Carothers Abstract and Title



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

Shelley Coston
Bell County Clerk