

Declaration of Covenants, Conditions and Deed Restriction

Joe C. McMahan, Phylis McMahan, (Developer), the owner of all lands and tracts shown by the plat of land located out of SECT 1 JH GIBSON BLOCK 02Z , situated in Randall County, Texas, better described in attached Exhibit A, property survey. In consideration of the benefits to accrue to it and to subsequent owners thereof, creates, imposes, and impresses in and upon all of the tracts shown by said plat the following covenants and restrictions which run with the land and shall be binding upon the undersigned, it's successors and assigns all persons claiming thereunder to-wit:

1. No trailer house, mobile home or pre-built residence of any kind shall be moved on to or placed on any of the said premises. Travel trailers and recreational vehicles shall be permitted on the premises (after the primary residence is constructed) but shall not be occupied as a residence in any instance other than as temporary guest quarters for not more than 1 week at any one time. On site built new construction homes, minimum of 1800 square feet for main living space.
2. No barns converted to a home. No tent, trailer, recreational vehicle, mobile home, or pre-built building or shelter shall be constructed or placed on any tract and used as a residence or occupied prior to the erection and completion of the main residential dwelling thereon. It is permissible to construct living quarters within a barn to be used as a primary residence prior to the erection and completion of the main residential dwelling provided that the living quarters are no larger than 500 square feet in size and that the living quarters do not occupy more than 25% of said barn.
3. Only one single-family residence shall be constructed per tract; however, "mother-in-law" quarters are permitted to be constructed in addition to the primary single-family residence at the time of the construction of the primary residence or later. The "mother-in-law" quarters should not exceed 60% of the square footage of the primary residence. Example: If the primary residence is a 4,000 square foot house, the mother-in-law quarters cannot exceed 2,400

square feet.

4. All tracts shall be used for single-family residential purposes and related agricultural purposes only. No business which attracts vehicles or pedestrian traffic may be operated out of a residence or on the premises whether for profit or non-profit, except for garage or yard sales not exceeding 3 days per calendar year.
On-site built construction homes, and outbuildings of new construction such as barns are all permitted.
5. No open cesspools, outside toilets or privies shall ever be permitted to be erected, construction or maintained upon any tract, except portable toilets properly serviced during construction of the primary residence shall be permitted. Septic systems meeting County standards shall be installed for servicing each residence constructed. The construction thereof shall be in such a manner that no harm or damage shall occur to the underground water.
6. No feed yards, grow yards or pig farms.
7. Swine and goats are permitted on the premises provided that said swine or goats are part of a 4H or FFA youth project and so long as they are confined. Chickens are allowed so as long as they are confined indoors.
8. Pets are permitted if not more than 3 per person living in main living area. Kennels are not acceptable.
9. No tract shall be subdivided and sold.
10. No rubbish, junk, salvage or debris of any kind or character shall ever be placed or permitted to accumulate upon such tract or tracts so as to render said premises unsanitary, unsightly, offensive or detrimental to other tracts in the premises. No stripped down, wrecked, inoperative or junked cars, motor vehicles, trailers, boats, recreational vehicles or like item may be kept on any of the lots, and no cars or motor vehicles without current licenses and safety inspection stickers may be kept on any of the lots. Owner's vehicle repairs and maintenance shall be performed inside garage or barn or not visible from

public roads. No such repairs, maintenance or vehicle work shall be performed for hire or pay.

11. No old or second-hand structures shall be moved on any tract and all residences and accessory buildings shall be of new construction only with the provision that used brick may be used in the construction of new residences or other improvements.

Joe C. McMahan

Phylis McMahan

STATE OF TEXAS §

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COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of DATE by Joe C. McMahan.

Notary Public, State of Texas

STATE OF TEXAS §

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COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of DATE by Phylis McMahan.

Notary Public, State of Texas