

VOL 1305 PAGE 179

ABANDONMENT OF RESTRICTION

STATE OF TEXAS § 10662
COUNTY OF HOOD §

This Abandonment of Restriction is executed by Republic Land Company d/b/a Pecan Plantation, a Texas Corporation hereinafter called Developer and Pecan Plantation Owner's Association, Inc., a Texas Non-Profit Corporation hereinafter called Association. Previously, the Developer, by virtue of the Declaration of Covenant and Restrictions for Pecan Plantation, Unit Four, a subdivision in Hood County, Texas recorded in Volume 205, Page 140, of the Deed Records of Hood County, Texas, reserved to itself easements, the nature and extent of which are described as follows:

" III. RESTRICTIONS, COVENANTS AND RESERVATIONS.
 B. CONSTRUCTION OF IMPROVEMENTS

4. Building lines. No building, fence or structure of any kind shall be erected or maintained on any lot within 25 feet of a front line or within 15 feet of the side line of any lot. No building, fence or structure of any kind shall be erected or maintained within 20 feet of any lot boundary adjoining the golf course or within 30 feet of any lot boundary adjoining the river. For the purpose of these restrictions, eaves, steps and porches shall be considered as part of the building. Lots shall be deemed to front on all adjoining private ways. Dedicator may, in its discretion, grant exceptions in writing to any or all of the requirements of this paragraph."

WHEREAS, Custom Condominiums Investments, Inc. are the owners of Lots I-R-1, J-R-1, J-R-2, J-R-3, K-R-1, K-R-2 and K-R-3 of Pecan Plantation, Unit Four, a subdivision in Hood County, Texas according to the Revised Plat thereof recorded in Slide A-343-B of the Plat Records of Hood County, Texas;

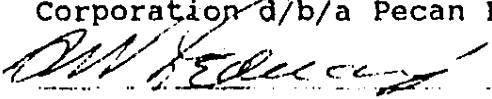
WHEREAS, George H. McClanahan and wife, Jeffery N. McClanahan are the owners of Lot I-R-3 of Pecan Plantation, Unit Four, a subdivision in Hood County, Texas according to the Revised Plat thereof recorded in Slide A-343-B of the Plat Records of Hood County, Texas; and Donald E. Orban and wife, Ellen R. Orban are the owners of Lot I-R-4 of Pecan Plantation, Unit Four, a subdivision in Hood County, Texas according to the Revised Plat thereof recorded in Slide A-343-B of the Plat Records of Hood County, Texas;

WHEREAS, the owners or their successors or assigns may construct improvements which will encroach into the 15' side setback building line, and therefore, require that the Developer and the Association abandon the above restriction as it applies to such 15' building setback along the side lot lines of the above described lots.

NOW THEREFORE, for and in consideration of the sum of \$10.00, the sufficiency of which is hereby acknowledged, the Association and the Developer agree that the above described restriction and all rights in connection therewith as it applies to the 15' side setback building line is now hereby relinquished, abandoned, quitclaimed, and the Association and the Developer does hereby grant such exception to encroach upon the said setback line unto Custom Condominiums Investments, Inc., its successors or assigns forever.

EXECUTED this the 31st day of October, 1990.

Republic Land Company, A Texas
Corporation d/b/a Pecan Plantation

By: 
F. M. L. L.

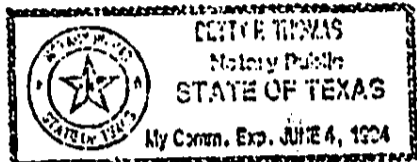
Pecan Plantation Owner's Association, Inc., a Texas Non-Profit Corporation

By: [Signature]

STATE OF TEXAS §

COUNTY OF TARRANT §

This instrument was acknowledged before me this the 31st day of October, 1990, by R. W. Leonard of Republic Land Company, A Texas Corporation on behalf of said corporation.

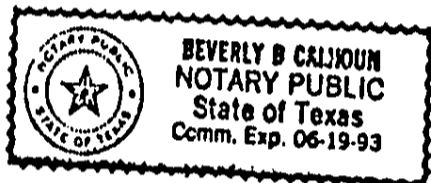


Betty P. Thomas
Notary Public, State of Texas
Notary's printed name: Betty P. Thomas
Notary's commission expires: 6/4/94

STATE OF TEXAS §

COUNTY OF HOOD §

This instrument was acknowledged before me this the 24 day of October, 1990, by J. L. ALLEN, GENERAL MANAGER of Pecan Plantation Owner's Association, Inc., a Texas Non-Profit Corporation on behalf of said corporation.



Beverly B. Calhoun
Notary Public, State of Texas
Notary's printed name:
Notary's commission expires:

Return to: Chg 4500
CENTRAL TEXAS TITLE
RT. 2, BOX 81
GRANBURY, TEXAS 76048

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.

STATE OF TEXAS
COUNTY OF HOOD
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF HOOD COUNTY, TEXAS, in the Volume and Page as shown hereon.



Anjanette Ables
ANJANETTE ABLES, County Clerk
Hood County, Texas

FILED FOR RECORD
AT 430P M.

NOV 07 1990

Anjanette Ables
County Clerk, Hood County, TX