

DECLARATION OF RESTRICTIONS

STATE OF TEXAS  
COUNTY OF HOOD

KNOW ALL MEN BY THESE PRESENTS:

The REPUBLIC LAND COMPANY, a Texas Corporation, d/b/a PECAN PLANTATION (hereinafter referred to as Dedicator) is the owner of certain land in Hood County, Texas, and described in Exhibit "A" attached hereto, a map or plat of which is being recorded simultaneously herewith at Vol. 2, p. 47 of the Plat Records of Hood County, Texas, which plat is adopted by Dedicator as its plan for subdividing said land into lots as shown thereon, the same to be known as "PECAN PLANTATION, UNIT VI", an addition in Hood County, Texas, and being:

Lots 946 thru 1228 and 1822 thru 1868, inclusive,  
of Pecan Plantation, Unit VI, in the James W. Moore  
Survey, Abstract 344, Hood County, Texas; and

WHEREAS, Dedicator desires to subdivide and plat said real property and other land in and near UNIT VI of PECAN PLANTATION in installments, from time to time, so as to develop the same in an orderly manner with areas for single family residences, areas for condominiums, areas for apartments, areas for commercial development, areas for recreational uses, with their allied facilities; and

WHEREAS, Dedicator desires to create and carry out an orderly plan for development, improvement and use of all the lots in PECAN PLANTATION, UNIT VI, so as to provide for the preservation of the values and amenities in said development and the maintenance of the facilities thereof for the benefit of the present and future owners of said lots;

NOW, THEREFORE, REPUBLIC LAND COMPANY, d/b/a PECAN PLANTATION, declares that the above described property designated as PECAN PLANTATION, UNIT VI, is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens hereinafter set forth.

I.

EASEMENTS

A. Easements shown on the plat as streets shall provide Dedicator, its successors and assigns and the owners of the lots with the right of ingress and egress to the area and facilities thereof and to adjoining land and are reserved as private ways, and no right of the public generally shall accrue in and to any

of such ways. Dedicator reserves to itself the right to convey said easements or rights therein to the Association, to be retained by said Association for the benefit of the properties or, in the discretion of the Association, to be dedicated to the public as public ways and easements.

B. Easements, if any, designated on said plat as "private river and lake access easements" are reserved for the exclusive use of the designated lots adjoining such easements to provide ingress and egress to the Brazos River.

C. Dedicator reserves to itself an easement and right to construct and maintain in, over and across the easements and private ways shown or noted on said plat, utilities of every kind, including but not limited to sewers, water mains, gas mains, irrigation and drainage systems, power and communication lines and all pipes, lines, culverts and other appurtenances in connection therewith. An easement ten feet in width is hereby reserved along each lot line adjoining a private way and an easement of five feet in width is hereby reserved along each other lot boundary line as may be necessary for the installation and maintenance of said utilities and lines, except as to river front lots and no utility easement is reserved along the property line adjacent to the river. Dedicator, its successors and assigns, may, in its sole discretion and by written instrument duly recorded, abandon to the owner of a lot all or any part of a utility easement on said owner's lot if such easement is not being used for one or more of the above mentioned purposes at the time of such abandonment.

## II.

### DEFINITIONS, RESTRICTIONS, COVENANTS AND LIENS

The definitions, restrictions, covenants and liens set out in the Dedication and Declaration of Restrictions of PECAN PLANTATION, UNIT I, dated July 26, 1972, and recorded in Vol. 186, page 166, Deed Records of Hood County, Texas, are hereby adopted and incorporated herein by reference as the definitions, restrictions, covenants and liens for PECAN PLANTATION, UNIT VI, running with said land, with the following exceptions, changes and amendments:

A. Paragraph III.A.4. thereof is amended to read as follows:

Animals. No animals, livestock or poultry of any kind shall be raised, bred, boarded or kept on any lot excepting dogs or cats or other household pets not kept for commercial purposes and which are confined to the owner's lot by a leash, fencing or otherwise.

B. Paragraph III.A.6. thereof is amended as follows:

Nuisances. No noxious, offensive, dangerous or noisy activity shall be conducted on any lot, nor shall anything be done thereon which may be or become a nuisance to the neighborhood in which said lot is located. Lots shall be kept clean and free of trash, garbage, and debris, and fires shall be contained in safe enclosures. No grass or weeds shall be allowed to grow to a height which is unsightly in the opinion of Dedicator or the Association. Dedicator or the Association shall have the right, after seven days' written notice to the owner of a lot, to remove from such lot accumulated trash, garbage or debris and to cut and remove unsightly grass and weeds and to charge the lot owner for all reasonable costs thereby incurred.

C. Paragraph III.A.7. thereof is amended to read as follows:

Towers and Wires. No radio or television towers or aerial wires shall be maintained (a) over any part of any lot not occupied by a structure or (b) at a height of more than thirty feet from the ground.

D. Paragraph III.B.2. thereof is amended to read as follows:

Floor Area. There shall not be erected or permitted to remain on any lot a residence having a floor area (when measured to exterior walls and exclusive of attached garage, open porches, patios or similar appendages) of less than the minimum number of square feet as set out for the respective lots as follows:

<u>Lots</u>	<u>Minimum Square Feet</u>
ALL	1600 Square Feet

E. Paragraph III.B.4. thereof is amended to read as follows:

Building Lines. No building, fence or structure of any kind shall be located on a lot within twenty-five feet of the front line of such lot except that where a lot fronts on a cul-de-sac, the set-back line from the front thereof is reduced to fifteen feet. No structure or building or part thereof shall be erected or maintained within seven feet of any side or back lot line. For the purpose of this paragraph, eaves, steps and open porches shall be considered as part of the building. Lots shall be deemed to "front" on the

adjoining private way, and corner lots shall be deemed to "front" on the private way adjoining the shortest lot line. Dedicator may, in its discretion, grant exceptions in writing to any or all of the requirements of this paragraph.

F. Paragraph III.B.15. is added as follows:

Hangar. The owners of each of Lots 979 thru 983 may construct within the lines of their respective lots a hangar for one airplane; provided that no such construction shall be commenced until the plans have been approved by Dedicator or the Architectural Committee in accordance with the procedures set forth in Paragraph III.B.1. above.

G. Paragraph III.C.2. thereof is amended to read as follows:

Pumping from River. The pumping of water from the Brazos River is prohibited except by special permit, in writing, granted by the appropriate governmental authority.

H. Paragraph III.C.3. thereof is amended to read as follows:

Recreational Facilities. Dedicator covenants that it will construct and complete the following recreational facilities: Eighteen hole golf course, club house, swimming pool, marina with boat launching ramp on Lake Granbury, tennis courts, skeet range, equestrian center, landing strip, and beach recreational areas on the Brazos River.

I. Paragraph III.C.14. thereof is amended to read as follows:

Enforcement. These restrictions, covenants, and conditions may be enforced by Dedicator herein or by the owner of any lot in PECAN PLANTATION either by proceedings for injunction or to recover damages for breach thereof, or both. However, only the Association may file suit to collect any of the charges, dues and expenses mentioned in paragraphs 5, 6, 7 and 8 above, all of which shall be payable to the Association in Hood and Johnson Counties, Texas, or to enforce foreclosure of any lien therein granted.

J. Paragraph III.C.16. thereof is amended to read as follows:

Additional Subdivisions. As recited in the preamble to this instrument, Dedicator is subdividing and platting land near to PECAN PLANTATION, UNIT VI, in installments as a part of PECAN PLANTATION. Dedicator has heretofore subdivided and platted other units and Dedicator

reserves the right to add to PECAN PLANTATION from time to time other land near PECAN PLANTATION, UNIT VI, and the other previously platted and subdivided units within PECAN PLANTATION. Dedicator further reserves the right to place on such additional subdivided land such restrictions and covenants as to use, improvements and otherwise as Dedicator shall deem advisable, whether more or less stringent than those provided herein; to extend the private ways shown on the plat of the unit covered by this instrument so as to serve such additional subdivided land; to use the easements reserved herein to serve such additional subdivided land; and to grant to the purchasers of such additional subdivided land the right to become members of the Association and to use the recreational facilities and private ways provided for herein. It is specifically understood that Dedicator may develop some additional land for single family residences, some for apartments, some for condominiums, and some for commercial uses and may at its election create and install additional recreational facilities. Unless otherwise provided in the instrument creating any such additional subdivision unit of PECAN PLANTATION, all purchasers of lots in PECAN PLANTATION, UNIT VI, and all purchasers of lots in all other units of PECAN PLANTATION, whether created prior or subsequent to PECAN PLANTATION, UNIT VI, shall be entitled equally to the use of all private ways and recreational facilities provided in PECAN PLANTATION, and shall further be equally entitled to enforce any applicable restrictions, covenants or conditions, and to participate in any modification or change in said restrictions, covenants and conditions under the provisions of paragraph 15 above, and to become members of the Association, just as though all of said subdivision units had been created at one time and by one instrument.

EXECUTED this 12th day of November, 1973.

ATTEST:

Wm. Donald Black, Secretary

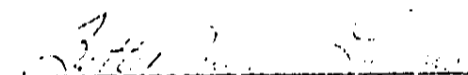
REPUBLIC LAND COMPANY, d/b/a PECAN PLANTATION

By: [Signature]  
 OGLE P. LEONARD, JR., VICE PRESIDENT

STATE OF TEXAS  
COUNTY OF TARRANT

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared OBIE P. LEONARD, JR., Vice President of REPUBLIC LAND COMPANY, d/b/a PECAN PLANTATION, a corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said REPUBLIC LAND COMPANY, d/b/a PECAN PLANTATION, a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 12th day of \_\_\_\_\_  
November, 1973.  
1

  
\_\_\_\_\_  
Notary Public, Tarrant County, Texas

THENCE along the arc of said curve, having a radius of  $432\text{-}23/100$ , to the right and in a Southeasterly direction,  $68\text{-}35/100$  feet to a point;

THENCE South 76 degrees 38 minutes West  $50\text{-}0/10$  feet to a steel rod;

THENCE South 79 degrees 40 minutes West  $146\text{-}5/10$  feet to a steel rod;

THENCE North 72 degrees 11 minutes West  $215\text{-}0/10$  feet to a steel rod;

THENCE South 62 degrees 19 minutes West  $383\text{-}5/10$  feet to a steel rod;

THENCE South 59 degrees 50 minutes West  $391\text{-}0/10$  feet to a steel rod;

THENCE South 54 degrees 53 minutes West  $700\text{-}0/10$  feet to a steel rod;

THENCE South 17 degrees 34 minutes West  $141\text{-}85/100$  feet to a steel rod;

THENCE South 14 degrees 37 minutes West  $1195\text{-}0/10$  feet to a steel rod;

THENCE South 9 degrees 04 minutes West  $357\text{-}6/10$  feet to a steel rod;

THENCE South 89 degrees 00 minutes West  $1067\text{-}0/10$  feet to a steel rod;

THENCE South 80 degrees 22 minutes West  $262\text{-}7/10$  feet to a steel rod;

THENCE North 84 degrees 35 minutes West  $385\text{-}3/10$  feet to a steel rod;

THENCE South 70 degrees 30 minutes West  $48\text{-}5/10$  feet to a steel rod;

THENCE South 43 degrees 38 minutes west  $176\text{-}8/10$  feet to a steel rod;

THENCE South 47 degrees 26 minutes West  $505\text{-}9/10$  feet to a steel rod;

THENCE South 68 degrees 11 minutes West  $317\text{-}1/10$  feet to a steel rod;

THENCE South 60 degrees 22 minutes West  $101\text{-}4/10$  feet to a steel rod;

THENCE South 53 degrees 47 minutes West  $471\text{-}0/10$  feet to a steel rod;

THENCE South 24 degrees 08 minutes West  $62\text{-}7/10$  feet to a steel rod;

THENCE South 4 degrees 11 minutes East  $787\text{-}57/100$  feet to a steel rod;

THENCE South 79 degrees 49 minutes West  $1491\text{-}6/10$  feet to a steel rod;

THENCE South 80 degrees 04 minutes West  $463\text{-}0/10$  feet to the place of beginning.

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FILED FOR RECORD JULY 26, 1972 at 3:25 P. M.

RECORDED JULY 27, 1972 at 10:30 A. M.

*Doris Dyer*  
DEPUTY

BRUCE PRICE, COUNTY CLERK  
HOOR COUNTY, TEXAS

## FIELD NOTES

Description for conveyance of PECAN PLANTATION, UNIT SIX, out of the JAMES W. MOORE SURVEY, Abstract 344, Hood County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a steel rod for the east corner of Lot 258, Pecan Plantation, Unit One, recorded in Volume 1, Page 134, Plat Records, Hood County, Texas;

THENCE North 76 degrees 38 minutes East 50-0/10 feet to a point, said point being on a curve whose radius point bears South 76 degrees 38 minutes West 432-23/100 feet;

THENCE around the arc of said curve to the right and in a Southerly direction, 186-65/100 feet to a steel rod for the end of said curve;

THENCE South 10 degrees 03 minutes West 910-6/10 feet to a steel rod;

THENCE South 66 degrees 44 minutes East 154-8/10 feet to a steel rod;

THENCE South 47 degrees 15 minutes East 221-7/10 feet to a steel rod;

THENCE South 22 degrees 08 minutes East 221-8/10 feet to a steel rod;

THENCE South 2 degrees 57 minutes West 221-8/10 feet to a steel rod;

THENCE South 28 degrees 06 minutes West 221-7/10 feet to a steel rod;

THENCE South 53 degrees 13 minutes West 221-8/10 feet to a steel rod;

THENCE South 80 degrees 34 minutes West 278-05/100 feet to a steel rod;

THENCE South 10 degrees 03 minutes West 1058-8/10 feet to a steel rod;

THENCE South 79 degrees 57 minutes East 135-0/10 feet to a steel rod;

THENCE South 14 degrees 11 minutes East 109-65/100 feet to a steel rod;

THENCE South 84 degrees 54 minutes East 272-3/10 feet to a steel rod;



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THENCE South 49 degrees 47 minutes East 260-0/10 feet to a steel rod;

THENCE South 10 degrees 21 minutes East 250-9/10 feet to a steel rod;

THENCE South 8 degrees 24 minutes West 214-1/10 feet to a steel rod;

THENCE South 21 degrees 14 minutes West 206-8/10 feet to a steel rod;

THENCE South 27 degrees 35 minutes West 203-5/10 feet to a steel rod;

THENCE South 33 degrees 24 minutes West 208-8/10 feet to a steel rod;

THENCE South 36 degrees 50 minutes West 101-3/10 feet to a steel rod;

THENCE South 36 degrees 52 minutes West 600-0/10 feet to a steel rod;

THENCE South 46 degrees 43 minutes West 248-2/10 feet to a steel rod;

THENCE North 85 degrees 55 minutes West 264-1/10 feet to a steel rod;

THENCE North 56 degrees 47 minutes West 155-9/10 feet to a steel rod;

THENCE South 81 degrees 08 minutes West 300-35/100 feet to a steel rod;

THENCE North 34 degrees 12 minutes West 120-5/10 feet to a steel rod on a curve to the left having a radius of 457-75/100 feet, and around the arc of said curve in a Southerly direction, 195-65/100 feet to a steel rod at the end of said curve;

THENCE South 36 degrees 54 minutes West 1868-9/10 feet to a steel rod at the beginning of a curve to the right having a radius of 467-78/100 feet and around the arc of said curve in a Southwesterly direction, 155-1/10 feet to a steel rod;

THENCE South 19 degrees 47 minutes East 135-9/10 feet to a steel rod;

THENCE South 48 degrees 24 minutes West 150-0/10 feet to a steel rod;

- THENCE South 12 degrees 24 minutes West 132-0/10 feet to a steel rod;
- THENCE South 26 degrees 54 minutes West 128-0/10 feet to a steel rod;
- THENCE South 36 degrees 54 minutes West 600-0/10 feet to a steel rod;
- THENCE South 33 degrees 41 minutes West 94-8/10 feet to a steel rod;
- THENCE South 24 degrees 04 minutes West 129-4/10 feet to a steel rod;
- THENCE South 12 degrees 08 minutes West 206-5/10 feet to a steel rod;
- THENCE South 10 degrees 04 minutes West 775-0/10 feet to a steel rod;
- THENCE South 79 degrees 45 minutes West 144-0/10 feet to a steel rod;
- THENCE South 10 degrees 04 minutes West 597-7/10 feet to a steel rod at the beginning of a curve to the left having a radius of 3191-23/100 feet, and around the arc of said curve in a Southerly direction 68-0/10 feet to a steel rod;
- THENCE South 81 degrees 30 minutes East 141-25/100 feet to a steel rod;
- THENCE South 8 degrees 30 minutes West 160-0/10 feet to a steel rod;
- THENCE South 6 degrees 01 minute West 95-3/10 feet to a steel rod, said rod being the Northeast corner of Lot 821, Pecan Plantation, Unit Eight, recorded in Volume 2, Page 29, Plat Records, Hood County, Texas;
- THENCE North 87 degrees 03 minutes West 134-4/10 feet to a steel rod for the Northwest corner of said Lot 821;
- THENCE North 85 degrees 59 minutes West 50-0/10 feet to a point on a curve whose radius point bears South 85 degrees 59 minutes East 3241-23/100 feet, and around the arc of said curve in a Southerly direction, 25-35/100 feet to a steel rod for the Northeast corner of Lot 822, said Pecan Plantation, Unit Eight;
- THENCE North 86 degrees 59 minutes West 135-2/10 feet to a steel rod for the Northwest corner of said Lot 822;
- THENCE North 6 degrees 50 minutes East 150-9/10 feet to a steel rod;

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THENCE North 81 degrees 30 minutes West 52-4/10 feet to a steel rod;

THENCE South 8 degrees 30 minutes West 135-0/10 feet to a steel rod;

THENCE North 81 degrees 30 minutes West 1300-0/10 feet to a steel rod;

THENCE North 81 degrees 38 minutes West 99-1/10 feet to a steel rod;

THENCE North 81 degrees 52 minutes West 520-0/10 feet to a steel rod;

THENCE North 70 degrees 16 minutes West 222-1/10 feet to a steel rod;

THENCE North 56 degrees 37 minutes West 1405-0/10 feet to a steel rod;

THENCE South 84 degrees 17 minutes West 82-45/100 feet to a steel rod on a curve having a radius of 248-0/10 feet, and around the arc of said curve in a Northeasterly direction, 170-0/10 feet to a steel rod at the end of said curve;

THENCE North 33 degrees 23 minutes East 30-0/10 feet to a steel rod;

THENCE North 56 degrees 37 minutes West 382-95/100 feet to a steel rod in the South right-of-way of Wedgefield Road for the East corner of Lot 552, Pecan Plantation, Unit Five, recorded in Volume 1, Page 137, Plat Records, Hood County, Texas;

THENCE North 33 degrees 23 minutes East 50-0/10 feet to a point;

THENCE South 56 degrees 37 minutes East 301-55/100 feet to a steel rod;

THENCE North 53 degrees 42 minutes East 144-0/10 feet to a steel rod;

THENCE South 56 degrees 37 minutes East 1475-15/100 feet to a steel rod;

THENCE South 65 degrees 48 minutes East 175-6/10 feet to a steel rod;

THENCE South 81 degrees 52 minutes East 506-0/10 feet to a steel rod;

THENCE South 81 degrees 39 minutes East 100-85/100 feet to a steel rod;

THENCE South 81 degrees 30 minutes East 1300-0/10 feet to a steel rod;

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THENCE South 8 degrees 30 minutes West 135-0/10 feet to a steel rod;

THENCE South 81 degrees 30 minutes East 50-95/100 feet to a steel rod;

THENCE North 8 degrees 30 minutes East 135-0/10 feet to a steel rod;

THENCE South 83 degrees 43 minutes East 129-25/100 feet to a steel rod on a curve to the right having a radius of 3241-23/100 feet and around the arc of said curve in a Northerly direction 39-35/100 feet to a steel rod for the end of said curve;

THENCE North 10 degrees 04 minutes East 599-4/10 feet to a steel rod;

THENCE North 64 degrees 56 minutes West 152-0/10 feet to a steel rod;

THENCE North 45 degrees 45 minutes West 258-9/10 feet to a steel rod;

THENCE North 10 degrees 56 minutes West 262-0/10 feet to a steel rod;

THENCE North 10 degrees 04 minutes East 505-0/10 feet to a steel rod;

THENCE North 14 degrees 34 minutes East 220-0/10 feet to a steel rod;

THENCE North 23 degrees 29 minutes East 223-2/10 feet to a steel rod;

THENCE North 32 degrees 24 minutes East 220-0/10 feet to a steel rod;

THENCE North 36 degrees 54 minutes East 614-3/10 feet to a steel rod;

THENCE North 51 degrees 54 minutes East 248-0/10 feet to a steel rod;

THENCE North 80 degrees 09 minutes East 233-6/10 feet to a steel rod;

THENCE North 68 degrees 31 minutes East 167-0/10 feet to a steel rod;

THENCE South 33 degrees 42 minutes East 134-6/10 feet to a steel rod on a curve to the left having a radius of 417-76/100 feet and around the arc of said curve in a Northeasterly direction 104-5/10 feet to a steel rod for the end of said curve;

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THENCE North 36 degrees 54 minutes East 1868-9/10 feet to a steel rod at the beginning of a curve to the right having a radius of 507-75/100 feet and around the arc of said curve in a Northeasterly direction, 222-8/10 feet to a steel rod;

THENCE North 11 degrees 16 minutes West 148-1/10 feet to a steel rod;

THENCE North 60 degrees 51 minutes East 90-0/10 feet to a steel rod;

THENCE North 11 degrees 51 minutes East 258-6/10 feet to a steel rod;

THENCE North 36 degrees 53 minutes East 820-0/10 feet to a steel rod;

THENCE North 29 degrees 00 minutes East 273-6/10 feet to a steel rod;

THENCE North 13 degrees 48 minutes East 186-8/10 feet to a steel rod;

THENCE North 10 degrees 03 minutes East 280-0/10 feet to a steel rod;

THENCE North 72 degrees 39 minutes East 152-05/100 feet to a steel rod;

THENCE North 10 degrees 03 minutes East 1083-3/10 feet to a steel rod;

THENCE North 66 degrees 07 minutes West 168-7/10 feet to a steel rod;

THENCE North 45 degrees 41 minutes West 221-7/10 feet to a steel rod;

THENCE North 20 degrees 33 minutes West 221-7/10 feet to a steel rod;

THENCE North 4 degrees 33 minutes East 221-6/10 feet to a steel rod;

THENCE North 29 degrees 40 minutes East 221-9/10 feet to a steel rod;

THENCE North 54 degrees 47 minutes East 221-7/10 feet to a steel rod;

THENCE North 73 degrees 37 minutes East 111-5/10 feet to a steel rod;

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THENCE North 86 degrees 51 minutes East 154-8/10 feet to a steel rod;

THENCE North 10 degrees 03 minutes East 910-6/10 feet to a steel rod at the beginning of a curve to the left having a radius of 382-23/100 feet, and along the arc of said curve in a Northerly direction, 156-2/10 feet to the place of beginning.

SEMPCO, INC.  
June 20, 1973  
1195

FILED FOR RECORD THE 14 DAY OF November 1973 AT 2.00 P.M.  
RECORDED THE 16 DAY OF November 1973 AT 1.00 P.M.  
BY: Chestina Wolsey COUNTY CLERK  
HOOD COUNTY, TEXAS