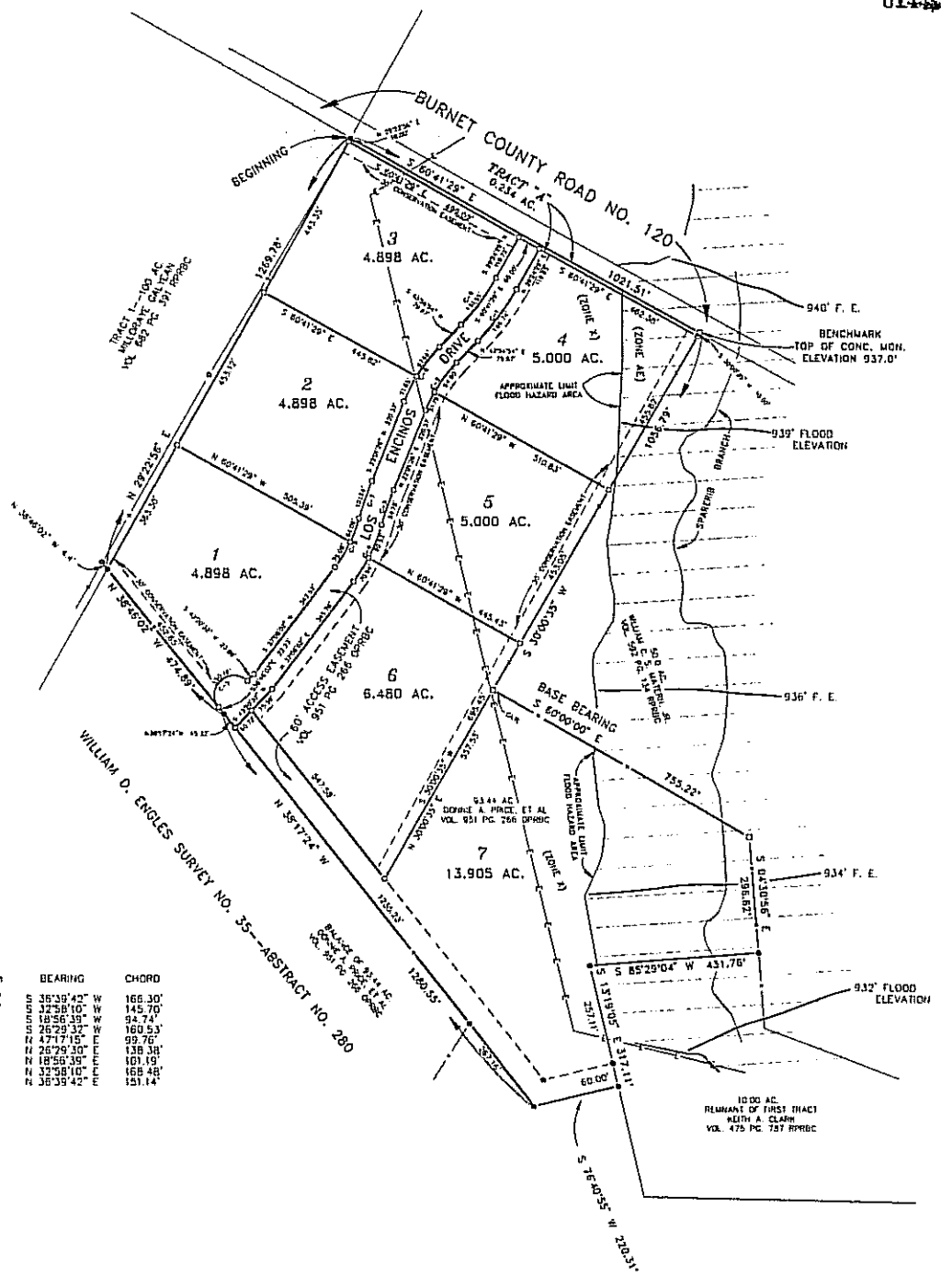




SCALE  
1" = 200'

LEGEND

- 5/8" IRON PIN FOUND
- 1/2" IRON PIN SET WITH PLASTIC CAP STAMPED "BENCHMARK 3103"
- ▲ 800 MAR. TOWER
- CONCRETE SURVEY MONUMENT
- FENCE CORNER POST
- WIRE FENCE
- OVERHEAD POWER LINE
- ( ) RECORD



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C-1	658.54'	14°30'25"	166.74'	S 35°39'42" W	166.30'
C-2	383.66'	21°53'28"	146.59'	S 32°38'10" W	145.70'
C-3	881.71'	06°09'33"	94.78'	S 18°56'39" W	94.74'
C-4	434.85'	21°18'25"	161.46'	S 26°29'32" E	160.53'
C-5	50.00'	170°06'34"	150.15'	N 47°17'15" E	69.76'
C-6	374.85'	21°18'26"	139.18'	N 26°29'30" E	138.38'
C-7	941.71'	06°09'34"	101.24'	N 18°56'39" E	101.19'
C-8	443.66'	21°53'28"	169.51'	N 32°58'10" E	168.48'
C-9	898.54'	14°30'25"	151.50'	N 36°39'42" E	151.14'

# LOS ENCINOS

(PRIVATE SUBDIVISION)

A SUBDIVISION OF 47.416 ACRES OF LAND OUT OF THE WILLIAM D. ENGLS SURVEY NO. 35, ABSTRACT NO. 280 AND BEING OUT OF THAT CERTAIN 93.44 ACRE TRACT DESCRIBED IN CORRECTION DEED TO DONNIE A. PRICE, ET AL AS RECORDED IN VOL. 951 AT PAGE 266 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS.

CAP 3/17-B

5-17-B

296/500

ELECTRIC UTILITY EASEMENT

THE STATE OF TEXAS

0  
0  
0

3628

COUNTY OF BURNET

KNOW ALL MEN BY THESE PRESENTS:

THAT Keith A. Clark

and  
of

Burnet County, Texas, for and in consideration of ONE DOLLAR (\$1.00) to me (us) in hand paid by PEDERNALES ELECTRIC COOPERATIVE, INC., of Johnson City, Texas (hereinafter called the "Cooperative"), have granted, sold and conveyed and by these presents do grant, sell and convey unto the said Cooperative, an easement and right of way as hereinafter described for an electric transmission and/or distribution line, consisting of variable number of wires, and all necessary or desirable appurtenances (including towers, ~~H-frames~~ or poles made of wood, metal or other materials, ~~telephone and telegraph wire~~, props and guys), over, across and upon the following described lands located in Burnet County, Texas, to-wit:

Being all that certain tract or parcel of land consisting of 100 acres of land out of the W. D. Engles Survey in Burnet County and more particularly described in Volume 109, Page 550 of the Deed Records of Burnet County, Texas and adopted herein for descriptive purposes.

Easement and Right-of-Way herein granted shall consist of a strip of land twenty (20) feet in width and being ten (10) feet on either side of said centerline.

Location of the right of way hereby conveyed is shown on plat attached hereto marked Exhibit A and included herein by reference.

Together with the right of ingress and egress over my (our) adjacent lands to or from said right of way for the purpose of constructing, reconstructing, inspecting, patrolling, hanging new wire on, maintaining and removing said lines and appurtenances; the right to relocate within the limits of said right of way; the right to remove from said lands all trees and parts thereof, or other obstructions, which endanger or may interfere with the efficiency of said lines or their appurtenances.

TO HAVE AND TO HOLD the above described easement and rights unto the said Cooperative, its successors and assigns, until said line shall be abandoned.

And I (we) do hereby bind myself (ourselves), my (our) heirs and legal representatives to warrant and forever defend all and singular the above described easement and rights unto the said Cooperative, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS my hand(s) this 15 day of APRIL 19 85

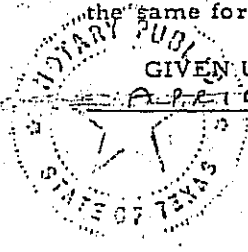
Keith A. Clark  
x [Signature]

342  
350  
D 5 854-410A  
R 5 854-410A - 56-17-08 3:06/00

THE STATE OF TEXAS |  
COUNTY OF BURNET |

BEFORE ME, the undersigned authority, on this day personally appeared KEITH A. CLARK, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 15 day of April, 1985



Danielle Meredith  
Notary Public in and for  
Burnet County, Texas

VOL. 342 PAGE 351

THE STATE OF TEXAS |  
COUNTY OF \_\_\_\_\_ |

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for  
\_\_\_\_\_ County, Texas

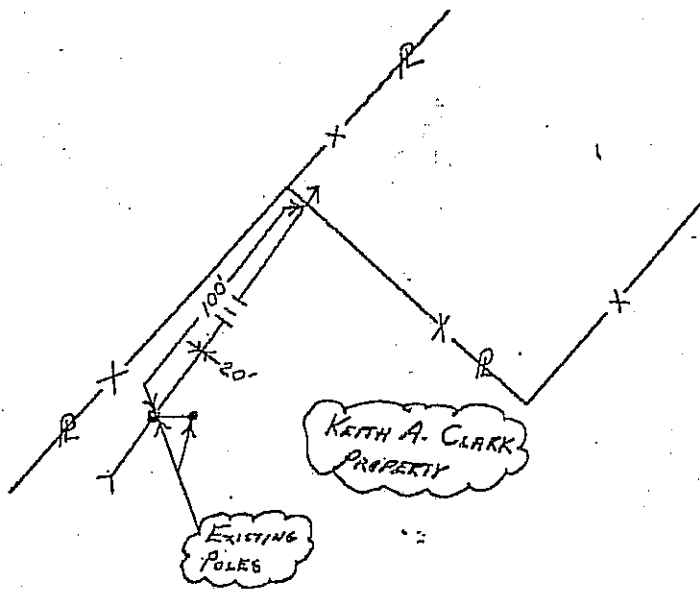
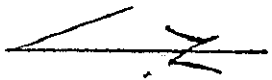
THE STATE OF TEXAS |  
COUNTY OF \_\_\_\_\_ |

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for  
\_\_\_\_\_ County, Texas

GRANTOR KEITH A. CLARK



RTS 854-410A  
RTS 854-410B - SC-17-083-061-000

VOL. 342 PAGE 352

PEDERNALES ELECTRIC CO-OPERATIVE  
JOHNSON CITY, TEXAS

EXHIBIT A

SCALE NOT TO SCALE DATE 4-10-85

GRANTOR KEITH A. CLARK

x Keith A. Clark

FILED FOR RECORD 22ND DAY OF APRIL, A.D., 1985, AT 1:57 O'CLOCK P. M.

RECORDED THIS THE 24TH DAY OF APRIL, A.D., 1985, AT 9:11 O'CLOCK A. M.

MILLIE WILLIAMS, COUNTY CLERK, BURNET COUNTY, TEXAS. BY: Marsha Williams DEPUTY.

**DECLARATION OF COVENANTS, CONDITIONS, AND  
RESTRICTIONS OF LOS ENCINOS**

**03164**

THE STATE OF TEXAS \*

COUNTY OF BURNET \*

That Donald A. Price, Molly A. Price, Mark H. Becker and Tracey A. Becker, (Grantors) the owners of 47.416 acres of land, more or less, out of the William D. Engles Survey No. 35, Abstract No. 280, in Burnet County, Texas and being out of that certain 93.44 acre tract described in Deed from Keith Clark to Donald A. Price, Molly A. Price, Mark H. Becker and Tracey A. Becker as recorded in Volume 931, Page 648, and as re-recorded in Volume 951, Page 266 Official Public Records of Real Property, Burnet County, Texas, in consideration of the mutual benefits which will accrue to the owners of the said property, hereby adopt the following restrictions for said property, which restrictions shall be binding upon Grantors, its or their successors or assigns, and all persons claiming under them or their heirs or assigns, unless amended as herein provided for and filed of record in the Official Public Records of Real Property, Burnet County, Texas.

1. All property shall be used for residential and home business purposes only.
2. No property shall ever be divided or sub-divided into tracts smaller than 4.898 acres and all shall front on a dedicated street or road.
3. No property shall be used, sold or conveyed as a public or private road or street other than that to provide ingress and egress to and from the property.
4. Only one single family dwelling and any accompanying out-buildings shall be erected or placed on the property.
5. Any residence two bedrooms or less shall contain at least 1,500 square feet heated living area and any three bedroom residence shall contain at least 1,800 square feet of heated living area exclusive of garages, carports and porches. The exterior of every residence (except commercially made log homes) shall be a minimum of 75 percent brick, stone or masonry. All residences constructed on said property shall be of all new material. Such single family dwellings shall not exceed two (2) stories in height.
6. No, building, fence, water well, septic system or structure shall be erected or constructed on any tract until the building plans, specifications, plot plans, and exterior design have first been approved in writing by Seller or Grantor or by such nominee or nominees as it may designate in writing.
7. No prefabricated, modular, mobile homes, portable buildings or homes moved from other property will be permitted on said property.
8. Any detached building, garage, carport, shed, barn or structure or addition to the residence must be of all new material and be constructed in a workmanlike manner. Any variation from this restrictions must have prior written approval of the Grantors.
9. Except for fences no buildings or structures of any nature shall be located closer than twenty-five (25) feet to any road or property line. Variations from this requirement may be granted in individual cases where tract size or topography make these requirements impractical but any such variation must have the prior written approval of the Grantors.

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

0974 0196

10. Any dwelling commenced on the subject property shall be completed with reasonable diligence and in all events shall be completed as to its exterior within six (6) months from the commencement of construction.

11. No trailer house, mobile home, camper, basement, tent, shack, garage, barn or other outbuilding shall be at any time used as a residence or dwelling, either temporarily or permanently.

12. The residence and other buildings must be kept in a good state of repair and must be painted when necessary to preserve the attractiveness thereof and kept in a clean and orderly condition at all times. In the event an Owner of any Tract shall fail to maintain the premises and the improvements situated thereon in a neat and orderly manner, Grantor shall have the right, through his agents and employees, to enter upon said Tract and to repair, maintain, and restore the Tract and exterior of the buildings and any other Improvements erected thereon, all at the expense of the Owner, after first having given the Owner of such Tract at least thirty (30) days, from time of written notice, to correct the failure of maintenance.

13. All residences shall be constructed with a driveway of either concrete, asphalt or base material at least ten feet in width running from the street to the improvements.

14. Said property shall never be used for outside unenclosed storage of any nature, nor shall said property be used or maintained as a dumping ground for rubbish or debris or junk. Trash, garbage or other wastes shall not be permitted except in sanitary containers. All incinerators or cans or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition, behind property improvements so they are not readily visible, and shall be within reach of a water hydrant and water hose. No open trash pits shall be permitted. No dirt, soil, or gravel shall be removed from the property and transported elsewhere. Any clearing of land that may result in an accumulation of brush, shall be disposed of in a timely manner (6 months or less) and may not be stored within 25' of any adjacent property line.

15. If a home business is conducted by the owner on said property, such business shall be conducted in a manner so as to not create any excessive noise or pollution that would become a nuisance to any other property. If the home business involves equipment, such equipment shall be housed or screened in a manner that it is not visible from the road or adjacent properties.

16. For sale signs, signs by the contractor or builder erecting improvements on the property, and one (1) sign designating a home business will be permitted, provided that no sign of any type shall be larger in size than 2' x 2'.

17. Cars or other vehicles may not be stored on said property nor shall any car or vehicle that is not in running condition and regularly used be allowed on said property more than one week. No repairing of motor vehicles shall be permitted on said property.

18. All buildings shall be equipped with approved sanitary plumbing fixtures and plumbing installation meeting the requirements of the National Plumbing Code and shall have sewage disposal and water supply facilities meeting the requirements standards of the State of Texas and Burnet County.

19. Livestock with the exception of swine and specifically including, but not limited to, horses and cattle, and also poultry may be raised, bred and kept on said property, provided they are not kept, bred or maintained for any commercial purpose. Dogs, cats and other household pets may be kept provided they are not kept, bred or maintained for any commercial purpose. An FFA, 4-H club calf or lamb or similar project may be kept on the premises so long as same is not offensive to neighbors and is

OFFICIAL PUBLIC RECORD  
BURNET COUNTY TEXAS

09-24-0107

kept in a pen consistent with other improvements on the property specified herein. The number of animals permitted shall be limited to not more than one head per two and one-half (2.5) acres.

20. No noxious or offensive activity shall be carried on or conducted on any Tract, nor shall any activity be engaged in that is an annoyance or a nuisance to owners of the other Tracts.

21. No commercial trailers, house trailers, trucks in excess of one ton load weight and other similar vehicles shall be parked repeatedly or stored outside on said premises for extended periods of time.

22. No storage of any materials which are visible from the roadway may be kept on any Tract, except new materials while construction is under way.

23. All fences constructed must be of new materials and be built in a professional manner. Fences constructed of wire must contain a minimum of seven strands.

24. An easement ten feet in width adjacent to the property line and around the entire perimeter of the subject property is expressly reserved for the purposes of constructing and maintaining conduits, telephones, electric light poles, towers and other equipment to supply any public or private utility services.

25. No building shall be constructed on the property until provisions have been made for drainage of surface water to off site without drainage across adjacent property. Drainage shall be into the street or road area or into natural drainage areas.

26. No trees over four (4) inches in diameter may be cut down without prior written consent of the Grantor. Any trees that might obstruct the view of the streets at intersections must be kept trimmed to a height of six (6) feet.

27. Security lights placed on any tract shall have a diffuser keeping the range of lighting to a maximum of a 30' diameter.

28. Grantors herein, or their successors or assigns, shall appoint a Property Owners Association consisting of three members for the purpose of enforcing restrictions, maintaining roadways and carrying out duties to be in the best interest of the subdivision. In the event of the death or resignation of any member of the committee, the remaining member or members shall designate a successor(s). These restrictions may be from time to time amended by a majority vote of the Property Owners Association. Such alteration, amendment or deletion of any of the restrictions herein will be effective and binding and will be filed in the Official Real Property Records of Burnet County, Texas. Enforcement of any of the restrictions may be by suit by or on behalf of the Property Owners Committee, or by or on behalf of any owner of any tract in said subdivision or by Grantor, against any person or corporation from violating or about to violate any of these restrictions. In the event enforcement actions are instituted and the enforcing party prevails, then the violator agrees to pay all court costs and reasonable attorneys fees incurred as the result of his, her or its violation of these deed covenants.

29. Grantor agrees to build, pave and maintain roads in said Los Encinos in order that each tract sold has access to a public road until 85% of said tracts have been sold, then Grantor (Seller) reserves the right to assess each tract \$100.00 per year for the maintenance of the roads, said assessment to be transferred to the Property Owner's Committee or its designee for the maintenance of said roads. **The County of Burnet PUBLIC RECORD BURNET COUNTY, TEXAS**  
**may not accept all or a portion of the roads in a Public Subdivision.** 09/14/98  
maintenance. The Annual Assessment Charge assessed against each Owner shall be due and payable, in advance, on the date of the sale of such Lot by Grantor for that



portion of the calendar year remaining, and on the thirty-first (31<sup>st</sup>) day of each January thereafter. Any such amount not paid and received the tenth (10<sup>th</sup>) day of each February thereafter shall be deemed delinquent, and without notice shall bear interest at the highest contract rate per annum allowed by law from the date originally due until paid. Any Assessment Lien filed on a tract in the subdivision shall be deemed subordinate to any Mortgage for the purchase or improvement of any Tract and any renewal, extension, rearrangement or refinancing thereof.

30. It is the responsibility of each property owner to file for and maintain any agricultural and/or wildlife exemption on his or her property once deeded from Grantors.

31. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provision, and all other provisions, shall remain in full force and effect.

32. Without regard to whether or not such are recited in conveyances or referred to in conveyances, these covenants, conditions and restrictions shall be deemed covenants running with the land and shall be binding upon Grantors, its or their successors or assigns, and all persons claiming under it or its successors or assigns.

33. These restrictions are covenants running with the land and shall be binding on all parties claiming under them.

Executed this 19<sup>th</sup> day of March, 2001.

Donald A. Price  
DONALD A. PRICE

Mark H. Becker  
MARK H. BECKER

Molly A. Price  
MOLLY A. PRICE

Tracey A. Becker  
TRACEY A. BECKER

STATE OF TEXAS \*

COUNTY OF BURNET \*

This instrument was acknowledged before me on this 19 day of March, 2001, by Donald A. Price and Molly A. Price.



Karen Stahr  
Notary Public, State of Texas

STATE OF TEXAS \*

COUNTY OF BURNET \*

This instrument was acknowledged before me on this 19 day of March, 2001, by Mark H. Becker and Tracey A. Becker.

Karen Stahr  
Notary Public, State of Texas



OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

0974 0199

STATE OF TEXAS  
COUNTY OF BURNET

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



Janet Parker  
County Clerk  
Burnet County, Texas  
By *Martha Williams*  
DEPUTY

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.

03164  
FILED

01 MAR 23 AM 9:10

JANET PARKER  
COUNTY CLERK  
BURNET COUNTY, TEXAS

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

0974 0200