

804536

THE STATE OF TEXAS § DECLARATION OF VOL: 238 PAGE 617
COUNTY OF KERR § COVENANTS OF RESTRICTION

WHEREAS, HERBERT G. BENCH, TRUSTEE, owns a certain of tract of land described as Lots 3-A and 3-B, Block K, Riverhill Estates No. One, a subdivision in Kerr County, Texas, according to the plat (the "Plat") thereof recorded in Volume 4, Page 181 of the Plat Records of Kerr County, Texas, (collectively the "Property"); and

WHEREAS, Owner desires to impose upon the Property certain restrictions, in addition to, and not in limitation or amendment of, any existing covenants, conditions or restrictions of record in Kerr County, Texas, which affect the Property and which are valid and subsisting.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that Owner does hereby covenant and agree with respect to the Property as follows:

The use of the Property shall be restricted to one single family dwelling, no structure shall be built upon the Property closer than 25 feet along and 25 feet parallel to the southern boundary line of Lot 3-B whose course and distance is set forth on the Plat as S 81° 44' E. 200.21 feet, and the vehicular entrance for ingress and egress to said Lots 3-A and 3-B shall be from Highlands Drive or from the 30 foot easement contiguous to said Lots 3-A and 3-B shown on the Plat; provided, that such vehicular entrance to said Lots 3-A and 3-B from Larry Lee Drive (as shown on the Plat) shall be prohibited and that if said entrance from said 30 foot easement is utilized the same shall be no closer than 40 feet from the intersection of said 30 foot easement and Larry Lee Drive.

These covenants of restriction are hereby declared to be covenants running with the Property and shall be fully binding on all persons acquiring the Property whether by descent, devise, purchase or otherwise, and any person by the acceptance of title to the Property shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants. Betty Jim Shelton Smith McBride and Ralph H. McBride may specifically enforce these restrictions, at their discretion,

by judicial action, or in any other manner permitted by law. The right to enforce these restrictions is limited, however, to said Betty Jim Shelton Smith McBride and Ralph H. McBride for so long as they own property in said Block K, Riverhill Estates No. One., and no party hereafter obtaining an interest in any or all of the property owned by Betty Jim Shelton Smith McBride and Ralph H. McBride nor in any neighboring property shall have the right to enforce such restrictions or recover damages occasioned by failure of any party to comply therewith. The said Betty Jim Shelton Smith McBride or the said Ralph M. McBride may waive or terminate the restrictions herein imposed, or amend or modify them to permit additional uses of the Property restricted

EXECUTED this 5th day of August, 1980.

Herbert G. Bench
HERBERT G. BENCH, Trustee

ACCEPTED this 11th day of August, 1980.

Betty Jim Shelton Smith McBride
BETTY JIM SHELTON SMITH McBRIDE

Filed 20 Day of Aug, A.D. 1980
at Kerr County, Texas
By Lain Nelson Deputy

Ralph H. McBride
RALPH H. McBRIDE

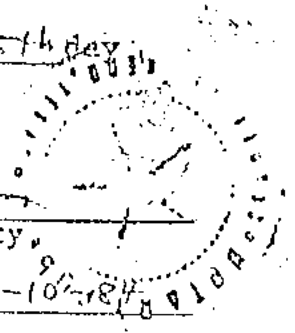
THE STATE OF TEXAS §

COUNTY OF KERR §

BEFORE ME, the undersigned authority, on this day personally appeared HERBERT G. BENCH, Trustee, 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, in the capacity therein stated,.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 5th day of August, 1980.

David L. Jackson
Notary Public, Kerr County, Texas
My commission expires: 2-10-84
(Notary Print or Type Name)



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BEFORE ME, the undersigned authority, on this day personally appeared Betty Jim Shelton Smith McBride and Ralph H. McBride, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed,

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 14th day of August, 1980.



Gaye Lowrey
Notary Public, Kerr County,
Texas
My commission expires: 9-8-81
(Notary Print or Type Name)

GAYE LOWREY
NOTARY PUBLIC
KERR COUNTY, TEXAS
MY COMMISSION EXPIRES 9-8-81

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| <p>#804536 Declaration of Covenants of Restriction</p> | <p>Herbert G. Bench, Trustee Pinehill Estate No. One to the Public</p> | <p>FILED FOR RECORD at 2:45 o'clock P. M. AUG 20 1980</p> | <p>EMILIE M. MUENKER Clerk County Court, Kerr County, Texas By <u>Dea. Muehler</u> Deputy</p> <p>Return to: WALLACE AND JACKSON A PROFESSIONAL CORPORATION ATTORNEYS AT LAW 829 JEFFERSON KERRVILLE, TEXAS 76028</p> |
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Filed for record August 20, 1980 at 2:45 o'clock P.M.
Recorded August 26, 1980
EMILIE M. MUENKER, Clerk

By Betty J. Lowrey Deputy