

DEED RESTRICTIONS

ENCINO HILLS

Vol 1066
Page 369
Plat - Vol 6
Page 100

THE STATE OF TEXAS :
COUNTY OF VICTORIA :

WHEREAS, Investors Unlimited, a partnership composed of Val W. Hotz, Odele Melde, Jack Richardson, Tony Pall, Lloyd Hurst, and John Clegg, subject to a Deed of Trust lien in favor of Victoria Bank and Trust Company, are the owners of all of Block 1 of Encino Hills, a subdivision in Victoria County, Texas, and Mission Investors, a partnership composed of Knute L. Dietze, Daniel McCue, James C. Henry, Jeff W. New, B. J. New, Jon New, Robert A. Arbuthnot, Graves L. Rouse, Doyle E. Perkinson, and John Balusek, subject to a Deed of Trust lien in favor of First Victoria National Bank, are the owners of all of Block 2 of Encino Hills, a subdivision in Victoria County, Texas; according to the established map and plat of said addition duly recorded in the Plat Records of Victoria County, Texas, to which reference is here made for all purposes.

Investors Unlimited, acting by and through its agent and attorney-in-fact, Val W. Hotz, and Mission Investors, acting by and through its agent and attorney-in-fact, Knute L. Dietze, desire to place of record certain restrictive covenants, conditions and limitations affecting the lots and blocks in said Encino Hills, hereinabove referred to:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
That Investors Unlimited and Mission Investors for the purpose of impressing upon the properties hereinabove described the restrictive covenants and conditions hereinafter set out, being joined herein by the said Victoria Bank and Trust Company and First Victoria National Bank, acting by and through their undersigned officers, do hereby make and publish the following limitations, restrictions, covenants and conditions which shall apply to and become a part of all contracts of sale, deeds and all other legal instruments whereby title and possession is divested out of the present owners of the above described properties and is vested in any other person or persons, to all of which the aforesaid owners do hereby bind themselves, as the fee owners of said properties all of said limitations, restrictions, covenants and conditions shall extend to all of the heirs, executors, administrators, assigns, devisees, lessees, successors and holders of every kind who may purchase or otherwise acquire any real property in the said Encino Hills Subdivision from the owners thereof, and the said owners expressly retain and reserve in every part, parcel and lot in said properties the proprietary right to enforcement and observance of all such limitations, restrictions, covenants and conditions as set out below:

1. These restrictions shall be effective until January 1, 2005, and shall automatically be extended thereafter for successive periods of ten (10) years; provided, however, that at any time after the filing hereof the owners of a sixty (60) per cent majority of the square feet area of the lots in Encino Hills, may release or amend all of the lots hereby restricted from any one or more of said restrictions by executing and acknowledging an appropriate agreement in writing for such purpose, and filing same for record in the office of the County Clerk of Victoria County, Texas.

2. All lots in this subdivision shall be used for single family residential purposes only. No more than one house trailer or mobile home may be on any lot at one time. No lot may be resubdivided except for Lot 24, Block 1, which may be subdivided into two lots, neither of which may be less than one acre in size.

3. Residences must contain at least 1100 square feet of living space, and temporary trailers must contain at least 900 square feet and must be set back at least seventy (70) feet from John Wayne Trail. Interior set backs shall be ten feet (10') from the property line. All houses must face the John Wayne Trail.

4. All residences must be of new construction unless approved by the Encino Hills Architectural Committee which committee is described below.

5. No single sectional mobile homes or live-in trailers shall be permanently placed on the property. Single sectional mobile homes may be placed on the property for a period of not more than three (3) years from purchase of lot or five (5) years from filing of these restrictions, whichever is the shorter period. All mobile homes must be properly skirted and tied down within 45 days of moving on the property, and such skirting shall be maintained in a neat manner. Modular houses will be allowed in accordance with architectural committee approval.

6. All septic tanks and water wells shall be built in accordance with the county health department standards. Drain fields shall not be built in set-back areas.

7. No signs or billboards, except small "for sale" signs shall be placed on the premises.

8. No hogs or chickens shall be raised on the premises (only calves or sheep for 4-H or FFA purposes may be raised on the premises) or other noxious business or undertaking may be maintained on property. Excessive numbers of domestic animals, which in the sole opinion of developers or their nominee constitutes a nuisance, must be abated immediately.

9. The premises shall be maintained in a neat and attractive manner with weeds mowed at regular intervals. Trees, shrubs, vines and plants which die or are uprooted shall be promptly removed from the property. No auto, trailer, trucks or other similar vehicle shall be torn down, left on blocks or extensively repaired on the premises, except within an enclosed building.

10. All roads to and from the property shall have county approved culverts where the property adjoins any dedicated roads.

11. Violations of any restrictions, conditions or covenants herein shall give the developers the right to enter upon property where such violation exists and summarily abate or remove said condition and such entry and abatement or removal shall not be deemed a trespass. The expenses for such action including reasonable attorney's fees may be charged to the owner and become a lien on the property. Such liens will be inferior and subordinate to any financing lien placed on the property subsequent to filing such.

12. Until such time as Developers have sold all the residential lots in the subdivision, they shall name the members

of an Architectural Committee which Committee shall approve all construction plans and specifications within this subdivision as well as types of houses that may be moved on the property, in accordance with guidelines to be set forth by said Committee.

13. The drainage of septic tanks into road, street, alley, or other public ditches, either directly or indirectly, is strictly prohibited.

14. Drainage structures under private driveways shall have a net drainage opening are of sufficient size to permit the free flow of water without backwater, and shall be a minimum of one and three quarters (1-3/4) square feet (18" diameter pipe culvert). Culverts or bridges must be used for driveways and/or walks.

15. No structure of a temporary character, shack, garage, barn, tent or other out-building shall be used on any lot at any time as a residence either temporarily or permanently.

16. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, used lumber, building material, vehicles, or other unsightly items.

EXECUTED this the 19th day of May, A.D., 1980.

MISSION INVESTORS

BY: Knut L. Dietze
Knut L. Dietze,
agent and attorney-
in-fact for Mission
Investors.

INVESTORS UNLIMITED

BY: Val W. Hetz
Val W. Hetz,
agent and attorney-
in-fact for Investors
Unlimited.

ATTEST:

Wayne A. Kucera
Wayne A. Kucera
Assistant Vice President

VICTORIA BANK AND TRUST COMPANY

BY: Arthur Buckert
Arthur Buckert
Senior Vice President

ATTEST:

Administrative Office
Administrative Office

FIRST VICTORIA NATIONAL BANK

BY: Dick Oliver

THE STATE OF TEXAS I
COUNTY OF VICTORIA I

BEFORE ME, the undersigned authority, on this day personally appeared KNUTE L. DIETZE, 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 and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 20th day of May, A. D., 1980.



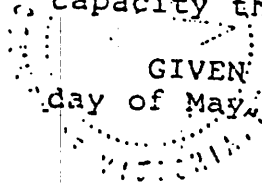
Cynthia Palacios
NOTARY PUBLIC IN AND FOR
VICTORIA COUNTY, TEXAS.

My commission expires 1-31-81.

THE STATE OF TEXAS I
COUNTY OF VICTORIA I

BEFORE ME, the undersigned authority, on this day personally appeared VAL W. NOTZ, 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 and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 20th day of May, A. D., 1980.



Dawn Gentry
NOTARY PUBLIC IN AND FOR
VICTORIA COUNTY, TEXAS.
DAWN GENTRY

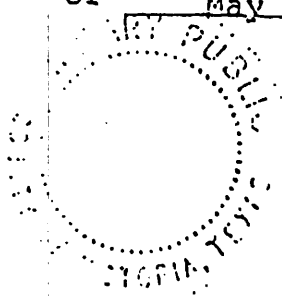
My commission expires 9-29-80.

THE STATE OF TEXAS :

COUNTY OF VICTORIA :

BEFORE ME, the undersigned authority, on this day personally appeared Arthur Buckert, Senior Vice President of VICTORIA BANK AND TRUST COMPANY, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, and in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 19th day of May, A.D., 1980.



Carolyn Hoff
NOTARY PUBLIC IN AND FOR
VICTORIA COUNTY, TEXAS.

My commission expires 10-31-80.

THE STATE OF TEXAS :

COUNTY OF VICTORIA :

BEFORE ME, the undersigned authority, on this day personally appeared Leslie Payne, Line Pres. of FIRST VICTORIA NATIONAL BANK, a corporation, 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, and in the capacity therein stated and as the act and deed of said corporation.

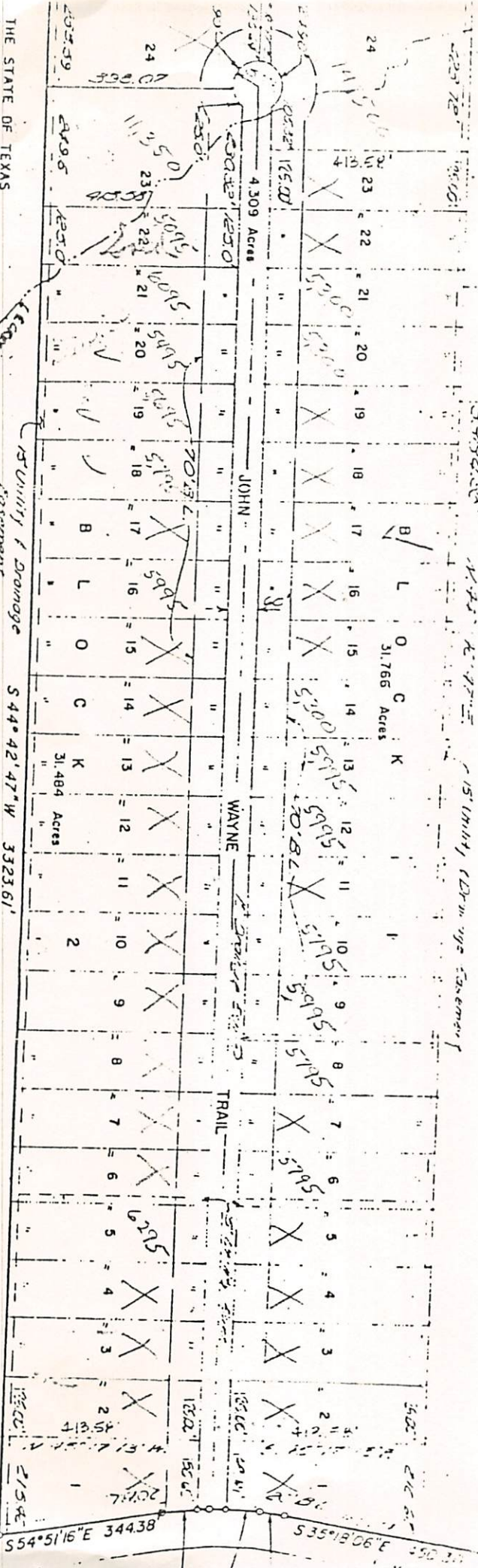
GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 17th day of May, A.D., 1980.



Jean H. Payne
NOTARY PUBLIC IN AND FOR
VICTORIA COUNTY, TEXAS.

My commission expires 1-31-81.

ALBRECHT N 44° 42' 47" E 3621.95' ROAD

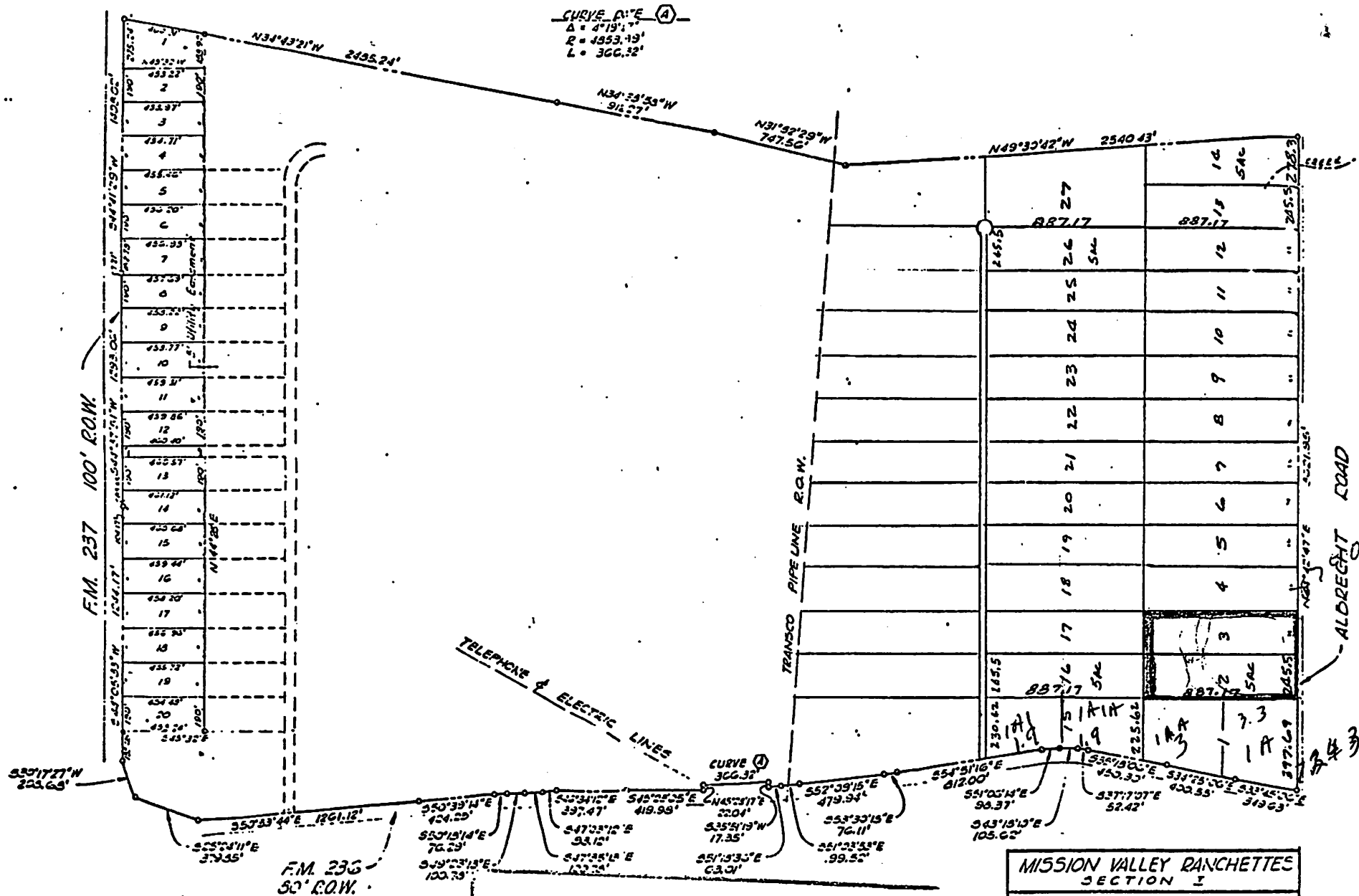


THE STATE OF TEXAS
COUNTY OF VICTORIA

THE ABOVE PLAT WAS PREPARED FROM AN
ACTUAL SURVEY MADE ON THE GROUND

THE STATE OF TEXAS
COUNTY OF VICTORIA

STREETS SHOWN HEREON IF NOT PREVIOUSLY
DEDICATED ARE HEREBY TENDERED FOR
DEDICATION FOR PUBLIC USE.
ALL LOTS ARE SUBJECT TO RESTRICTIVE



PRELIMINARY ISSUE
DATE 6-30-76
DO NOT USE FOR CONSTRUCTION

MISSION VALLEY RANCHETTES SECTION I	
10.959 ACRES SITUATED IN THE N.W. 1/4 EATON LEASE ABSTRACT NO. 154 IN VICTORIA COUNTY, TEXAS.	
JOHN A. DALUSEK	
REGISTERED PUBLIC SURVEYOR	
VICTORIA, TEXAS	DATE 6-30-76