

Deed Restrictions

Bluebonnet Hills

Washington County, Texas

(Amended & Filed for Record December 18, 2008)

1. Said Property, except as hereinafter expressly stated, shall be used for residence purpose only.
2. The term "residence purpose" as herein used shall not be held or construed to include hospitals, offices, duplex houses, apartment houses or mobile homes, mobile or portable homes of all fashions are specifically forbidden.
3. Only one residence shall be constructed or permitted on each tract, home site or separate parcel of land.
4. No garage, stables or outbuilding erected on said premises shall be used as a residence or living quarters, except by servants engaged on the premises.
5. No trash, ashes or other refuse may be thrown or dumped on any vacant lot in the addition.
6. No improvements of any character shall be erected, or the erection thereof begun, or changes made in the exterior design thereof after original construction on any lot or home site in said addition until the plans, plot plans, and specifications have been submitted to and approved in writing by BHPOA or its nominee. Such approval is to include exterior design, the type of material to be used, and the colors to be applied on the exterior of the structure.
7. No building material of any kind or character shall be placed in the streets, it being distinctly understood and agreed that all building materials to be used in the construction of buildings in the said subdivision shall be placed within the property lines of the premises to which the delivery is made.
8. Grass and weeds on each lot must be kept mowed at regular interval or as may be necessary to maintain the same in a neat and attractive manner. BHPOA or its nominee, at its option, may have the grass and weeds cut when and as often in its judgement the same is necessary and the owner of the said lot or tract of land shall be held by the acceptance of such deed to be obligated to pay the said BHPOA or its nominee, the cost of such work and shall create a vendors lien on such property where the work is performed.
9. BHPOA reserves the right to review and approve in writing in advance of the operation of same, the type or character of business to be conducted on any tract on which a business bay be conducted under the terms hereof; and no improvements for business use shall be constructed on any tract except with the prior approval in writing of proposed plans, plot plans and specifications therefore by BHPOA or its nominee.
10. No residence shall be constructed or moved onto any lot or building site in the subdivision which has a living area less than 1200 square feet, excluding porches, garages, patios and the like.
11. No signs, billboards, posters or advertising devices of any kind shall ever be erected on any lot in the subdivision except a "For Sale" sign not larger than six feet square, and not more than four feet off the ground.

12. All residences constructed in the subdivision shall have inside toilets, and inside plumbing shall be attached to septic tanks; there shall be no cesspools in the subdivision and no drainage from plumbing of any type into ditches or lakes.

13. Reserves "A", "B", and "C" may be used for business purposes, but no other lots in said subdivision may be used for business purposes. A lot restricted against use for business purposes may nevertheless be used only for business purposes which are incidental to its residential use. A business purpose is not incidental to the residential use of a lot if it:

- A. Creates a danger to other residents in the subdivision.
- B. Negatively impacts the property values of the subdivision or adjacent properties;
- c. Negatively affects the environment;
- D. Creates a traffic hazard;
- E. Disturbs the quiet peace and enjoyment of neighboring property;
- F. Has permanent signage;
- G. Has designated customer parking spaces; or
- H. Otherwise disrupts the peace and tranquility of the subdivision as a country residential neighborhood.

14. These restrictions shall be effective until January 1, 2019. These restrictions shall thereafter automatically be renewed for successive renewal periods of 10 years until the owners of 51% of the lots in the subdivision by written declaration, signed, acknowledged, and recorded in the official records of Washington County, Texas declare that these restrictions are terminated and of no further force or effect.

15. No building shall be located nearer than 50 feet from the front property line and 20 feet from any adjacent property line, except for Reserves "A", "B" and "C".

16. All fencing culvert sizes and access road entrances shall be approved in writing by BHPOA or its nominee.

17. No noxious or offensive trade shall be permitted on any part of any tract, and each owner and occupant shall keep their property clean and free of trash, inoperable cars and machinery and other junk, and shall maintain the improvements in a reasonably good state of repair.

18. No firearms may be discharged around or on any lake or road.

19. No dam, earthen fill or obstruction of any kind shall be constructed or permitted to remain in any creek, water course or drainage course of height greater than (3) three feet above the natural grade without the prior written consent of BHPOA except for the use of all owners of tracts within the subdivision, BHPOA shall have the right and authority to make rules and regulations regarding the use of the lakes and all other improvements constructed for use by all owners of tracts within "Bluebonnet Hills".

20. Insofar as BHPOA or its successors or assigns has the right and authority to do so, no prospecting, mining, drilling, or production of oil, gas or other minerals shall ever be permitted on any part of any tract, except those tracts so designated, but such prohibition shall not extend to the drilling of water wells for domestic use of water on the premises.

21. A maintenance fee of \$100 maximum per tract shall be levied and collected each year from each owner for maintenance of lakes, ponds, streets, parks and operating expenses of Bluebonnet Hills POA, Inc., which fee shall be due and payable no later than January 1 of each year, and shall be considered delinquent on January 31, bearing interest at a rate of 9% per annum; and shall be secured by a lien upon lot for which it is due. The maximum maintenance charge may be increased only by the annual rate of inflation as determined by official US Government figures.

22. The legal and fee simple title in and to all roads, easements, streets, parks and lakes, shown on the map or plat of the subdivision is hereby specifically reserved in BHPOA its successors or assigns, reserves the right to dedicate the public any and all roads and street at such time or times as it may choose.

23. BHPOA may re-subdivide any tract, and an owner may re-subdivide his tract only with the written consent of BHPOA.

24. Easements for constructing, maintaining and repairing a system providing for light and power, telephone and telegraph service to said area and the inhabitants thereof, for the purposed incident of the development and use of said property as a suburban home community are reserved as shown on the recorded plat. Said easements shall be (20) twenty feet in width extending (10) ten feet on each side of property lines between certain adjoining lots as shown on said plat and (20) twenty feet within all lot property lines where the same parallel or front on roads or street, whether said roads or streets are within or outside of the subdivision. Neither BHPOA nor any utility company using the easements or right of way as reserved by plat of this subdivision filed for record in the May records of Washington County, Texas shall be liable for any damage done by either of them or their assigns, agents, employees or servants to shrubbery, trees flowers or other property of any owner situated on the land covered by easements obstruct easements leading to or surrounding the designated lake sites.

25. Bluebonnet Hills Property Owners, Inc. may levy a fine against any owner in violation of these restrictions in the amount of \$25 for each day that the violation continues after due notice of the violation as required by law.

26. These restrictions may be amended by vote of 51% of the owners of lots in the subdivision. A property owner may not cast more than one vote regarding the amendment of these restrictions, regardless of the number of lots the person owns. If more than one person owns an interest in a lot, the owners may cast only one vote regarding the amendment of these restrictions for that lot. A person may not vote regarding the amendment of these restrictions if the person has an interest in a lot only by virtue of being a lien holder.