

DECLARATION OF COVENANTS AND RESTRICTIONS

THE STATE OF TEXAS

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COUNTY OF FREESTONE

This Declaration of Covenants and Restrictions (the "Declaration") is made by Colt Ranch and Land Partners II, LP ("Declarant"), and is as follows:

Declarant is the owner of the property located in Freestone County, Texas, legally described on Exhibit "A" attached hereto, and containing approximately 298.76 acres of land (the "Property").

RESTRICTIONS

General Restriction. No Tracts shall be used for any commercial, industrial, or business purposes. Ancillary commercial activity incidental to another non-prohibited use to which the general public is not invited, which is not visible from adjacent Tracts or the adjacent street, and which does not produce traffic of more than five (5) cars per day shall not be considered business purposes.

Minimum Floor Area. Any structure designed for occupancy on a Tract must have a total heated and air-conditioned floor area of not less than thirteen hundred (1,300) square feet. No mobile homes, manufactured homes, modular or portable homes shall be located on a Tract for any purposes. Any buildings or structures to be used as a residence must be constructed on site and built on a permanent slab or permanent pier and beam construction. Temporary housing shall be permitted only during active construction of permanent housing and only for a continuous time period of one (1) year from commencement. Any extension of permission for temporary housing shall be at the sole discretion of the Declarant. All temporary housing must be able to self contain sewage effluent or be connected to a TCEQ approved OSSF. No sewage effluent shall be permitted to escape containment on the property.

Setbacks. There shall not be placed on a Tract any building or structure nearer than sixty (60) feet from the property line adjacent to a street, road, or common driveway, or within thirty (30) feet from the property line of any abutting Tract.

Noxious or Offensive Activities Prohibited. None of the Property shall be used for any noxious activity and nothing shall be done or permitted to be done on any of said Property which is a nuisance or might become a nuisance to the Owner or Owners of any of such said Property. Nuisance means any type of conduct, action and non-action which has been declared by statute or ordinance to be a nuisance or any conduct, action, or non-action when taken together is of such concentration and of such duration as may tend to be injurious to, or to interfere with, or to adversely affect human health or the health of wildlife or the reasonable use and enjoyment of the Property.

Rubbish, Trash and Garbage. No Tract shall be used or maintained as a dumping ground for rubbish or trash, and no garbage or other waste shall be kept except in sanitary containers of the standard type.

Animals. No animal may be commercially stabled, maintained, kept, cared for or boarded for hire on the Property and no breeding operation for commercial purposes will be allowed within the Property. All animals shall be contained within the Tract lines by fence. No animal shall be allowed to make an unreasonable amount of noise, to disturb native wildlife, or to become a nuisance. Personal animals are welcome.

Vehicles. No abandoned or inoperable vehicle, or vehicle without a current inspection sticker, registration, or license plate, shall be permitted to remain on any Tract or in front of any Tract, except in an enclosed structure so as to be completely screened from view of the street and adjacent properties.

Restriction on Further Subdivision. No Tract may be further subdivided into two (2) or more smaller tracts or parcels.

Repair of Structures. All improvements and structures upon any of the Property shall at all times be kept in good condition and repair and adequately painted or otherwise maintained by the owner thereof.

Firearms. Firearm discharge on any tract must comply with state and local laws or ordinances.

Control of Sewage Effluent. All wastewater facilities and equipment must comply with all state and local health laws and regulations, and septic tanks must be installed in accordance with standards approved by Freestone County, Texas, the Texas Commission on Environmental Quality, and any other applicable governmental entity. No outside toilets will be permitted, and no installation of any type of devise for disposal of sewage shall be allowed which would result in raw or untreated or unsanitary sewage being carried in the streets, adjacent Tracts, or into any body of water.

Enforcement. Declarant or any owner of a Tract, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, now or hereafter imposed by the provisions of this Declaration. Failure by any person to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Term. This Declaration, including all of the covenants, conditions and restrictions hereof, shall run until December 31, 2058, unless amended as herein provided. After December 31, 2058, this Declaration, including all such covenants, conditions and restrictions, shall be automatically extended for successive periods of ten (10) years each, unless amended or extinguished by a written instrument executed by the Owners of at least three-fourths (3/4ths) of the acreage contained within the Property then subject to this Declaration, provided all signatures thereon shall be dated and no signature may be dated more than ninety (90) days after the earliest dated signature on such instrument.

Obligations Run With the Land. The obligations created in this Declaration run with the land described as the "Property" defined above.

By: _____
Tim Coffey, Manager

Buyer's Printed Name

Buyer's Signature

Buyer's Printed Name

Buyer's Signature

THE STATE OF TEXAS §
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COUNTY OF LEON §

This instrument was acknowledged before me on _____ 20____, by Tim Coffey,
Manager of Colt Ranch and Land Partners II, LP

Notary Public Signature

STATE OF TEXAS }
COUNTY OF _____}

This instrument was acknowledged before me on the _____ day of _____
20____, by _____ in the capacity therein stated.

Notary Public, State of Texas

STATE OF TEXAS }
COUNTY OF _____}

This instrument was acknowledged before me on the _____ day of _____
20____, by _____ in the capacity therein stated.

Notary Public, State of Texas

Williford Land Surveying
P. O. Box 1266 • Mexia, Texas 76667
Ph: 254-562-2837 • Fx: 254-562-2867
Clint Williford RPLS#5973

Legal Description

James T. Caddell Survey, Abstract No. 137
Micajah Bateman Survey, Abstract No. 83
James James Survey, Abstract No. 333
Freestone County, Texas

298.76 Acres

All that certain lot, tract or parcel of land, part of the James T. Caddell Survey, Abstract No. 137, the Micajah Bateman Survey, Abstract No. 83 and the James James Survey, Abstract No. 333, Freestone County, Texas, being part of that certain called 325.75 acre tract described in a deed to the Eugene R. and Sue W. Wilson Revocable Living Trust from Sue B. Wilson on February 5, 2003 in Volume 1226, Page 267 of the Official Records of Freestone County, Texas same being all of that certain called 325.75 acre Exhibit D described in a Partition Deed to Annie Laura Wood on July 20, 1982 in Volume 620, Page 641 of the Deed Records of Freestone County, Texas and being more completely described as follows, to-wit:

BEGINNING at a ½" iron rod (found) near a pipe fence corner for the West corner of the above mentioned 325.75 acre Wood tract, the occupied West corner of the James T. Caddell Survey, Abstract No. 137, the South corner of a called 95.6 acre tract conveyed to Frank Harrison Marsters, III in Volume 1387, Page 129 the South corner of the Solomon Carter Survey, Abstract No. 733, an angle corner of the residue of a called 300.47 acre Third Tract conveyed to William Andrew Bonner in Volume 938, Page 552, an angle corner of a called 654.76 acre tract conveyed to the William Andrew Bonner Irrevocable Trust and the Roberta Smith Bonner Irrevocable Trust in Volume 1323, Page 620 and being in the occupied Northeast line of the William Bankhead Survey, Abstract No. 71;

THENCE North 61 deg. 07 min. 37 sec. East with the Northwest line of the 325.75 acre Wood tract, with or near the Northwest line of the James T. Caddell Survey, the Southeast line of the 95.6 acre Marsters tract and with or near the Southeast line of the Solomon Carter Survey, a distance of 1,998.86 ft. to a ½" iron rod (set) 26 ft. Southeast of a fence for the most northerly corner of this tract and being the westerly corner of a 25.00 acre tract surveyed on this day, from which a ¼" iron rod (found) at a fence corner for the North corner of the 325.75 acre Wood tract bears North 61 deg. 07 min. 37 sec. East – 1,541.82 ft.;

THENCE South 20 deg. 01 min. 05 sec. East across the 325.75 acre Wood tract and with the West line of the 25.00 acre tract, a distance of 659.55 ft. to a ½" iron rod (set) for the Southwest corner of same and being an ell corner of this tract;

THENCE North 85 deg. 22 min. 15 sec. East continuing across the 325.75 acre Wood tract and with the South line of the 25.00 acre tract, a distance of 919.24 ft. to the Southeast corner of same, the easterly Northeast corner of this tract, in an East line of the 325.75 acre Wood tract, in a West line of a called 242.39 acre tract conveyed to Barbara Morris in Volume 416, Page 763 and being in the center of County Road No. 221, from which a ½" iron rod (set) for reference in a fence bears South 85 deg. 22 min. 15 sec. West – 21.00 ft.;

THENCE in a southerly direction with the easterly lines of the 325.75 acre Wood tract, the westerly lines of the 242.39 acre Morris tract and the center of County Road No. 221 as follows:

- 1.) South 00 deg. 22 min. 42 sec. West a distance of 25.46 ft. to a corner,
- 2.) South 00 deg. 05 min. 23 sec. East a distance of 77.19 ft. to a corner,
- 3.) South 01 deg. 31 min. 41 sec. East a distance of 168.55 ft. to a corner,
- 4.) South 02 deg. 43 min. 23 sec. East a distance of 107.96 ft. to a corner,
- 5.) South 02 deg. 36 min. 46 sec. East a distance of 80.44 ft. to a corner,
- 6.) South 03 deg. 28 min. 17 sec. East a distance of 65.96 ft. to a corner,
- 7.) South 03 deg. 44 min. 28 sec. East a distance of 44.78 ft. to a corner,
- 8.) South 05 deg. 30 min. 29 sec. East a distance of 100.95 ft. to a corner,
- 9.) South 07 deg. 46 min. 49 sec. East a distance of 89.52 ft. to a corner,
- 10.) South 09 deg. 18 min. 06 sec. East a distance of 86.84 ft. to a corner,
- 11.) South 11 deg. 40 min. 25 sec. East a distance of 116.07 ft. to a corner,
- 12.) South 12 deg. 15 min. 29 sec. East a distance of 68.89 ft. to a corner,
- 13.) South 13 deg. 09 min. 24 sec. East a distance of 156.75 ft. to a corner,
- 14.) South 14 deg. 51 min. 27 sec. East a distance of 70.62 ft. to a corner,
- 15.) South 17 deg. 20 min. 14 sec. East a distance of 58.97 ft. to a corner,
- 16.) South 21 deg. 03 min. 24 sec. East a distance of 63.32 ft. to a corner,
- 17.) South 22 deg. 56 min. 47 sec. East a distance of 94.02 ft. to a corner,
- 18.) South 22 deg. 25 min. 30 sec. East a distance of 90.54 ft. to a corner,
- 19.) South 19 deg. 41 min. 47 sec. East a distance of 53.11 ft. to a corner,
- 20.) South 19 deg. 06 min. 38 sec. East a distance of 332.81 ft. to a corner,
- 21.) South 18 deg. 18 min. 44 sec. East a distance of 128.44 ft. to a corner,
- 22.) South 17 deg. 32 min. 31 sec. East a distance of 109.88 ft. to a corner,
- 23.) South 16 deg. 59 min. 33 sec. East a distance of 580.47 ft. to a corner,

- 24.) South 17 deg. 16 min. 32 sec. East a distance of 130.59 ft. to a corner,
- 25.) South 17 deg. 38 min. 21 sec. East a distance of 176.10 ft. to a corner,
- 26.) South 17 deg. 46 min. 54 sec. East a distance of 178.06 ft. to a corner,
- 27.) South 20 deg. 22 min. 19 sec. East a distance of 102.55 ft. to a corner,
- 28.) South 19 deg. 05 min. 48 sec. East a distance of 140.61 ft. to a corner,
- 29.) South 18 deg. 28 min. 33 sec. East a distance of 83.35 ft. to a corner,
- 30.) South 16 deg. 18 min. 49 sec. East a distance of 49.05 ft. to a corner,
- 31.) South 14 deg. 56 min. 57 sec. East a distance of 72.94 ft. to a corner,
- 32.) South 13 deg. 58 min. 16 sec. East a distance of 86.22 ft. to a corner,
- 33.) South 12 deg. 48 min. 57 sec. East a distance of 67.26 ft. to a corner,
- 34.) South 11 deg. 54 min. 24 sec. East a distance of 70.84 ft. to a corner,
- 35.) South 10 deg. 01 min. 42 sec. East a distance of 83.14 ft. to a corner,
- 36.) South 06 deg. 15 min. 47 sec. East a distance of 71.14 ft. to a corner,
- 37.) South 02 deg. 35 min. 44 sec. East a distance of 72.36 ft. to a corner,
- 38.) South 01 deg. 40 min. 27 sec. West a distance of 72.91 ft. to a corner,
- 39.) South 05 deg. 45 min. 21 sec. West a distance of 46.34 ft. to a corner,
- 40.) South 08 deg. 01 min. 05 sec. West a distance of 70.09 ft. to a corner,
- 41.) South 10 deg. 14 min. 41 sec. West a distance of 47.22 ft. to a corner,
- 42.) South 11 deg. 49 min. 17 sec. West a distance of 143.68 ft. to a corner,
- 43.) South 07 deg. 30 min. 52 sec. West a distance of 64.01 ft. to a corner,
- 44.) South 02 deg. 24 min. 25 sec. West a distance of 52.93 ft. to a corner,
- 45.) South 02 deg. 38 min. 16 sec. East a distance of 50.54 ft. to a corner,
- 46.) South 07 deg. 21 min. 45 sec. East a distance of 54.61 ft. to a corner,
- 47.) South 11 deg. 06 min. 44 sec. East a distance of 61.36 ft. to a corner,
- 48.) South 13 deg. 04 min. 22 sec. East a distance of 64.00 ft. to a corner,
- 49.) South 15 deg. 11 min. 05 sec. East a distance of 70.27 ft. to a corner,
- 50.) South 17 deg. 34 min. 02 sec. East a distance of 88.94 ft. to a corner,
- 51.) South 19 deg. 18 min. 59 sec. East a distance of 432.18 ft. to a corner,
- 52.) South 17 deg. 34 min. 27 sec. East a distance of 293.11 ft. to a corner,
- 53.) South 30 deg. 16 min. 36 sec. East a distance of 77.17 ft. to a corner and
- 54.) South 20 deg. 53 min. 33 sec. East a distance of 114.77 ft. to a 1" pipe (found) for the South corner of the 242.39 acre Morris tract and being in the West line of Farm to Market Highway No. 488;

THENCE South 11 deg. 41 min. 54 sec. West with the West line of Farm to Market Highway No. 488, a distance of 1,502.37 ft. to the South corner of this tract, from which a 1/2" iron rod (found) bears North 29 deg. 54 min. 17 sec. West - 2.12 ft.;

THENCE North 29 deg. 54 min. 17 sec. West with the Southwest line of the 325.75 acre Wood tract, with or near a Southwest line of the Micajah Bateman Survey, Abstract No. 83, with or near the Southwest line of said James T. Caddell Survey, the Northeast line of the residue of a called 332.83 acre tract conveyed to William Andrew Bonner in Volume 760, Page 833, the Northeast line of said 654.76 acre Bonner tract and with or near the Northeast line of said William Bankhead Survey, a distance of 7,837.53 ft. to the place of beginning and containing **298.76 acres** of land.

The bearings recited herein are based on G.P.S. observation.

I James C. Williford, Registered Professional Land Surveyor No. 5973, do hereby certify that the legal description hereon was prepared from an actual survey made on the ground under my direction and supervision.



James C. Williford
Registered Professional Land Surveyor No. 5973
Firm Registration No. 10082500
May 11, 2021
Job No. 21-043B
Plat accompanies legal description

