

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

STATE OF TEXAS
COUNTY OF GRAYSON

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, Janice Burkett and husband Ben C. Burkett II, hereinafter called "The Declarant", are the owners of all that certain real property located in Grayson County, Texas, described more fully in Exhibit "A" which is attached hereto and incorporated herein for all purposes; and

WHEREAS, the Declarant will convey the property described on Exhibit "A" subject to certain protective covenants, conditions and restrictions as hereinafter set forth;

NOW, THEREFORE, it is hereby declared that all of the property described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions which are for the purpose of protecting the value and the desirability of and which shall run with, the real property and shall be binding on all parties having any right, title or interest in or to the property described herein or any part thereof, and their heirs, successors and assigns and which easements, restrictions, covenants and conditions shall inure to the benefit of each owner thereof.

The following constitute the covenants, conditions and restrictions imposed herein:

(1) Only one single family dwelling may be erected, placed or be permitted to remain on any tract. All such single family dwellings shall contain a minimum of 900 square feet of living area.

(2) No structure shall be constructed nearer than 75 feet to any road and 25 feet to any adjoining property line.

(3) No structure shall be erected, altered, placed or permitted to remain on any single tract other than one (1) single family dwelling, a private garage together with other out buildings incident to such residential user.

(4) No noxious or offensive trade or activity shall be permitted or carried out on any tract, nor shall anything be done or permitted which may be or become an annoyance or nuisance to the neighborhood.

(5) Any mobile home shall contain a minimum of 900 square feet of living area and shall be properly underpinned, skirted and anchored to the ground in a good and workmanlike manner. Any existing structure which is moved in shall also contain a minimum of 900 square feet and shall be fully restored within a reasonable time after such structure is initially placed on any tract.

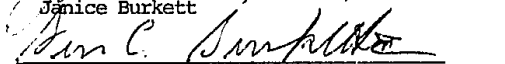
(6) No sewer system or septic tank system shall be installed on or be used on any tract unless same has been constructed in compliance and conformity with sewage disposal methods approved by the Texas State Department of Health or other appropriate State or County Agency.

(7) No animals, livestock or poultry of any kind shall be raised, bred or kept on any tract except and only except that dogs, cats or other household pets may be kept for the amusement of the occupants; no more than two (2) horses per acre; no more than two (2) head of cattle per acre; no more than three (3) sheep or goats per acre; no more than three (3) poultry per acre; no swine or bees shall ever be kept.

The keeping, fencing and housing of such animals may never be such to annoy or irritate neighbors and adequate fencing of first quality type which is decorative and pleasing to the eye, must be utilized to confine such animals to a particular tract and no breeding animals shall be permitted unless the owner or occupant shall provide adequate screening and privacy therefor so not to offend other residents.

Invalidation of any one of these covenants by judgment or court order shall in no way effect any of the other provisions, which shall remain in full force and effect.

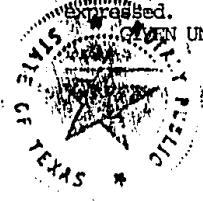
EXECUTED by the said Declarant, this the 1st day of October, 1982.


Janice Burkett

Ben C. Burkett II

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, in and for said County and State, on this day personally appeared JANICE BURKETT and husband BEN C. BURKETT II, known to me to be the persons whose names are subscribed to the foregoing instruments and acknowledged to me that they executed the same for the purposes and consideration expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 1st day of October, 1982.




Notary Public, State of Texas

BARBARA FINDLEY, Notary Public
In and For The State of Texas
My Commission Expires March 16, 1985

TRACT # 1

BEING 23 acres, more or less, out of the George H. Hall 762 acres survey, Patent No. 232, Volume 8, Grayson County, Texas, said 23 acres of land being bounded as follows:

BEGINNING at the Northeast corner of a tract of 128 acres of land by Silas Hare and W.H. Bean to Hugh H. Lockett and D. R. Lockett by Deed recorded in Volume 57, Page 492, Grayson County Deed Records, same being the Northwest corner of the J. G. Bledsoe tract;

THENCE, West 700 varas to the Northwest corner of said Lockett 128 acre tract in the West line of original survey;

THENCE, South with the West line of said Hall survey, 158 varas to the Northwest corner of the J. A. McDonald 106 acre tract;

THENCE, East 705 varas to the N.E. corner of said J. A. McDonald 106 acre tract in the West line of the Bledsoe tract;

THENCE, North 150 varas to the place of beginning.

TRACT # 2

BEING a part of the George H. Hall Survey, Abstract No. 497, also being the Western 53.380 acres of a 106.8 acre tract of land conveyed by Mary C. Sperry, a widow, to Helen S. Francis and Josephine S. Hickam by Deed dated December 9, 1931, and of record in Volume 358, Page 332, of the Deed Records of Grayson County, Texas, and described by metes and bounds, according to a survey made on the ground in November, 1962, by E. M. Busby, a Registered Public Surveyor, as follows:

BEGINNING at the Southwest corner of both the George H. Hall Survey and said 106.8 acre tract from which corner a concrete monument bears East, a distance of 25 feet and North 0° 15' East a distance of 10 feet;

THENCE, East with the South line of both said survey and said 106.8 acre tract for a distance of 996.55 feet to the Southwest corner of the Eastern 53.380 acre tract out of said 106.8 acre tract, which said Eastern 53.380 acre tract is being purchased by the Veterans Land Board of the State of Texas for Raymond C. Kiddoo, from which corner a concrete monument bears North 0° 15' East a distance of 20 ft.;

THENCE, North 0° 15' East with the West line of said Eastern 53.380 acre tract, passing said concrete monument at 20 feet, for a total distance of 2333.3 feet to a concrete monument in the fence along the North line of said 106.8 acre tract and in the South line of a 23 acre tract previously conveyed to J. D. McDonald, said monument also being at the Northwest corner of said Eastern 53.380 acre tract;

THENCE, West with the fence along said common line, passing a concrete monument at a fence corner in the East line of a public road at 931.55 feet, for a total distance of 996.55 feet to the Northwest corner of said 106.8 acre tract in the West line of the George H. Hall Survey;

THENCE, South 0° 15' West with said West line, same also being the West line of said 106.8 acre tract, passing 25 feet West of a concrete monument at 2323.3 feet, for a total distance of 2333.3 feet to the place of beginning; CONTAINING 53.380 acres of land, more or less.

TRACT # 3

BEING a part of the George H. Hall Survey, Abstract No. 497, also being the Eastern 53.380 acres of a 106.8 acre tract of land conveyed by Mary C. Sperry, a widow, to Helen S. Francis and Josephine S. Hickam, by Deed dated December 9, 1931, and of record in Volume 358, Page 332, of the Deed Records of Grayson County, Texas, and described by metes and bounds, according to a survey made on the ground in November, 1962, by E. M. Busby, a Registered Public Surveyor as follows:

BEGINNING at a point in the South line of both the George H. Hall Survey and said 106.8 acre tract, said point being 996.55 feet East of the Southwest corner of both said survey and 106.8 acre tract, said point also being 20 feet South 0° 15' West of a concrete monument and at the Southeast corner of the Western 53.380 acre tract out of said 106.8 acre tract, which Western 53.380 acre tract is being purchased by the Veterans Land Board of the State of Texas for the benefit of L. C. Bridges;

HLA

TRACT #3 cont.

THENCE, North 0°15' East with the East line of said Western 53.380 acre tract and parallel with the West line of both said survey and said 106.8 acre tract, passing a concrete monument in the North line of a public road at 20 feet, for a total distance of 2333.3 feet to a concrete monument in the fence along the North line of said 106.8 acre tract and in the South line of a 23 acre tract previously conveyed to J. D. McDonald, said monument also being at the Northeast corner of said Western 53.380 acre tract;

THENCE, East with the fence along said common line, passing a concrete monument at the fence corner in the West line of a public road, at 946.8 feet, for a total distance of 961.8 feet to the Northeast corner of said 106.8 acre tract;

THENCE, South 1° 27' 23" East with the East line of said 106.8 acre tract and in a public road for a distance of 2334.03 feet to a concrete monument at the Southeast corner of said 106.8 acre tract and in the South line of the George H. Hall Survey;

THENCE, West with the South line of both said survey and said 106.8 acre tract for a distance of 1031.30 feet to the place of beginning; CONTAINING 53.380 acre of land, more or less.

JGA

Filed for record and recorded November 4, 1982 at _____
Paul E. Lee, County Clerk
By Carse White deputy