

Deed
Restrictions
Lot 6

WOLF CREEK ESTATES

TO

THE PUBLIC

DEDICATION

THE STATE OF TEXAS)
COUNTY OF GILLESPIE)

KNOW ALL MEN BY THESE PRESENTS:

VDL 98 PAGE 505

THAT WE, R. B. NOWLIN, CARL D. MEEK and TROS. C. STYAN, being the owners in fee simple of 55.16 acres of land out of Survey No. 179, Tyler Tap R. R., Abstract No. 795, and Survey No. 1, B. S. & F., Abstract No. 91, situated on the waters of Wolf Creek in Gillespie County, Texas, have caused the same to be subdivided into tracts and roadways, all as delineated on the plat annexed hereto, do hereby adopt said plat, as the true and lawful plat of WOLF CREEK ESTATES, a subdivision in Gillespie County, Texas, and do hereby dedicate to the common use of the owners thereof but not to the public generally, the free and uninterrupted use of the road easements shown thereon.

AND TO FURTHER PROVIDE for the orderly use and development of such subdivision, we do hereby adopt and impose upon said lands and the owners of the respective tracts therein, the following restrictive covenants which shall run with the land, to-wit:

I. GENERAL RESTRICTIONS

Wolf Creek Estates is intended as a residential and recreational subdivision and no numbered lot or any part of any numbered lot shall be used for a business or commercial purpose whatever. No tent or shack shall be erected on any part of the same, no trailer house shall ever be used as living quarters for anyone, and no house shall ever be moved on to any lot.

II. CONSTRUCTION

(1) No house shall be constructed on said lands or any part thereof which contains less than 1400 square feet of living area exclusive of garage and porches, and the same shall be constructed of permanent type materials generally employed in residential structures. The construction of any such dwelling or house once commenced shall be diligently prosecuted to completion, including the painting of all exposed wooden surfaces.

VOL. 98 PAGE 506

(2) Each such house or dwelling shall be equipped with an underground sewage disposal system, the same to be installed in strict accord with the recommendations of the Department of Public Health of the State of Texas, including without excluding other provisions of such recommendations, sufficient tank and drain-field capacity for the anticipated use. No such sewage disposal system shall be installed between a dwelling house and the shores of the lake shown on said plat, except with the prior written consent of the subdivider.

III. BOUNDARY CLEARANCE AND SUBDIVIDING

Any numbered lot containing three (3) acres or more may be divided into not more than two (2) tracts and one (1) dwelling house may be constructed on each of said tracts, but no more. Lots of less than three (3) acres may not be divided.

IV. USE OF LAKE

(1) The conveyance of a numbered lot shall carry with it as a part of the conveyance the privilege of going upon and using all of such lake whether such privilege is expressed in the deed or not; and every such numbered lot shall be conveyed subject to such privilege on the part of the owners of other lots whether such reservation is expressed in the deed or not; provided, however, that the owners of lots 7 through 10, inclusive, shall have access to said lake only from the dam.

(2) The privilege of using such lake shall be limited as follows:

- (a) No motor shall be used on any boat except an electric motor of not greater than 1-1/2 horsepower.
- (b) No trout line fishing allowed.
- (c) The undersigned developers, reserve the right to go upon Lot No. 1 for the purpose of maintaining the dam and spillway for the same as shown on the said plat. Said lot shall be

VOL 98 PAGE 507

conveyed subject to said easement whether the same be expressed in the deeds or not; any such structures placed within said areas by the owner of such lots or any part of the same shall be at the risk of the owner and subject to removal for the purpose of this easement. Such easement will vest in, and the maintenance of the dam will devolve upon the lot owners jointly when all lots have been sold.

- (d) The pumping or other taking of water from the lake is prohibited except that the same may be used for household purposes.

V. ANIMALS

The owner of any numbered lot may maintain thereon not more than two (2) riding horses and five (5) sheep, provided that the same are maintained in a fenced area and that any barn or outbuilding provided for such animals is located at least one hundred fifty (150) feet from the shore of any lake. Household pets may be kept, but not for any commercial purposes, and, except as provided in this section, no animals or fowl shall be kept.

VI. TRASH AND GARBAGE

Garbage shall not be allowed to accumulate, burned or otherwise disposed of on any part of the land, but wood, leaves, paper and other readily combustible trash may be burned on the premises provided that the same is burned in an incinerator.

VII. UTILITIES EASEMENTS, WATER SYSTEM

In addition to the easement mentioned in Part C under IV above, developers expressly reserve to themselves for the use and benefit of the electric and telephone companies which may service this subdivision, and for water lines, easements on over and across all lots, the same to have a width not exceeding

Elkay Drop-Ins

ENC. 98 PAGE 509

ten (10) feet, and to follow lot lines wherever possible. Developers shall have the right to grant such easements by instrument in writing.

The developers, for themselves and the owners of lots in the subdivision, further reserve an easement 50' x 50' out of the Northeast corner of Lot No. 8 for the purpose of a water well, storage tank or tanks, and other necessary fixtures and equipment to produce, store and distribute water. Said Lot No. 8 is subject to such easement, whether expressed in the deed or not.

The water well and water storage and distribution system shall be the common property and responsibility of all property owners in the subdivision, each numbered or lettered lot being entitled to 1/13th interest therein; and each purchaser of a lot shall acquire that interest, whether expressed in the deed or not, as an appurtenance to each such lot.

VIII. ENFORCEMENT

The foregoing restrictive covenants as well as the use of easements may be enforced by any owner of land in the subdivision including Wolf Creek Estates by a suit for injunction; and in addition to the specific covenants set forth above, Wolf Creek Estates or other land owners in said subdivision shall have the right to maintain an action to abate the existence of a nuisance whether such nuisance is a violation of the restrictive covenants or not.

IX. OBLIGATION TO BUILD AND OPTION:

It is further understood and agreed that the subdividers shall retain an option to re-purchase at the original sales price plus interest paid, any lot on which construction of a dwelling is now commenced within three (3) years from original date of

purchase.

Vol. 98 page 1970.

H. B. Nowlin
H. B. NOWLIN

Carl D. Msek
CARL D. MSEK

Thos. C. Syfan
THOS. C. SYFAN

THE STATE OF TEXAS
COUNTY OF KERR I

BEFORE ME, the undersigned authority, in and for said County, Texas, on this day personally appeared H. B. NOWLIN, CARL D. MSEK and THOS. C. SYFAN, 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 10th day of September, A. D. 1970.



Vera Johnston
Notary Public, Kerr County, Texas

Filed for record in my office the 23rd day of September A.D. 1970 at 8:01 o'clock A. M. and duly recorded the 24th day of September A.D. 1970 at 1:15 o'clock P. M. in Volume 98, pages 505-509.

Felice Johnson, Clk. Co. Cl., Gillespie County, Texas.