

THE STATE OF TEXAS)
) KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HOOD)

THAT, WHEREAS, LAKEVIEW TOWNHOUSE ESTATES, a Partnership composed of 354 Corporation, Walter J. Vachnak and Robert R. Chilton (hereinafter called the "Developer"), is the owner of a tract of real property located in Hood County, Texas, more particularly described in Exhibit "A" hereto (hereinafter called the "Property"); and

WHEREAS, Developer has subdivided the Property into lots under a subdivision plat attached hereto as Exhibit "B", wherein Property is subdivided into an Addition known as LAKEVIEW TOWNHOUSE ESTATES; and

WHEREAS, Developer plans to develop the Property and to construct on the Lots (as such term is hereinafter defined) single-family residences and to preserve or improve other parts of the Property for the use and benefit of purchasers of the Lots, which development is hereinafter called the "Community"; and

WHEREAS, Property is a part of, and is located within, De Cordova Bend Estates, an Addition in Hood County, Texas, according to the plats thereof filed in the Plat Records of Hood County, Texas, by Taxlan, Inc., d/b/a DeCordova Bend Estates; and

WHEREAS, Developer plans to provide for the formation of an Association which at Developer's discretion may be incorporated as a non-profit corporation or may remain unincorporated, whose members are the Owners of the Lots, for the purpose of assuring the upkeep, maintenance, improvement and administration of the Community, and all improvements now existing or hereafter erected thereon, and for the purpose of enforcing the restrictions and covenants set out herein and collecting and disbursing the assessments and charges hereinafter set forth;

NOW, THEREFORE, it is agreed that the covenants and restrictions hereinafter set forth are to run with the Property for the purpose of enhancing and protecting the value and desirability of the Property and shall benefit and be binding upon the Owners of any of the Lots or other lands comprising the Property, and their heirs, personal representatives, successors and assigns.

Said Restrictions and Covenants are as follows:

ARTICLE I

DEFINITIONS

The following words, when used in this statement of restrictions and covenants (unless the context shall so prohibit) shall have the following meaning:

A. "Association" shall mean LAKEVIEW TOWNHOUSE OWNERS ASSOCIATION.

B. "Areas" shall mean all of the Property other than the specified numbered lots or public streets (as such term is hereinafter defined), except as otherwise expressly provided herein, and such areas are designated by the letters "A" through "O" on Exhibit "B".

C. "Property" shall mean the real property described in Exhibit "A" attached hereto, and such additions as may be brought within the jurisdiction of and subject to the assessments of the

Restr

AGREEMENT, AMENDMENT AND RATIFICATION

THE STATE OF TEXAS X
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COUNTY OF HOOD X KNOW ALL MEN BY THESE PRESENTS:

THAT, whereas, LAKEVIEW TOWNHOUSE ESTATES, a partnership composed of 354 Corporation, Robert W. Chilton and Walter J. Vechnak, executed an instrument providing for restrictions and covenants covering a tract of land in Hood County, Texas, which tract was platted by them into Lakeview Townhouse Estates, recorded in Volume 1, Page 106, Plat Records of Hood County, Texas, and which restrictions are recorded in Volume 174, Page 353, Deed Records, Hood County, Texas; and in which latter restrictions in Section 1 and Section 4 of Article VIII there were left certain blanks as to volumes and pages which need to be now filled in; and

WHEREAS, said signatories to said instrument actually held beneficial or equitable title to the property by virtue of a trust agreement dated November 30, 1971, wherein William Bever is named Trustee, and who acquired the legal, recorded title from Texlan, Inc. in a Warranty Deed dated April 12, 1972, recorded in Volume 181, Page 51, Deed Records, Hood County, Texas, in which trust agreement there is set out provisions for development by the beneficial owners, and their interests therein, sharing in profits and losses, etc., all as set out therein and referred to herein for all purposes; and

WHEREAS, it was meant to specifically provide that the term "single-family residence" as used in Volume 178, Page 353, Lakeview Townhouse Estates restrictions, was to include the construction and use on said lots of townhouse type residences, having party walls and/or condominiums, and not to limit each lot to detached single-family dwellings; and

WHEREAS, it is desired by the parties to this instrument that the said WILLIAM BEVER, TRUSTEE, as legal owner, ratify the restrictions instrument in Volume 178, Page 353 that has been signed by the beneficial owners, and to have all such owners, legal or equitable, amend