

THE STATE OF TEXAS  
 COUNTY OF HOOD

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KNOW ALL MEN BY THESE PRESENTS:

That INDIAN HARBOR, INC., a Texas Corporation (hereinafter referred to as Dedicator), is the owner of several tracts of real property in Hood County, Texas, including the lands specifically described in Exhibit "A" attached hereto and made a part hereof for all purposes, a map and plat of which is also attached hereto, and which plat is adopted by Dedicator as its plan for subdividing said tract described into the lots as shown thereon, as a part of INDIAN HARBOR, PHASE V, and being:

Lots 1 thru 201, inclusive, INDIAN HARBOR,  
 PHASE V, John Hamilton Survey, Abstract 237,  
 Hood County, Texas.

WHEREAS, Dedicator desires to subdivide and plat said real property and other lands, in installments, from time to time, so as to orderly develop the same with areas for single family residences and areas for recreational uses, with their allied facilities, and has caused the above described lots, specifically described in Exhibit "A" to be subdivided and platted as shown by the plat attached hereto; and

WHEREAS, Dedicator desires to create and carry out an orderly plan for development, improvement and use of all the lots in INDIAN HARBOR, PHASE V, so as to provide for the preservation of the values and amenities in said development and maintenance of the facilities thereof for the benefit of the present and future owners of said lots:

NOW, THEREFORE, INDIAN HARBOR, INC. declares that the property specifically described in Exhibit "A" designated as Lots 1 thru 201, inclusive, Indian Harbor, Phase V, Hood County, Texas, is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens hereinafter set forth, which shall be and are hereby made to run with the land.

EASEMENTS

Easements designated on said plat as Anaconda Trail, Ghisholm Trail,

San Mateo Drive, Acoma Ct., Chaco Trail, Chavez Ct., Zuni Ct. and Osage Court, hereinafter referred to as "Private Ways" are to provide Dedicator, its successors and assigns, and the owners of the various lots of Indian Harbor with ingress and egress to the area and facilities thereof and are reserved as private ways, and no right of the public generally shall accrue in and to any of such ways. Dedicator reserves to itself, its successors and assigns, the right to convey said easements or rights therein to INDIAN HARBOR OWNERS ASSOCIATION, INC. (hereinafter referred to as "The Association"), to be retained by said Association for the benefit of the properties or dedication to the public as public ways and easements.

Those portions of lots below Elevation 696 adjoining DeCordova Bend Reservoir are subject to the easement in favor of the Brazos River Authority granted in conveyance dated March 20, 1969, executed by Jenkins Garrett and recorded April 14, 1969, in Vol. 149, Page 488, Deed Records, Hood County, Texas.

INDIAN HARBOR, INC. reserves to itself, its successors and assigns, an easement and right to construct and maintain in, over and across the easements and private ways shown on said plat, utilities of every kind, including sewers, water mains, gas mains, power and communication lines and all pipes, lines and other appurtenances in connection therewith. An easement 5 feet in width is hereby reserved along each side of each lot and along the side of each lot adjoining the "Private Ways" as may be necessary for the installation and maintenance of said utilities and lines.

#### RESTRICTIONS AND COVENANTS

The restrictions, covenants, charges and liens set out in the dedication of INDIAN HARBOR, dated the 25th day of September, 1969, and recorded in Vol. 154, page 88, Deed Records of Hood County, Texas, are hereby adopted as restrictions, covenants, charges and liens, running with the land hereby dedicated, and such restrictions, charges, covenants, and liens and any amendments and

additions made thereto, are hereby incorporated as a part hereof, except that Paragraph 6 shall read as follows: No building exceeding two stories in height shall be erected on any lot, and each residence shall have a minimum floor area (exclusive of porches, stoops, open or closed carports, patios or garages) as set out for the respective lots as follows:

<u>Lots</u>	<u>Minimum Square Feet</u>
Lots 1-7, inclusive	850
Lots 31-43, inclusive	850
Lots 74-84, inclusive	850
Lots 106-198, inclusive	850
Lots 8-26, inclusive	1,000
Lots 199-201, inclusive	1,000
Lots 27-30, inclusive	1,200
Lots 49-73, inclusive	1,200
Lots 85-105, inclusive	1,200

EXECUTED this the 29th day of June, 1971.

INDIAN HARBOR, INC.

ATTEST:

Betty June Lewis  
Betty June Lewis, Secretary

By Obie P. Leonard, Jr.  
Obie P. Leonard, Jr.,  
Vice-President

THE STATE OF TEXAS        |  
                                  |  
COUNTY OF TARRANT        |

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Obie P. Leonard, Jr., as Vice-President, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said INDIAN HARBOR, INC., a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 29th day of June, 1971.

Phillip Palmer  
Notary Public in and for  
Tarrant County, Texas

Field Notes for Dedication  
INDIAN HARBOR PHASE V

All that certain lot, tract or parcel of land in the JOHN HAMILTON SURVEY, Hood County Texas, being more particularly described by metes and bounds as follows:

BEGINNING at a point on the South shore of Lake Granbury and the South line of Contrary Creek, at elevation 693, Brazos River Authority Datum, said point of beginning being South 41 degrees 11 minutes East 34-6/10 feet across said Contrary Creek and Lake Granbury from the Southwest corner of Lot 33 Indian Harbor Phase III as recorded in Volume 1, Page 50, Plat Records of Hood County, Texas;

THENCE Northeasterly and Southeasterly with the meanders of said elevation 693, Brazos River Authority Datum approximately 6284 feet to a steel rod set in a property line at the Southeast corner of Lot 105 as platted and dedicated herein;

THENCE with a fence and property line, departing from said elevation 693, South 62 degrees 16 minutes West 160-5/10 feet and South 60 degrees 50 minutes West 129-5/10 feet and South 60 degrees 45 minutes West 521-5/10 feet and South 66 degrees 52 minutes West 145-4/10 feet and South 60 degrees 07 minutes West 847-0/10 feet and South 61 degrees 30 minutes West 610-3/10 feet and South 60 degrees 54 minutes West 667-7/10 feet and South 61 degrees 13 minutes West 1026-0/10 feet to a property corner at the Southwest corner of Lot 1 as platted and dedicated herein, the terminal points of all lines called for in this paragraph being marked by steel rods set for corners;

THENCE with a property line North 48 degrees 39 minutes West 80-4/10 feet to a steel rod and North 41 degrees 11 minutes West 112-4/10 feet to the place of beginning.

SEMPCO, INC.  
March 29, 1971

EXHIBIT "A"

WITNESSED AND SUBSCRIBED this 12th day of July 1971 at 9:30 A.M.  
13th day of July 1971 at 8: A.M.  
Doris Ayer  
BRUCE PRICE, COUNTY CLERK  
HOOD COUNTY, TEXAS