

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

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 XVII, and being:

Lots 1181 through 1221, inclusive, and 1252 through 1296, inclusive, Indian Harbor, Phase XVII, in John Waits Survey, Abstract 581, 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 XVII, 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 1181 through 1221, inclusive, and 1252 through 1296, inclusive, INDIAN HARBOR, PHASE XVII, in the John Waits Survey, Abstract 581, 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 "Apache Trail East," "Conejos Trail," "Conejos Court," "Chishelm Trail North," and "Blackhawk 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 and 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 of 1,000 square feet, exclusive of porches, stoops, open or closed carports, patios or garages.

Specifically excepted from this dedication is Lot 1297, Indian Harbor, Phase XVII, Hood County, Texas, said lot not being part of the property hereby dedicated and set out as subject to the herein described restrictions and covenants.

EXECUTED this the 15th day of May, 1972.

ATTEST:

Betty June Lewis
Betty June Lewis, Secretary

INDIAN HARBOR, INC.

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 25th day of May, 1972.

Wanda Speck
Notary Public in and for Tarrant County,
Texas

FIELD NOTES

Field notes for dedication of Indian Harbor, Phase XVII, Hood County, Texas.

All that certain lot, tract or parcel of land out of the John Waits Survey, Abstract 581, Hood County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the East corner of the intersection of Chisholm Trail North (a dedicated 60-foot street) and Apache Trail East (a dedicated 60-foot street);

THENCE with the East right-of-way line of Apache Trail East in a Northerly direction around the arc of a curve to the left having a radius of 355-0/10 feet, a distance of 216-2/10 feet to the end of said curve, and North 6 degrees 34 minutes East 628-2/10 feet to a point;

THENCE, departing from said right-of-way line, South 85 degrees 56 minutes East 100-0/10 feet to a point;

THENCE North 45 degrees 34 minutes East 88-5/10 feet to a point in the shoreline of Lake Granbury at elevation 693 feet, Brazos River Authority Datum;

THENCE along the shoreline of Lake Granbury and following the meanders of the 693 contour, Brazos River Authority Datum, in an Easterly, Southerly, Westerly, Southerly, Easterly, Southerly, Westerly, Southerly, Easterly, and Southerly direction approximately 4420 feet to the Northeast corner of Indian Harbor, Phase III, Hood County, Texas, according to the plat recorded in Volume 1, Page 50, Plat Records of Hood County, Texas;

THENCE with the North line of said Indian Harbor, Phase III, South 59 degrees 00 minutes West 635-8/10 feet to a point in the East right-of-way line of said Chisholm Trail North;

THENCE with said right-of-way line, North 22 degrees 40 minutes West 20-2/10 feet to the beginning of a curve to the left having a radius of 768-25/100 feet, and in a Northwesterly direction around the arc of said curve 189-05/100 feet to the end of said curve, and North 36 degrees 44 minutes West 329-25/100 feet to the beginning of a curve to the left having a radius of 368-87/100 feet, and in a Northwesterly direction around the arc of said curve 251-1/10 feet to the end of said curve, and North 75 degrees 44 minutes West 130-9/10 feet to the beginning of a curve to the right having a radius of 273-77/100 feet, and in a Northwesterly direction around the arc of said curve 213-7/10 feet to the end of said curve, and North 31 degrees 00 minutes West 120-3/10 feet to the place of beginning.

SEMPCO, INC.
April 13, 1972

FILED FOR RECORD THE 18 DAY OF May 1972 AT 11:30 A M.

RECORDED THE 18 DAY OF May 1972 AT 4:00 P M.

BY: Sara Dyer DEPUTY

BRUCE PRICE, COUNTY CLERK
HOOD COUNTY, TEXAS