

## **Restrictions for The Ranches of Colony Line Trail**

Affected Property: Being a \_\_\_acre tract of parcel of land, more or less, situated in Caldwell County, Texas, and a being a part of the Hector McNeill Survey, A-199, and being also a part of a tract of land called 148.759 acres conveyed to Road Runner Ranch Partnership, LLC by deed recorded in Volume \_\_\_ at Page \_\_\_ of the official Public Records of Caldwell County, Texas. Said \_\_\_acres being more particularly described by metes and bounds on Exhibit "A" attached hereto.

### **Restrictions:**

- a) The Property may be used only for a residence by a Single Family.
- b) No tract can be subdivided. No exceptions.
- c) No Structure of a temporary character, whether basement, tent, shack, garage (other than barndominiums) or other outbuilding may be maintained or used on the Property at any time as a residence, either temporarily or permanently. Notwithstanding the terms of Section C below, a camper, recreational vehicle, or 5<sup>th</sup> wheel camper trailer, may be maintained or used on the Property as a temporary residence for a period not to exceed twelve months during the construction of permanent residence on the Property.
- d) Mobile Homes and Off-Site Built Residences. No mobile home, manufactured home, manufactured housing, or house trailer may be maintained on the Property. A previously constructed or off-site constructed residence with a minimum of 800 square feet in size, and not more than 5 years has elapsed since its original construction and the date it is moved onto the Property.
- e) Illegal, Noxious, or Offensive Activities. No illegal, noxious, or offensive activity may be carried on upon the Property, nor will anything be done therein which may be or become an annoyance or nuisance to an adjacent property owner.
- f) Storage, Garbage, Refuse and Prohibited Items. The Property may not be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be allowed to accumulate, shall be kept in sanitary containers and shall be disposed of regularly. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. The Property may not be used for the open storage of any unsightly objects or materials whatsoever, which storage is visible from any street or adjacent tract. However, any new building materials used in the construction of residences or structures may be placed upon the Property at the time construction is commenced and may be maintained thereon for a reasonable time, as the time construction progresses without un-due delay, until the completion of the improvements, after which time those materials will wither be removed from the Property or stored in a suitable enclosure on the Property. No leaves, brush or timber, debris, or trash of any nature will be permitted to be placed, disposed of or burned within any street or right-of-way. No household trash or garbage may be burned anywhere on the Property. No dumping or placing of unsightly objects of any kind on the Property is permitted.
- g) Vehicles. No Vehicle will be abandoned on the Property.
- h) Sewage Treatment. No outside toilet will be permitted except during construction of a residence, or for a period not to exceed three days. No sanitary sewage disposal system will be installed on the Property until a permit is issued by the regulatory authority having jurisdiction over same.
- i) Signs. No signs, advertisements, billboards or advertising structure of any kind may be erected or maintained on the Property except: (i) one professionally made sign not more than five square feet advertising the Property for sale, rent or during residence construction; and

- (ii) political signage not prohibited by law. Grantors, or Grantors' heirs and assigns, have the right to remove any such sign, which is placed on the Property in violation of these restrictions and in doing so, will not be liable, and are hereby expressly relieved from any liability for trespass or other action in connection therewith, or arising from such removal.
- j) Prohibited Use of Parcel as Roadway. Other than the portions of the Property which contain Colony Line Trail road, the Property, nor any part of the Property may be used as a street, access road, or public thoroughfare without the prior written consent of Grantors, or Grantor's heirs and assigns. No access through the Property is allowable by adjacent property owners, without the express written consent of Grantors, or Grantors' heirs and assigns.
- k) Animals. Provided that such use does not create any condition conflicting with the residential nature of the Property, animals may be raised or kept on the Property. The one exception is pigs. No pigs or hogs may be raised, kept or bred on the Property, except for 4-H or FFA school supervised programs.
- l) No Commercial Activity. No commercial or professional activity on the Property is permitted except reasonable home use. Without limiting the definition of "reasonable home use" to be considered "reasonable home use", the activity must: (i) not be conducted on the Property owned by someone other than the Owner conducting the activity; (ii) be conducted solely by the owner; (iii) not include any signage or window use of the Parcel for residential purposes. For the purposes of this Section, the term "Owner" includes members of the Owner's Single Family residing in the Residence.
- m) No Renting. No residence or structure on the Property may be rented except for rentals to Single Family as a residence for a term of at least three months.
- n) Exterior Lighting. No Exterior lighting of any sort shall be installed or maintained on the Property where the light source is offensive or a nuisance to adjacent property owners. Furthermore, all exterior lighting within The Ranches of Colony Line Trail must comply with "Dark Sky" specifications.
- o) Easements. No easement in the Property may be granted, other than easements for utilities, to include electricity and/or water. Grantee may not grant a utility easement across the Property for the purpose of utility service to an adjacent parcel.
- p) Maintenance. The Property, and all residences and structures must be maintained in a neat, well-maintained and attractive condition at all times.
- q) Utilities. All residences on the Property must be equipped with septic tank or other sewage disposal system meeting all applicable laws, rules, standards, and specifications, and all such dwellings must be served with water and electricity.
- r) Single Family. No building may be constructed on the Property other than a maximum of two single family residential dwellings with detached or attached garages or carports. There may also be constructed cabanas, workshops, barns and outbuildings so long as they are of good construction, kept in good repair and are not used for permanent residential purposes. Duplex houses, fourplexes, condominiums or apartment houses are not permitted.
- s) Maximum Height. The maximum height of a residence on the Property is two stories.
- t) Required Area. If the primary residence on the property is built on-site, the primary residence on the Property must have at least 1200 square of living area within the first story. Any secondary residence which is built on site must have at least 800 square feet of living area with the first story. All porches, garages, guest dwellings and outbuildings and other Structures are excluded from the definition of living area and will not be considered in determining compliance with the minimum square footage requirements set forth above. Any primary or secondary residence on the Property which has been previously constructed or any off-site constructed Residence must be a minimum of 800 square feet in size, and not more than 5 years may have elapsed since its original construction and the date it is moved onto the Property.
- u) The use of firearms and hunting on the property is restricted to the Owners and their guests. Owners and guest shall use reasonable carry in the use thereof not to endanger other

- property owners, their guest and property. The use thereof shall be subject to State and Federal laws.
- v) Location on Parcel. All Structures must be set back a minimum of 100 feet from any property line of the Property.
  - w) Damaged or Destroyed Residences and Structures. Any Residence or Structure that is damaged must be repaired within one year and the Property restored to a clean, orderly and attractive condition. Any residence or structure that is damaged to the extent that repairs are not practicable must be demolished and removed with one year and the Property restored to a clean and attractive condition.
  - x) Water Wells. Shared water well service to the Property is permitted. One water well along with a water storage tank and pumping system will be permitted on the property or will serve an adjacent Property. See Shared Well Agreement – Attached. Site location for any water well must be such that any required sanitary easement is provided for and contained solely on the Property. It is the intent hereof to prohibit any water well which might impair or limit in any way whatsoever the use of any adjacent property because of the water well and sanitation requirements related to the same. Property owners are allowed to drill more water wells on their property for their individual use and preferences should they desire to do so.
  - y) Sewage Treatment. No sanitary sewage disposal system will be installed on the Property until a permit is issued by the regulatory authority having jurisdiction over same.
  - z) Construction Period. Any residence or structure commenced on the Property will be completed as to exterior finish and appearance within one year from the commencement date.
  - aa) Driveways. All driveways must be surfaced with gravel base, concrete or asphalt and must be constructed in a manner which will prevent surface water from flowing on to Colony Line Trail.