



TEXAS ASSOCIATION OF REALTORS®
SELLER'S DISCLOSURE NOTICE

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Section 5.008, Property Code requires a seller of residential property of not more than one dwelling unit to deliver a Seller's Disclosure Notice to a buyer on or before the effective date of a contract. This form complies with and contains additional disclosures which exceed the minimum disclosures required by the Code.

CONCERNING THE PROPERTY AT 170 Weltner Lane, West Point, TX

THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE BUYER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER, SELLER'S AGENTS, OR ANY OTHER AGENT.

Seller is is not occupying the Property. If unoccupied (by Seller), how long since Seller has occupied the Property? _____ or never occupied the Property

Section 1. The Property has the items marked below: (Mark Yes (Y), No (N), or Unknown (U).)

This notice does not establish the items to be conveyed. The contract will determine which items will & will not convey.

Item	Y	N	U
Cable TV Wiring	✓		
Carbon Monoxide Det.		✓	
Ceiling Fans	✓		
Cooktop	✓		
Dishwasher	✓		
Disposal	✓		
Emergency Escape Ladder(s)			✓
Exhaust Fans	✓		
Fences	✓		
Fire Detection Equip.			
French Drain			✓
Gas Fixtures			✓
Natural Gas Lines			✓

Item	Y	N	U
Liquid Propane Gas:	✓		
-LP Community (Captive)		✓	
-LP on Property	✓		
Hot Tub			✓
Intercom System			✓
Microwave	✓		
Outdoor Grill			✓
Patio/Decking	✓		
Plumbing System	✓		
Pool			✓
Pool Equipment			✓
Pool Maint. Accessories			✓
Pool Heater			✓

Item	Y	N	U
Pump: <input type="checkbox"/> sump <input type="checkbox"/> grinder			✓
Rain Gutters	✓		
Range/Stove	✓		
Roof/Attic Vents	✓		
Sauna			✓
Smoke Detector	✓		
Smoke Detector -- Hearing Impaired			✓
Spa			✓
Trash Compactor			✓
TV Antenna			✓
Washer/Dryer Hookup	✓		
Window Screens	✓		
Public Sewer System			✓

Item	Y	N	U	Additional Information
Central A/C	✓			<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: <u>1</u>
Evaporative Coolers		✓		number of units: _____
Wall/Window AC Units		✓		number of units: _____
Attic Fan(s)		✓		if yes, describe: _____
Central Heat	✓			<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: <u>1</u>
Other Heat		✓		if yes, describe: _____
Oven	✓			number of ovens: <u>1</u> <input checked="" type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other: _____
Fireplace & Chimney		✓		<input type="checkbox"/> wood <input type="checkbox"/> gas logs <input type="checkbox"/> mock <input type="checkbox"/> other: _____
Carport		✓		<input type="checkbox"/> attached <input type="checkbox"/> not attached
Garage	✓			<input checked="" type="checkbox"/> attached <input type="checkbox"/> not attached
Garage Door Openers	✓			number of units: <u>2</u> number of remotes: <u>4</u>
Satellite Dish & Controls	✓			<input type="checkbox"/> owned <input checked="" type="checkbox"/> leased from <u>Direct TV</u>
Security System		✓		<input type="checkbox"/> owned <input type="checkbox"/> leased from _____
Water Heater	✓			<input type="checkbox"/> electric <input checked="" type="checkbox"/> gas <input type="checkbox"/> other: _____ number of units: <u>1</u>
Water Softener	✓			<input checked="" type="checkbox"/> owned <input type="checkbox"/> leased from _____
Underground Lawn Sprinkler	✓			<input checked="" type="checkbox"/> automatic <input type="checkbox"/> manual areas covered: <u>lawn around house, flower beds</u>
Septic / On-Site Sewer Facility	✓			if yes, attach information About On-Site Sewer Facility (TAR-1407)

(TAR-1406) 9-01-11

Initialed by: Seller: [Signature] and Buyer: _____

Page 1 of 5

Concerning the Property at 170 Weltner Lane, West Point, TX

Water supply provided by: city well MUD co-op unknown other: rain water collection

Was the Property built before 1978? yes no unknown

(If yes, complete, sign, and attach TAR-1906 concerning lead-based paint hazards).

Roof Type: steel Age: 6 years (approximate)

Is there an overlay roof covering on the Property (shingles or roof covering placed over existing shingles or roof covering)?

yes no unknown

Are you (Seller) aware of any of the items listed in this Section 1 that are not in working condition, that have defects, or are need of repair? yes no If yes, describe (attach additional sheets if necessary):

Section 2. Are you (Seller) aware of any defects or malfunctions in any of the following?: (Mark Yes (Y) if you are aware and No (N) if you are not aware.)

Item	Y	N
Basement		<input checked="" type="checkbox"/>
Ceilings		<input checked="" type="checkbox"/>
Doors		<input checked="" type="checkbox"/>
Driveways		<input checked="" type="checkbox"/>
Electrical Systems	<input checked="" type="checkbox"/>	
Exterior Walls		<input checked="" type="checkbox"/>

Item	Y	N
Floors		<input checked="" type="checkbox"/>
Foundation / Slab(s)		<input checked="" type="checkbox"/>
Interior Walls		<input checked="" type="checkbox"/>
Lighting Fixtures		<input checked="" type="checkbox"/>
Plumbing Systems		<input checked="" type="checkbox"/>
Roof		<input checked="" type="checkbox"/>

Item	Y	N
Sidewalks		<input checked="" type="checkbox"/>
Walls / Fences		<input checked="" type="checkbox"/>
Windows		<input checked="" type="checkbox"/>
Other Structural Components		<input checked="" type="checkbox"/>

If the answer to any of the items in Section 2 is yes, explain (attach additional sheets if necessary): one external electrical outlet non-functional.

Section 3. Are you (Seller) aware of any of the following conditions: (Mark Yes (Y) if you are aware and No (N) if you are not aware.)

Condition	Y	N
Aluminum Wiring		<input checked="" type="checkbox"/>
Asbestos Components		<input checked="" type="checkbox"/>
Diseased Trees: <input type="checkbox"/> oak wilt <input type="checkbox"/> _____		<input checked="" type="checkbox"/>
Endangered Species/Habitat on Property		<input checked="" type="checkbox"/>
Fault Lines		<input checked="" type="checkbox"/>
Hazardous or Toxic Waste		<input checked="" type="checkbox"/>
Improper Drainage		<input checked="" type="checkbox"/>
Intermittent or Weather Springs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Landfill		<input checked="" type="checkbox"/>
Lead-Based Paint or Lead-Based Pt. Hazards		<input checked="" type="checkbox"/>
Encroachments onto the Property		<input checked="" type="checkbox"/>
Improvements encroaching on others' property		<input checked="" type="checkbox"/>
Located in 100-year Floodplain		<input checked="" type="checkbox"/>
Located in Floodway		<input checked="" type="checkbox"/>
Present Flood Ins. Coverage (If yes, attach TAR-1414)		<input checked="" type="checkbox"/>
Previous Flooding into the Structures		<input checked="" type="checkbox"/>
Previous Flooding onto the Property		<input checked="" type="checkbox"/>
Previous Fires		<input checked="" type="checkbox"/>
Previous Use of Premises for Manufacture of Methamphetamine		<input checked="" type="checkbox"/>

Condition	Y	N
Previous Foundation Repairs		<input checked="" type="checkbox"/>
Previous Roof Repairs		<input checked="" type="checkbox"/>
Other Structural Repairs		<input checked="" type="checkbox"/>
Radon Gas		<input checked="" type="checkbox"/>
Settling		<input checked="" type="checkbox"/>
Soil Movement		<input checked="" type="checkbox"/>
Subsurface Structure or Pits		<input checked="" type="checkbox"/>
Underground Storage Tanks		<input checked="" type="checkbox"/>
Unplatted Easements		<input checked="" type="checkbox"/>
Unrecorded Easements		<input checked="" type="checkbox"/>
Urea-formaldehyde Insulation		<input checked="" type="checkbox"/>
Water Penetration		<input checked="" type="checkbox"/>
Wetlands on Property		<input checked="" type="checkbox"/>
Wood Rot		<input checked="" type="checkbox"/>
Active infestation of termites or other wood destroying insects (WDI)		<input checked="" type="checkbox"/>
Previous treatment for termites or WDI	<input checked="" type="checkbox"/>	
Previous termite or WDI damage repaired	<input checked="" type="checkbox"/>	
Termite or WDI damage needing repair		<input checked="" type="checkbox"/>
Single Blockable Main Drain in Pool/Hot Tub/Spa*		<input checked="" type="checkbox"/>

(TAR-1406) 9-01-11

Initialed by: Seller: DS and Buyer: _____

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Concerning the Property at _____

If the answer to any of the items in Section 3 is yes, explain (attach additional sheets if necessary): _____

*A single blockable main drain may cause a suction entrapment hazard for an individual.

Section 4. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair, which has not been previously disclosed in this notice? yes no If yes, explain (attach additional sheets if necessary): _____

Section 5. Are you (Seller) aware of any of the following (Mark Yes (Y) if you are aware. Mark No (N) if you are not aware.)

Y N

- Room additions, structural modifications, or other alterations or repairs made without necessary permits or not in compliance with building codes in effect at the time.
- Homeowners' associations or maintenance fees or assessments. If yes, complete the following:
Name of association: _____
Manager's name: _____ Phone: _____
Fees or assessments are: \$ _____ per _____ and are: mandatory voluntary
Any unpaid fees or assessment for the Property? yes (\$ _____) no
If the Property is in more than one association, provide information about the other associations below or attach information to this notice.
- Any common area (facilities such as pools, tennis courts, walkways, or other) co-owned in undivided interest with others. If yes, complete the following:
Any optional user fees for common facilities charged? yes no If yes, describe: _____
- Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
- Any lawsuits or other legal proceedings directly or indirectly affecting the Property. (Includes, but is not limited to: divorce, foreclosure, heirship, bankruptcy, and taxes.)
- Any death on the Property except for those deaths caused by: natural causes, suicide, or accident unrelated to the condition of the Property.
- Any condition on the Property which materially affects the health or safety of an individual.
- Any repairs or treatments, other than routine maintenance, made to the Property to remediate environmental hazards such as asbestos, radon, lead-based paint, urea-formaldehyde, or mold.
If yes, attach any certificates or other documentation identifying the extent of the remediation (for example, certificate of mold remediation or other remediation).
- * Any rainwater harvesting system connected to the property's public water supply that is able to be used for indoor potable purposes.

If the answer to any of the items in Section 5 is yes, explain (attach additional sheets if necessary): *We have a rainwater harvesting system but it is not connected to a "public water supply"

(TAR-1406) 9-01-11 Initialed by: Seller: DS, JS and Buyer: _____, _____ Page 3 of 5

Concerning the Property at _____

Section 6. Seller has has not attached a survey of the Property.

Section 7. Within the last 4 years, have you (Seller) received any written inspection reports from persons who regularly provide inspections and who are either licensed as inspectors or otherwise permitted by law to perform inspections? yes no If yes, attach copies and complete the following:

Inspection Date	Type	Name of Inspector	No. of Pages

Note: A buyer should not rely on the above-cited reports as a reflection of the current condition of the Property. A buyer should obtain inspections from inspectors chosen by the buyer.

Section 8. Check any tax exemption(s) which you (Seller) currently claim for the Property:

- Homestead Senior Citizen Disabled
 Wildlife Management Agricultural Disabled Veteran
 Other: _____ Unknown

Section 9. Have you (Seller) ever received proceeds for a claim for damage to the Property (for example, an insurance claim or a settlement or award in a legal proceeding) and not used the proceeds to make the repairs for which the claim was made? yes no If yes, explain: _____



Section 10. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766 of the Health and Safety Code? unknown no yes. If no or unknown, explain. (Attach additional sheets if necessary): _____

**Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information.*

A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing-impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing-impaired and specifies the locations for installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

Seller acknowledges that the statements in this notice are true to the best of Seller's belief and that no person, including the broker(s), has instructed or influenced Seller to provide inaccurate information or to omit any material information.

Signature of Seller  Date 1-16-2012 Signature of Seller  Date 1-16-12
Printed Name: _____ Printed Name: JANESS SHEETS

(TAR-1406) 9-01-11 Initialed by: Seller: ,  and Buyer: _____, _____ Page 4 of 5

Concerning the Property at _____

ADDITIONAL NOTICES TO BUYER:

- (1) The Texas Department of Public Safety maintains a database that the public may search, at no cost, to determine if registered sex offenders are located in certain zip code areas. To search the database, visit www.txdps.state.tx.us. For information concerning past criminal activity in certain areas or neighborhoods, contact the local police department.
- (2) If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.
- (3) If you are basing your offers on square footage, measurements, or boundaries, you should have those items independently measured to verify any reported information.
- (4) The following providers currently provide service to the property:

Electric: <u>Fayette Electric</u>	phone #: _____
Sewer: _____	phone #: _____
Water: <u>(Well and Rainwater) Browns Water Well</u>	phone #: <u>512-303-9355</u>
Cable: <u>DirectTV</u>	phone #: _____
Trash: <u>N/A</u>	phone #: _____
Natural Gas: <u>N/A</u>	phone #: _____
Phone Company: <u>N/A</u>	phone #: _____
Propane: <u>Direct Propane</u>	phone #: <u>512-276-7152</u>

- (5) This Seller's Disclosure Notice was completed by Seller as of the date signed. The brokers have relied on this notice as true and correct and have no reason to believe it to be false or inaccurate. YOU ARE ENCOURAGED TO HAVE AN INSPECTOR OF YOUR CHOICE INSPECT THE PROPERTY.

The undersigned Buyer acknowledges receipt of the foregoing notice.

<u>David Sheets</u>	<u>1/16/2012</u>	<u>JANESS SHEETS</u>	<u>1/16/12</u>
Signature of Buyer	Date	Signature of Buyer	Date
Printed Name: <u>David Sheets</u>		Printed Name: <u>JANESS SHEETS</u>	



TEXAS ASSOCIATION OF REALTORS®

INFORMATION ABOUT ON-SITE SEWER FACILITY

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED. ©Texas Association of REALTORS®, Inc., 2004

CONCERNING THE PROPERTY AT 170 WELTNER LANE WEST POINT, TX 78963-5203

A. DESCRIPTION OF ON-SITE SEWER FACILITY ON PROPERTY:

(1) Type of Treatment System: [X] Septic Tank [] Aerobic Treatment [] Unknown

(2) Type of Distribution System: [] Unknown

(3) Approximate Location of Drain Field or Distribution System: Starts about 50' behind N. end of house and continues North from there. [] Unknown

(4) Installer: [] Unknown

(5) Approximate Age: 6 yrs. [] Unknown

B. MAINTENANCE INFORMATION:

(1) Is Seller aware of any maintenance contract in effect for the on-site sewer facility? [] Yes [X] No

If yes, name of maintenance contractor: _____

Phone: _____ contract expiration date: _____

Maintenance contracts must be in effect to operate aerobic treatment and certain non-standard on-site sewer facilities.)

(2) Approximate date any tanks were last pumped? Dec. 2012

(3) Is Seller aware of any defect or malfunction in the on-site sewer facility? [] Yes [X] No

If yes, explain: _____

(4) Does Seller have manufacturer or warranty information available for review? [] Yes [X] No

C. PLANNING MATERIALS, PERMITS, AND CONTRACTS:

(1) The following items concerning the on-site sewer facility are attached:

- [] planning materials [] permit for original installation [] final inspection when OSSF was installed [] maintenance contract [] manufacturer information [] warranty information [] _____

(2) "Planning materials" are the supporting materials that describe the on-site sewer facility that are submitted to the permitting authority in order to obtain a permit to install the on-site sewer facility.

(3) It may be necessary for a buyer to have the permit to operate an on-site sewer facility transferred to the buyer.

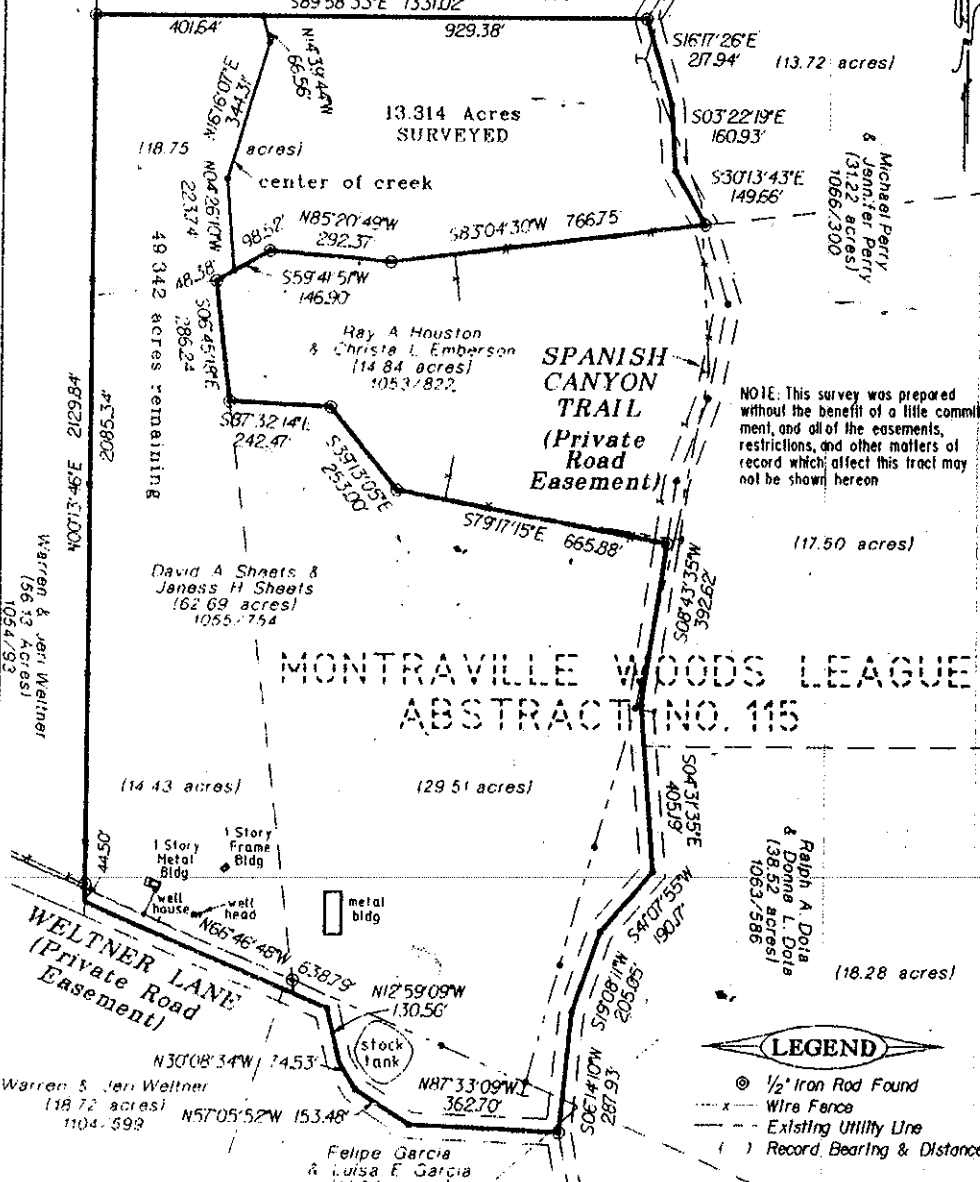
SURVEY MAP OF:

13.314 ACRES OF LAND OUT OF THE MONTRAVILLE WOODS LEAGUE, ABSTRACT NO. 115, IN FAYETTE COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (62.69 ACRE) TRACT OF LAND CONVEYED TO DAVID A. SHEETS AND JANESS H. SHEETS IN A DEED AS RECORDED IN VOLUME 1055 PAGE 754 OF THE OFFICIAL RECORDS OF FAYETTE COUNTY, TEXAS.

SEE ACCOMPANYING FIELD NOTE DESCRIPTION

James J. McKinley, Jr.
& Harriet J. McKinley
(13.16 acres)
1066/260

SCALE 1" = 300'



NOTE: This survey was prepared without the benefit of a title commitment, and all of the easements, restrictions, and other matters of record which affect this tract may not be shown hereon

LEGEND

- ⊙ 1/2" Iron Rod Found
- x- Wire Fence
- - - Existing Utility Line
- () Record Bearing & Distance

THE STATE OF TEXAS
COUNTY OF FAYETTE

The undersigned does hereby certify that a survey was this day made on the ground of the property legally described herein and is correct and that there are no boundary line conflicts, encroachments, shortages in area, overlapping of improvements, visible utility lines, or roads in place, except as shown herein and said property has access to and from a dedicated road. A portion of this property lies within a special flood hazard area (Zone XI) according to the Federal Emergency Management Agency Flood Insurance Rate Map 480815 0005 A, Dated January 31, 1978.

THIS the 21th day of SEPTEMBER A.D. 2003

HEARITIGE SURVEYING CO.
727 West Point Loop, West Point, Texas 78963
ref 114034 (979)242-8486 C 116036

OFFICIAL RECORDS
FAYETTE COUNTY, TEXAS

RESTRICTIONS

THE STATE OF TEXAS

COUNTY OF FAYETTE

KNOW ALL PERSONS BY THESE PRESENTS that Richard Cernosek and Timothy L. Larson, owners of that certain tract of land containing 370.42 acres of land, a part of the Montraville Woods League, A-115, in Fayette County, Texas, further described by metes and bounds on Exhibit "A" which is attached hereto, and being a part of the same land described in a Quitclaim Deed from Mariner Energy Corporation, Archie Bennett, Jr., to Beverly Wilson Smith, dated March 26, 1992, and recorded in Volume 843, Page 789, Deed Records, Fayette County, Texas, have caused the same to be surveyed into certain tracts or parcels of land. For the purpose of establishing and maintaining a general plan uniform over the entire 370.42 acres described in Exhibit "A" attached hereto for the protection and benefit of all owners of any tracts of land in said 370.42 acres, do fix and establish the following restrictive covenant and provisions upon the use and occupancy of any such tracts of land, excepting however, that 98.20 acre tract north of the railroad track:

1. All tracts shall be exclusively for residential purposes, and no retail sale purposes.
2. No mobile home shall be permitted on any tracts.
3. No tract may be subdivided into less than 10 acre tracts.
4. The houses, or any other improvements to said tracts, are to be completed within one year from the start of construction.
5. Each tract shall be kept neat in appearance. No dumping, garbage, or other refuse shall be permitted thereon, and no storage of vehicles is permitted. No trash or other type of waste will be permitted to be placed in the creek within this land. Abandoned vehicles, or inoperative vehicles, must not remain on any tract for a period of more than ten (10) days. No campers or recreational vehicles including motor homes will be permitted on the tracts unless they are enclosed in an approved building or not visible from the access road.
6. There shall not be, or cause to be, any burning or igniting, causing flame of any rubbish, grass or brush, without the express consent of the local volunteer fire department.
7. Poultry for family use may be kept on each tract, but there shall be no commercial raising of poultry on any tract; horses and cattle may be kept on any tract, but the tract on which such animals are kept must be securely fenced so that the animals are restricted to their owner's tract, no more than one (1) horse or one (1) head of cattle may be kept on each full acre of land. No swine may be kept on any tract.

EXHIBIT NOT ATTACHED

8. No residential structure shall be erected on any tract nearer than fifty feet (50') from any street/road, or closer than fifty feet (50') from any property line.
9. No signs or advertising device may be displayed on any tract, except in the event of sale. There may be one (1) for-sale sign per tract, said sign being no more than six (6) square feet in size.
10. No camper or recreational vehicle may be kept on the property for longer than 14 consecutive days out of a 30-day period prior to permanent dwelling being constructed on the property. After completion of the main dwelling, a camper or recreational vehicle may be stored on the property as long as the vehicle is enclosed in an approved building or not visible from any public road.
11. All easements that are shown on the recorded plat for the purposes of installation and maintenance of utilities, and all such easements hereafter granted for such purposes, shall be observed by each tract owner and shall not be in any manner obstructed so as to hinder or defeat any such easement. All owners of property shall grant any easements, which may be shown to be necessary to serve any tract therein with utility services.
12. No vehicle of any size, which normally transports inflammatory explosive cargo, may be kept on any tract at any time. No vehicles shall be parked for any period of time on the roads serving the interior.
13. No inoperable vehicles or machinery, or vehicles or machinery on blocks, shall be left on any tract for more than ten (10) consecutive days. No machine parts or household appliances or any other such material may be kept on any tract in an exposed manner or other unsightly items incompatible with residential, farming, or ranching usage. All materials and machinery must be kept in an enclosed workshop, storage building, barn, or garage.
14. No junkyard, pipe yard, wrecking yard or other similar business activity shall be allowed on any of the property.
15. No tract shall be used or maintained as a dumping ground for rubbish; trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept clean and in a sanitary condition. No waste materials, pesticides, or other such similar chemicals shall be used on any tract in a manner, which might contaminate drainage areas leading to creeks, stock-tanks, or lakes.
16. If any one or more of the terms or provisions of these restrictions, covenant and easements shall be held invalid or for any reason is non-enforceable, none of the others shall be effected or impaired thereby, but shall remain in full force in effect.

17. These restrictions shall be effective until twenty-five (25) years from the date of recording in Fayette County, Texas, and shall automatically be extended thereafter for successive periods of ten (10) years each; provided, however, that the owners of a majority of tracts may release all of the tracts hereby restricted from any one or more of said restrictions, or may release any tract from any restriction imposed hereby or created by any deed from the owners, or the owners' assigns, on either twenty five (25) years from the date of recording or at the end of any successive ten (10) year period thereafter, by executing and acknowledging an appropriate agreement or agreements in writing for such purpose and filing the same for record in the office of the County Clerk of Fayette County, Texas, at any time prior to the twenty-five (25) years from the date of recording or at any time prior to ten (10) years preceding the expiration of any successive ten (10) year period thereafter; provided, however, that the owners of a two-third (2/3) majority of tracts may release any tract from any restriction or restrictions at any time.
18. Enforcement of the restrictions and provisions herein provided shall be by proceedings in law or in equity, against any person or persons violating or attempting to violate any covenant, either to restrain or abate any violations or to recover damages by any owner or owners of tracts. In the event a suit is brought by a tract owner, or a group of tract owners, against a tract owner, or a group of tract owners, for violations of any restriction, then, if the plaintiff prevails, the violating tract owner or tract owners will be additionally liable for costs of court, as well as reasonable attorney's fees determined by the court.
19. Persons having any right, title, or interest in any tract, or parcel of land in this subdivision, shall have the right to prevent the violation of any said restrictions by injunction or other lawful procedure, and recover any damages resulting from such violations.
20. Violations of any restrictions, or conditions, or breach of any covenant herein contained shall give other landowners that purchased a part of the aforementioned 370.42 acre tract, or their agents, in addition to all other remedies, the right to enter upon the land, and to abate and remove the violation at the expense of the owner, and other landowners, or their agent shall not thereby be guilty of any matter of trespass for such entry, abatement or removal.

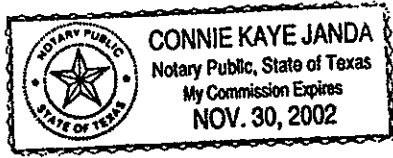
WITNESS OUR HANDS this 21ST day of JANUARY, 1999


Richard Cernosek


Timothy L. Larson

THE STATE OF TEXAS
COUNTY OF FAYETTE

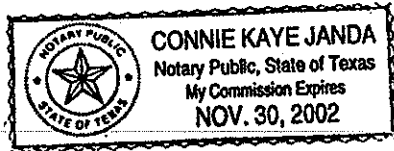
This instrument was acknowledged before me on January 21st
1999, by Richard Cernosek.



Connie Kaye Janda
Notary Public in and for
The State of Texas.
Notary's Typed or Printed Name:
Connie Kaye Janda
Notary's Commission Expires:
11-30-2002

THE STATE OF TEXAS
COUNTY OF FAYETTE

This instrument was acknowledged before me on January 21st
1999, by Timothy L. Larson.



Connie Kaye Janda
Notary Public in and for
The State of Texas.
Notary's Typed or Printed Name:
Connie Kaye Janda
Notary's Commission Expires:
11-30-2002

FILED

11:25 a.m.
JAN 21 1999

Filed by: \$15.00 Pd.
Tim Larson

Hand: Mike Klesel

Carolyn Kubos Roberts
CAROLYN KUBOS ROBERTS
CO. CLERK, FAYETTE CO., TEXAS

STATE OF TEXAS COUNTY OF FAYETTE
I hereby certify that this instrument was FILED on the date and
at the time stamped hereon by me; and was duly RECORDED in
the Volume and Page of the Named RECORDS of Fayette
County, Texas as stamped hereon by me, on

JAN 21 1999



Carolyn Kubos Roberts
CAROLYN KUBOS ROBERTS
COUNTY CLERK, FAYETTE COUNTY, TEXAS