

(93319DED)

DEDICATION, PLAT AND RESTRICTIONS

THE STATE OF TEXAS)
)
 COUNTY OF TOM GREEN)

WHEREAS, *DAVID R. DUNCAN, TRUSTEE*, successor in interest to *JAMES R. DUNCAN, TRUSTEE*, is the owner of that certain 22.915 acre tract of land located and situated in San Angelo, Tom Green County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, *JAMES R. DUNCAN, TRUSTEE*, has caused said land described in Exhibit "A" hereto to be subdivided into lots, blocks, streets, and easements, according to a survey made by Wilson, Williams, Langohr & Associates, Registered Public Surveyors, San Angelo, Texas, as shown by the accompanying map or plat thereof;

NOW, THEREFORE, *DAVID R. DUNCAN, TRUSTEE*, does hereby adopt the map or plat of record in Volume 162, Page 197, Official Public Records of Real Property of Tom Green County, Texas, designated thereon and to be known as "*THE BLUFFS, SECTION EIGHTEEN*" to the City of San Angelo, Texas, as his plan for subdividing the said 22.915 acre tract into lots, blocks, streets, and easements, and *DAVID R. DUNCAN, TRUSTEE*, does hereby dedicate to the public forever the streets shown on said map or plat for customary public use as such. The areas designated as easements for underground or surface utility connections ("stubouts" for water, sewer, gas, electric, telephone lines, television cable, etc.) are to be used as such, and such utility easement areas are restricted against buildings or structures other than walkways, driveways, fences, walls and curbs. The areas designated as easements for drainage are to be used as such, and such drainage easement areas are to be left completely unobstructed. Four-foot areas for maintenance easements are reserved on all lots adjacent to zero lot line lots and such areas are to be left unobstructed. The minimum building setback lines for all buildings or structures are shown on the map or plat of record in Volume 162, Page 197, Official Public Records of Real Property of Tom Green County, Texas, or such building lines are described in the restrictions contained herein, but such lines may be varied by the Architectural Control Committee, as hereinafter provided.

For the purposes of protecting neighborhood values and creating the highest desirability for home ownership in *THE BLUFFS, SECTION EIGHTEEN*, *DAVID R. DUNCAN, TRUSTEE*, hereinafter called "Developer", hereby places the following restrictions on *THE BLUFFS, SECTION EIGHTEEN*, hereinafter called the "Addition", and the uses of the properties located therein, all as covenants running with the land and binding upon all owners or purchasers of lots in the Addition, and upon their heirs, successors, executors, administrators, and assigns, to-wit:

1. **Residential Lot Use.** No lots shall be used except for residential purposes. No buildings shall be erected, altered, placed or permitted to remain on any lot other than single-family dwellings, not to exceed two and one-half (2-1/2) stories in height, or duplexes or townhouses or patio homes, and other outbuildings incident to the residential use of the lot and a private garage of not less than two cars, all as hereinafter more specifically limited and defined.

2. **Architectural Control Committee Approval.** No buildings or improvements shall be erected, placed, or altered on any lot, and no exterior addition or alterations to any existing building or structure, and no erection or alteration of fences, hedges, walls, or other structures shall be commenced, erected or maintained until the construction plans and specifications and plat showing the location of same have been approved by the Architectural Control Committee, as hereinafter designated, as to quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to setback lines, topography and finish grade of elevation. A preliminary sketch showing the basic plans, materials, colors of all exterior surfaces, and specifications of same shall be submitted to and approved by the Architectural Control Committee, and the final plans and specifications showing the nature, kind, shape, heights, materials, colors of all exterior surfaces, and location shall be submitted to and approved in writing by the Architectural Control Committee. In the event the Architectural Control Committee (i) fails to issue its written approval or disapproval within thirty (30) days after

