

DEDICATION, PLAT AND RESTRICTIONS

THE STATE OF TEXAS       §  
 COUNTY OF TOM GREEN     §

WHEREAS, JAMES R. DUNCAN, TRUSTEE, is the owner of that certain 6.641 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 according to a survey made by Wilson, Williams, Langhor & Associates, Registered Public Surveyors, San Angelo, Texas, as shown by the accompanying map or plat thereof;

NOW, THEREFORE, JAMES R. DUNCAN, TRUSTEE, the "Developer" does hereby adopt the accompanying map, designated thereon and to be known as "THE BLUEFS, SECTION TWENTY-SIX" to the City of San Angelo, Texas, as his plan for subdividing the said 6.641 acre tract and the Developer does hereby dedicate to the public forever the streets and easements shown on said map or plat for customary public use as such.

For purposes of protecting the addition and keeping it as an attractive area, JAMES R. DUNCAN, TRUSTEE, hereby places the following restrictions on said Subdivision as covenants running with the land:

1. No buildings or improvements shall be erected, placed, or altered on any tract, and no exterior addition or alterations to any existing building or structure on any tract, and no erection, location or alteration of fences, hedges, walls, signage, or facilities for refuse disposal on any tract shall be commenced, erected or maintained until the construction plans and specifications and a plat showing the location of same have been approved by an Architectural Control Committee, as hereinafter designated, as to quality of workmanship and materials, harmony of external design with existing structures and improvements, and as to location with respect to any setback lines, topography and finished grade of elevation. As a minimum, a preliminary sketch shall be submitted to the Architectural Control Committee, stating the use, or proposed use of the property, and showing the location, height and square footage of all buildings, enclosures, walls, fences or similar structures as well as the materials used or proposed to be used in the construction of such buildings, enclosures, walls, fences or similar structures. All setback distances from the property lines and/or curb lines shall be shown on said preliminary sketch, together with the type, location and height of all exterior lighting equipment, the location, or proposed location, of facilities for refuse disposal, and any proposed signage, including size, location, proposed illumination and the height of any signage. The final plans and specifications, incorporating the preliminary approval by the Architectural Control Committee, shall be submitted to and approved in writing by the Architectural Control Committee, and such Architectural Control Committee approval shall not be deemed to have occurred until such final plans and specifications have actually been approved in writing, as aforesaid.

In the event the Architectural Control Committee (i) fails to issue its written approval or disapproval within thirty (30) days after final plans and specifications have been submitted to it, or (ii) if no submission for approval has been made to the Architectural Control Committee, and if no suit to enjoin the building, addition, alteration or change has been commenced prior

