

## Grandview Acres Landowners Association

### Covenants and Restrictions

The rules and covenants of Grandview Acres are amended as of July 10, 2017, by the authority of a majority of Grandview Acres Landowners.

The following covenants and restrictions are intended to attach to, benefit, be appurtenant to and run with all the land owned by members of the Grandview Acres Landowners Association. These covenants and restrictions are intended to be joint and several and if any one or more are determined unenforceable, the remaining covenants and restrictions shall remain in full force and effect. Any failure to enforce any of the covenants and restrictions shall not be construed as a waiver of such violation and shall not operate as laches to further enforcement. These covenants and restrictions shall be enforceable against any subsequent purchaser, devisee, or assignee.

1. **USE**

None of the tracts or improvements thereon shall be used or anything other than single-family, private residential and/or recreational purposes.

2. **TRACT AREA**

No tract shall be subdivided into less than FIVE (5) acres in size.

3. **ANIMALS**

Livestock and/or poultry will not be allowed for commercial purposes. Swine are prohibited for any reason. Any landowner maintaining animals shall provide necessary fencing to contain the animals.

4. **ARCHITECTURAL CONTROL COMMITTEE**

This committee's function shall be to review all new house construction and design. The committee shall consist of two Board Members appointed by the President. If this committee is unavailable then The Board of Directors shall act as the Architectural Control Committee. Board of Directors will serve a term of five years with one member being replaced each year.

**5. STRUCTURES**

A. No dwelling (including pre-manufactured homes and mobile homes, which shall be skirted) shall be erected or permitted to remain on any tract having a floor space area less than 1000 square feet, when measured to exterior walls, exclusive of attached garages or other similar appendages. All structures, permanent or temporary must have a setback distance from the road easement and all property lines of FIFTY FEET (50') and shall be maintained in good repair and appearance.

B. No motor home, trailer or tent shall be used as a residence, nor shall any structure of temporary character be used as a residence, except during construction of permanent structures or during a vacation or camp out period not to exceed THIRTY (30) days at any one time.

C. With reasonable diligence, and in all events within ONE (1) YEAR from the commencement of construction, any dwelling commenced shall be completed as to its exterior.

D. No dwelling or manufactured home shall be constructed or placed upon property, without a septic system and water well in place, prior to occupancy. Septic system and water well must conform to the requirements of the Health Department of the County, the State of Texas and of the Texas Water Quality Board. No outdoor toilet or privy shall be erected or maintained in Grandview Acres. Kendall County Health Board prohibits cesspools.

E. On any tract, one dwelling per four and one-half (4.5) acres and no more than one dwelling per four and one-half (4.5) acres thereafter.

**6. CREEKS**

Dams built on the creeks to create small pools cannot exceed TWO (2) FEET in height above the normal water level and shall not impede the flow of water downstream, i.e., as much water must flow beyond the dam as enters the pool. A fault at above normal water level can cause loss of water that would adversely affect landowners downstream. Any project of this nature must, of course, be coordinated with the landowner across the creek, since all tract boundaries, with creek frontage, are at the center of the creeks. In addition substantial amounts of water shall not be taken from the creeks for irrigation purposes or any other use (Except in an emergency).

7. **NUISANCES**

No noxious or offensive activity shall be carried on or maintained on any tract in Grandview Acres, nor shall anything be done or permitted to be done thereon that may or become a nuisance in the subdivision.

8. **VEHICLES**

No tract shall be used to store, warehouse or otherwise abandon any car, truck, bus, van or other motor vehicle nor any part or portion thereof, regardless of condition. A car, truck, bus or other motor vehicle will be in violation of this restriction when not in good working order or not repaired within a reasonable time but, in any event, within THREE (3) working days or when not in use as a motor vehicle for Five (5) or more consecutive days.

9. **FIREARMS**

The use or discharge of firearms shall be done in a safe manner with the consideration for the safety of neighboring tracts and in accordance with any Federal, State, or County regulations.

10. **GARBAGE and TRASH DISPOSAL**

No tract shall be used as a dumping ground. Rubbish, trash, garbage and other waste shall be kept in sanitary containers. The burning of brush, trash or garbage shall be done safely and in accordance with the County Fire Marshalls Regulations.

11. **LANDOWNERS ASSOCIATION**

All landowners shall belong to the Grandview Acres Landowners Association (GALA). Cost is \$12.00 per year, payable on February 1st. Dues are subordinate to any and all mortgages.

## General Provisions

GALA, or any other owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, and reservations now or hereafter imposed by the provisions of this Declaration.

The covenants, conditions, and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of, and be enforceable by, GALA, or the owner of any tract subject to this Declaration, and their respective legal representatives, heirs, successors, and assigns, shall be effective, until amended, by the Board of Directors of GALA. The covenants, conditions, and restrictions of this Declaration may be amended by a majority vote of landowners.

Executed by GALA, on this 10<sup>th</sup> day of July, 2017

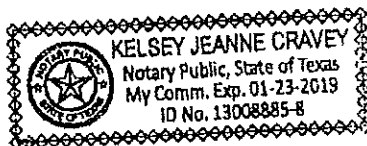
Grandview Acres Landowners Association

By: \_\_\_\_\_

Tom Hartman  
President GALA

### Acknowledgment

This instrument was acknowledged before me on the 10 day of July, 2017, by Tom Hartman, duly authorized officer of Grandview Acres Landowners Association, on behalf of said association.



Kelsey Cravey  
Notary Public, State of Texas  
Commission Expires

Filed & Recorded in:

**KENDALL COUNTY  
DARLENE HERRIN  
COUNTY CLERK**

10/30/2017 03:04PM

Document Number : 00316266  
Total Fees : \$38.00 *pd.*

Receipt Number - 82038  
By Deputy: Beth A Steinruck

This Document has been received by this Office for  
Recording into the Official Public Records.

We do hereby swear that we do not discriminate due to  
Race, Creed, Color, Sex or National Origin.

STATE OF TEXAS, COUNTY OF KENDALL  
I hereby certify that this instrument was filed in File Number  
Sequence on the date and at the time stamped hereon and  
was duly recorded in the OFFICIAL RECORDS Records of  
Kendall County, Texas on

10/30/2017  
DARLENE HERRIN, COUNTY CLERK  
Kendall County, Texas

By: bas Deputy