

AMENDMENT TO TURKEY CREEK LAND RESTRICTIONS

(Revised)

STATE OF TEXAS §
COUNTY OF BLANCO §

WHEREAS, R. BURNELL BENNETT, as owner of 619.97 acres of land in Blanco County, Texas, more particularly described in Exhibit A and hereinafter called TURKEY CREEK, imposed certain land restrictions on said 619.97 acres as more fully set forth in Exhibit B, attached hereto and incorporated herein by this reference; and

WHEREAS, at least two-thirds (2/3) majority vote of the current owners of TURKEY CREEK are desirous of amending Paragraph 1, Paragraph 4, Paragraph 5, Paragraph 11, and Paragraph 12 of the aforesaid Restrictions;

NOW, THEREFORE, the following amendments are hereby adopted:

1. Paragraph 1 is deleted, and the following is substituted in lieu thereof:

No more than one (1) residence shall be erected or placed on any original or subdivided tract, and the tract shall not be less than 7.0 acres.

2. Paragraph 4 is deleted, and the following is substituted in lieu thereof:

No noxious, offensive, unlawful, or immoral use shall be made of any tract, nor shall any tract be used as a dumping ground for refuse of any sort. Each owner shall maintain each tract owned by him in a clean and sightly condition. No sign of any kind will be displayed to public view on any property except (a) one professional sign of not more than thirty-two (32) square feet for sale or rent; and (b) signs placed on any land used for commercial purposes as set out in Paragraph 5.

3. Paragraph 5 is deleted, and the following is substituted in lieu thereof:


On and after April 1, 1988, commercial use may be made of land fronting on U.S. Highway 281 up to a depth of one thousand (1,000) feet. All other land subject to these restrictions shall not be used for any commercial business. Save and except on the land designated as commercial in the preceding sentence, no alcoholic beverage, including beer, shall be offered for sale on this or any other tract nor shall any poultry, egg, feed lot, or other commercial livestock operations be permitted. Livestock, except for hogs and turkeys, may be maintained on any tract provided their numbers and maintenance shall not become a nuisance to neighboring tracts.

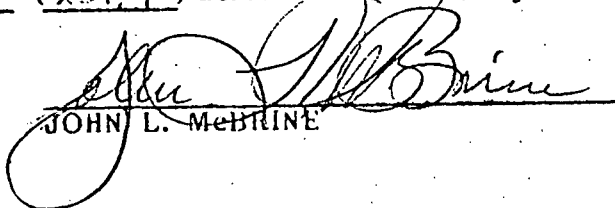
4. Paragraph 11 is deleted, and the following is substituted in lieu thereof:

No part of the 619.97 acres owned by R. Burnell Bennett shall be subdivided into a tract or tracts of less than 7.0 acres in size.

5. Paragraph 12 is deleted, and the following is substituted in lieu thereof:

No mobile homes, which includes all premanufactured homes not built on the site, shall be permitted on any tract of land in the 619.97 acres owned by R. Burnell Bennett.

 SIGNED THIS 27 day of March, 1985, by the undersigned owner of TWO HUNDRED FIFTY ONE AND 4/10 (251.4) acres of land in Turkey Creek.


JOHN L. McBRINE

STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the 27th day of March, 1985, by JOHN L. McBRINE.


NOTARY PUBLIC, STATE OF TEXAS

My commission expires: 7-26-88

EXHIBIT "A"

BEING 91.52 acres of land situated in Blanco County, Texas, and being comprised of the following:

1. 28.43 acres of land out of the Frederick Rogers Survey No. 172, Abstract No. 513;
2. 0.50 acres of land, out of the C. & M. R. R. Co. Survey No. 321, Abstract No. 987; and,
3. 62.59 acres of land, out of the G. C. & S. F. R. R. Co. Survey No. 131, Abstract No. 1082, and,

being out of and part of that certain 619.97 acre tract of land conveyed by William Darrell Willerson to R. Burnell Bennett by Deed dated April 4, 1979, and found of record in Volume 98, Page 862, of the Deed Records of Blanco County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at an iron pin in the fence and Northerly line of said 619.97 acre tract at the Northeast corner of a 35.77 acre tract whence the Northeast corner of said C. & M. R. R. Co. Sur. No. 321 bears South 87 deg. 38' East 65.0 feet and also from said iron pin, the Northwest corner of said 619.97 acre tract bears North 87 deg. 38' West 389.15 feet, North 86 deg. 17' 45" West 802.65 feet, North 86 deg. 25' West 124.18 feet, and North 86 deg. 38' West 684.02 feet, for the Northwest corner hereof;

THENCE South 3 deg. 03' 30" East with Easterly line of said 35.77 acre tract at 526.70 feet, cross the centerline of a 30 foot wide Access Easement and at 923.27 feet, in all, an iron pin on the bank of a creek;

THENCE South 6 deg. 45' East continuing with the Easterly line of said 35.77 acre tract 21.69 feet, to an iron spike set in the center of said creek, for a reentrant corner hereof;

THENCE continuing with said 35.77 acre tract with and up the centerline of said creek in twenty-four (24) courses and distances as follows:

- 1) South 47 deg. 41' West 50.80 feet;
- 2) South 75 deg. 06' West 113.10 feet;
- 3) South 37 deg. 00' West 39.96 feet;
- 4) South 6 deg. 38' East 27.41 feet;
- 5) South 82 deg. 47' East 52.95 feet;
- 6) South 25 deg. 49' East 74.07 feet;
- 7) South 25 deg. 32' 30" West 73.69 feet;
- 8) South 59 deg. 22' West 94.47 feet;
- 9) North 89 deg. 29' West 62.31 feet;
- 10) North 52 deg. 28' 30" West 97.69 feet;
- 11) North 86 deg. 55' West 27.78 feet;
- 12) South 68 deg. 19' West 93.55 feet;
- 13) South 33 deg. 13' West 66.20 feet;
- 14) South 28 deg. 35' East 102.52 feet;
- 15) South 14 deg. 33' 45" West 214.30 feet;
- 16) South 31 deg. 59' 15" West 143.8 feet;
- 17) South 9 deg. 17' West 75.71 feet;
- 18) South 36 deg. 22' East 25.40 feet;
- 19) South 64 deg. 09' East 63.49 feet;
- 20) South 33 deg. 40' East 29.35 feet;
- 21) South 10 deg. 00' West 74.32 feet;
- 22) South 45 deg. 25' West 41.98 feet;
- 23) South 80 deg. 38' West 103.1 feet;
- 24) South 45 deg. 33' West 69.6 feet, to an iron spike set in

the fence and southerly line of said 619.97 acre tract, for the Southeast corner of said 35.77 acre tract, for the Southwest corner hereof, whence an iron pin at a fence post in the West bank of said creek bears North 67 deg. 38' West 12.6 feet, and the Southwest corner of said 619.97 acre tract bears North 67 deg. 38' West 1456.45 feet;

THENCE with the fence and Southerly line of said 619.97 acre tract in two courses and distances as follows:

- 1) South 67 deg. 38' East 1348.78 feet, to an iron pin, and,
- 2) South 67 deg. 42' 15" East 1433.60 feet, to an iron pin at the Southwest corner of a 251.40 acre tract, for the Southeast corner hereof, whence an iron pin in the Westerly right-of-way line of U.S. Highway No. 281, at the Southeast corner of said 619.97 acre tract and said 251.40 acre tract bears South 67 deg. 42' 15" East 1230.29 feet, South 67 deg. 36' East 1693.07 feet and South 67 deg. 57' 15" East 530.43 feet;

THENCE with the Westerly line of said 251.40 acre tract in three (3) courses and distances as follows:

- 1) North 9 deg. 29' 45" East 833.65 feet, an iron pin;
- 2) North 9 deg. 32' 30" West 374.55 feet, an iron pin, and,
- 3) North 1 deg. 41' West 308.86 feet, to an iron pin in the South line of a 30 foot wide Access Easement at a Westerly Southeast corner of a 47.10 acre tract, for a Southerly Northeast corner hereof, whence an iron pin at a Southerly Northwest corner of said 251.40 acre tract in the North line of said easement bears North 10 deg. 02' East 30.00 feet;

THENCE with the Southerly line of said 47.10 acre tract in two (2) courses and distances as follows:

- 1) North 73 deg. 13' West 365.83 feet, an iron pin, and,
- 2) North 68 deg. 00' West leaving said Access Easement, 101.80 feet, to an iron pin at the East corner of an 8.55 acre tract;

THENCE with and around the perimeter of said 8.55 acre tract in five (5) courses and distances as follows:

- 1) South 54 deg. 29' 30" West at 478.22 feet, an iron pin and crossing a ravine 684.30 feet, in all, an iron pin and South corner of said 8.55 acre tract;
- 2) North 30 deg. 02' 30" West 216.54 feet, an iron pin;
- 3) North 43 deg. 15' 30" West 237.52 feet, an iron pin;
- 4) North 44 deg. 57' 30" West 218.31 feet, an iron pin, and West corner of said 8.55 acre tract; and,
- 5) North 40 deg. 31' 45" East crossing said ravine and said Access Easement, 542.45 feet, to an iron pin in the Easterly line of said easement, and the Westerly line of said 47.10 acre tract, for the North corner of said 8.55 acre tract, for an Easterly corner hereof;

THENCE with the Easterly line of said easement and Westerly line of said 47.10 acre tract in five (5) courses and distances as follows:

- 1) North 2 deg. 50' West 117.75 feet, an iron pin;
- 2) North 17 deg. 34' 30" West 166.54 feet, an iron pin;
- 3) North 15 deg. 17' East 107.93 feet, an iron pin;
- 4) North 13 deg. 18' 15" East 204.27 feet, an iron pin; and,
- 5) North 7 deg. 05' West 134.34 feet, an iron pin;

THENCE North 15 deg. 58' East leaving said easement, 158.65 feet to an iron pin in the fenced Northerly line of said 619.97 acre tract, at the Northwest corner of said 47.10 acre tract, for the Northeast corner hereof;

THENCE with the fenced Northerly line of said 619.97 acre tract, North 88 deg. 35' West 225.59 feet, an iron pin, and North 87 deg. 38' West 753.22 feet, to the place of beginning hereof and containing 91.52 acres of land;

EXHIBIT "B"

BEING a 30 foot road easement extending from U. S. Highway No. 281 to two separate 21.00 acre tracts out of the Westerly portion of that certain 619.97 acre tract conveyed by William Darrell Willerson to R. Burnell Bennett by Deed dated April 4, 1979, and found of record in Volume 98, Page 862, of the Deed Records of Blanco County, Texas, said easement being within the G. C. & S. F. R. R. Co. Survey No. 31, and being more particularly described by course and distance as follows:

BEGINNING at an iron pin in the Westerly right-of-way line of U.S. Highway No. 281, at the intersection of the Southerly line of herein described easement, whence a concrete right-of-way monument bears South 10 deg. 14' 30" West 365.7 feet, and another right-of-way monument bears North 10 deg. 14' 30" East 535.9 feet;

THENCE with the Southerly line of an old roadway and Southerly line hereof in fifteen (15) courses and distances as follows:

- 1) North 56 deg. 59' 15" West 34.52 feet, an iron pin;
- 2) North 23 deg. 45' 30" West 127.58 feet, an iron pin;
- 3) North 51 deg. 00' West 142.09 feet, an iron pin;
- 4) South 89 deg. 57' 30" West 145.07 feet, an iron pin;
- 5) South 64 deg. 58' 30" West 141.58 feet, an iron pin;
- 6) North 88 deg. 06' 30" West 142.28 feet, an iron pin;
- 7) North 57 deg. 02' West 152.10 feet, an iron pin;
- 8) North 71 deg. 03' 30" West 185.26 feet, an iron pin;
- 9) North 51 deg. 36' 45" West 98.68 feet, an iron pin;
- 10) North 64 deg. 46' West 81.63 feet, an iron pin;
- 11) North 30 deg. 50' 45" West 162.91 feet, an iron pin;
- 12) North 10 deg. 42' 30" East 105.27 feet, an iron pin;
- 13) North 26 deg. 17' 15" West 58.3 feet, an iron pin;
- 14) North 60 deg. 51' 45" West 358.4 feet, an iron pin;
- 15) North 49 deg. 47' 45" West 28.24 feet, to the point of

intersection of the centerline of a new roadway, for a turn herein, whence an iron pin set for reference bears South 24 deg. 47' West 17.2 feet;

THENCE leaving the Southerly line of said old roadway with the centerline of said new roadway in twelve (12) courses and distances as follows:

- 1) South 85 deg. 12' West 209.43 feet;
- 2) South 76 deg. 04' West 228.0 feet;
- 3) South 79 deg. 55' West 320.87 feet;
- 4) South 74 deg. 11' West 95.91 feet, whence an 8 inch Live Oak bears South 20 deg. 14' East 28.5 feet;
- 5) South 63 deg. 27' West 121.75 feet;
- 6) South 59 deg. 29' West 514.3 feet, whence an iron pin on most Southerly corner of a 47.11 acre tract bears North 45 deg. 20' West 15.51 feet;
- 7) South 73 deg. 19' West 94.77 feet;
- 8) North 88 deg. 06' 15" West 302.52 feet;
- 9) North 89 deg. 47' 15" West 302.54 feet, to a point where a Southerly bearing line of said 47.10 acre tract crosses said easement, and an iron pin and reentrant corner of said 47.10 acre tract bears North 10 deg. 02' East 15.0 feet;
- 10) North 73 deg. 13' West 364.02 feet;
- 11) North 56 deg. 56' 30" West 591.90 feet;
- 12) North 52 deg. 29' West 100.45 feet, to a point where Northerly bearing line of said 47.10 acre tract crosses said easement and an iron pin and reentrant corner of said 47.10 acre tract bears North 10 deg. 28' East 17.4 feet;

THENCE continuing with the centerline of said easement parallel with and 15 feet West of the Westerly line of said 47.10 acre tract in seven (7) courses and distances as follows:

- 1) North 49 deg. 26' 30" West 163.53 feet;
- 2) North 36 deg. 47' 45" West 72.39 feet;
- 3) North 2 deg. 50' West 120.40 feet;
- 4) North 17 deg. 34' 30" West 169.54 feet;
- 5) North 15 deg. 17' East 111.48 feet;
- 6) North 13 deg. 18' 15" East 201.34 feet; and,
- 7) North 7 deg. 05' West 123.44 feet, to an iron spike, whence an iron pin and angle point in the Westerly line of said 47.10 acre tract bears North 54 deg. 12' East 17.10 feet;

THENCE continuing with the centerline of said easement in twenty-four (24) courses and distances as follows:

- 1) North 64 deg. 30' West 51.48 feet;
- 2) South 75 deg. 58' West 119.50 feet;
- 3) South 82 deg. 06' West 116.54 feet;
- 4) South 57 deg. 42' West 55.21 feet;
- 5) South 42 deg. 30' West 75.58 feet;
- 6) South 23 deg. 21' West 162.51 feet;
- 7) South 52 deg. 52' West 73.19 feet;
- 8) South 71 deg. 25' West 68.07 feet;
- 9) South 61 deg. 55' West 82.49 feet;
- 10) South 82 deg. 43' West 64.28 feet;
- 11) North 76 deg. 53' West 164.65 feet;
- 12) North 84 deg. 00' West at 35.20 feet, cross the Easterly line of a 35.77 acre tract and continue 76.63 feet, in all;
- 13) North 63 deg. 23' West 151.03 feet;
- 14) North 44 deg. 17' West 124.46 feet;
- 15) North 79 deg. 32' 30" West 127.30 feet;
- 16) South 81 deg. 24' 45" West 62.94 feet;
- 17) North 49 deg. 25' 30" West 262.51 feet;
- 18) South 47 deg. 25' West at 213.03 feet, cross the Westerly line of said 35.77 acre tract and Easterly line of a 21.00 acre tract and continue 361.61 feet, in all;
- 19) North 79 deg. 23' 30" West 165.26 feet;
- 20) South 68 deg. 34' 30" West 64.17 feet;
- 21) South 44 deg. 21' West 44.90 feet;
- 22) South 16 deg. 16' 15" West 182.20 feet;
- 23) South 54 deg. 31' 15" West 136.73 feet, to a point in a common boundary between said 21.00 acre tracts, and,
- 24) North 84 deg. 19' West with said common boundary 138.51 feet to an iron pin and angle point in said common boundary for the point of termination hereof, whence an iron pin and common Westerly corner of said 21.00 acre tracts bears North 74 deg. 25' 30" West 569.16 feet;

FILED FOR RECORD JUNE 3, 1985 AT 11:22 A.M.
DOROTHY UECKER, CLERK, BLANCO COUNTY, TEXAS
RECORDED JUNE 3, 1985 AT 3:12 P.M.