

EXTENSION OF RESTRICTIVE COVENANTS
RUSTIC OAKS

Basic Information

Date: June 22, 2024

Subdivision: Rustic Oaks

Restrictive Covenants:

Those dated December 11, 1978, and recorded under Clerk's File No. 7852711 of the Official Public Records of Real Property of Montgomery County, Texas

Expiration Date of Restrictive Covenants: January 1, 2025

Requirements to Extend Expiration Date:

As stated in Article I of the Restrictive Covenants, the Expiration Date may be extended for additional ten (10) year periods by an instrument executed by three-fourths (3/4) of the then Owners of the tracts covered by the Restrictive Covenants filed for record in the office of the County Clerk of Montgomery County, Texas, prior to the original or extended Expiration Date

Property Covered by Restrictive Covenants:

A 34.2190 acres tract of land in the Bartley Murray Survey, A-343, Montgomery County, Texas, and described by metes and bounds in the Exhibit attached to the Restrictive Covenants, and in the subdivision plat recorded in Cabinet C, Sheet 9 and 10, Map Records of Montgomery County, Texas.

Extension of Restrictive Covenants

The undersigned owners of lots in Rustic Oaks, representing at least three-fourths (3/4) of the 24 current owners of record of lots in Rustic Oaks, agree by this writing to extend the Restrictive Covenants for Rustic Oaks for an additional ten (10) year period to expire on January 1, 2035, unless extended again for an additional ten (10) year period by the requisite number of lot owner as provided in the Restrictive Covenants.

EXECUTED EFFECTIVE as of the date above.

[Signatures on the following pages]

Lot Owned:

Tract Seven (7) of **RUSTIC OAKS**, a subdivision in the Bartley Murray Survey A-343, according to the map or plat thereof recorded in Cabinet C, Sheet 9, Map Records of Montgomery County, Texas, commonly known as 26530 Pin Oak Drive, Magnolia, TX 77354.

Lot Owner(s):

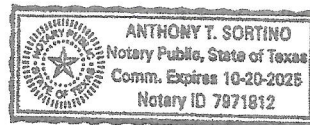

Sharon L. Steffen

STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on June 22, 2024, by Sharon L. Steffen.


NOTARY PUBLIC, STATE OF TEXAS



E-FILED FOR RECORD

06/24/2024 03:11PM



L. Brandon Steinmann

County Clerk,
Montgomery County, Texas

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

06/24/2024



L. Brandon Steinmann

County Clerk,
Montgomery County, Texas

7852711
7852711

NO. 1106 PAGE 233

DEEDS

THE STATE OF TEXAS)
COUNTY OF MONTGOMERY)

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, the undersigned, hereinafter referred to as OWNERS of certain real property in the Bartley Murray Survey, Abstract Number 343, Montgomery County, Texas, which is being developed as a recorded subdivision known as "Rustic Oaks", and;

WHEREAS OWNERS, in their desire to keep the development of said real property for the mutual benefit and pleasure of the property OWNERS in said subdivision, and for the protection of such property values thereon, desire to place on and against said property certain protective and restrictive covenants regarding the use thereof.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that WE, Rayford L. Stokes and Joe Newman Fuqua owners, and Mrs. Gertrude L. Neal, Lienholder, do hereby make and file the following declarations, reservations, protective covenants, limitations, conditions and restrictions regarding the use and/or development of the lots located in said "Rustic Oaks", owned by the undersigned; See Exhibit "A"

I

The following conditions, restrictions, and covenants are hereby established to be covenants running with the land, binding upon all tracts and future PURCHASERS or OWNERS, their heirs and assigns, and all parties or persons holding possession under such PURCHASERS or future OWNERS in "Rustic Oaks". Each PURCHASER and future OWNER or party holding possession under such person, agree that as a part of the consideration for their purchase and deed that they shall be subject to and bound by the conditions, restrictions, and covenants as follows:

The conditions and restrictive covenants shall be binding upon the land and the PURCHASERS thereof until January 1, 2025, and may be extended for additional ten (10) year periods thereafter, provided that three-fourths (3/4) of the then OWNERS of tracts in said "Rustic Oaks" shall agree in writing properly filed in the office of the County Clerk of Montgomery County, Texas, that said restrictions shall continue for such period.

All tracts of "Rustic Oaks" shall be used for single dwelling residential purposes only, designated and constructed for use of single family, together with such servants quarters, garage and other structures as may be suitable and proper for the use of occupancy of said residents as a single family dwelling, and shall no residence constructed thereon be converted into or thereafter as a duplex, apartment house, or any other form of multiple family dwelling, nor shall any resident or combination or residences on separate lots be advertised for use and used as a hotel, tourist court, or tourist cottages or place of abode for transient persons.

signs pertaining to the sale or rental of the tract or tracts or improvements thereon.

V

Whenever a residence is established on any tract it will provide an inside toilet and shall be connected with septic tanks and field drain, according to Montgomery County Health Department specifications. No cesspool shall ever be dug, used, or maintained on any parcel of land in "Rustic Oaks" and drainage of septic tanks or sewage into road or street ditches, drainage ditches, alleys, ravines, or upon the open ground shall be prohibited and enforceable as any other violation of these restrictions by any resident or by public body. Outside toilets are strictly prohibited. The Purchaser of a parcel of land in "Rustic Oaks" shall, upon constructing any residence upon his tract, or any person making use of his tract of land, place a culvert of a size specified by the developer and a minimum of sixteen (16) feet in length to permit the free flow of water at a point between the roadway and his property and shall fill in with sufficient dirt over and around the same. All driveways shall be of concrete or black top from street to garage.

VI

There shall be a limit of one (1) farm animal (defined as horse or cattle) for each acre owned by an individual. Example: owner of two (2) acres may have two farm animals. No animals shall be raised or maintained on the property in such lack of care as to cause offensive odors or noises, or so as to otherwise be a nuisance or annoyance to persons of ordinary reasonable sensitivity. Likewise and in addition thereto, no animals shall be raised or maintained for commercial purposes. No hogs, feathered fowls, sheep or goat are allowed in "Rustic Oaks". All house hold pets are to be kept in a fenced area or chained.

VII

All tracts of land are sold subject to existing easements as are recorded in the Deed of Records, County Clerk's Office, Montgomery County, Texas or as may become reasonable necessary for "Rustic Oaks" Subdivision to create in the future and all of which rights are reserved so as to permit good development of the subdivision and provide necessary utilities. It is expressly agreed that no road or lot in "Rustic Oaks" subdivision shall be used for ingress or egress to any adjoining property of the subdivision without the written consent of the Rustic Oaks developers.

VIII

Garbage and trash shall be disposed of at least once a week. no lot shall be used or maintained as a dumping grounds for rubbish, trash, garbage or other waste. All garbage or trash accumulated from day to day shall be kept in a covered sanitary container. All incinerators or other equipment for storage or dis-

STATE OF TEXAS

COUNTY OF MONTGOMERY

KNOW ALL MEN BY THESE PRESENTS:

That I, Lynn R. Lovett, a Registered Professional Engineer in the State of Texas, do hereby certify that the following field notes are a true and correct description of the results of a field survey made under my supervision in April & May, 1978, of a 34.2190 acre tract or parcel of land out of the Bartley Murray Survey, A-343, Montgomery County, Texas, said 34.2190 acres being that same tract of land conveyed to Rayford L. Stokes, Trustee and Joe Newman Fuqua, Trustee, by Warranty Deed as recorded in Volume 990, Pages 493-495, described as First Tract and called 33.772 acres, Warranty Deeds, Montgomery County, Texas, also said 34.2190 acres to be known as Rustic Oaks Subdivision, Montgomery County, Texas, said 34.2190 acres being more particularly described by metes and bounds as follows:

COMMENCING at a concrete monument (found) at the intersection of the East right-of-way line of the Ft. Worth & Denver & Chicago Rock Island & Pacific Railroad 100 foot right-of-way and the West line of that certain 38.4 acre tract described in Volume 322, Page 21 of the Deed Records, Montgomery County, Texas;

THENCE North $01^{\circ} 01' 09''$ East - 749.59 feet along the West line of said 38.4 acre tract to a point in the centerline of a gully for the POINT OF BEGINNING of the tract herein described; said point being the Southwest corner of the tract herein described and bears North $01^{\circ} 07' 22''$ East - 15.70 feet from a 1/2" steel rod (found);

THENCE North $01^{\circ} 07' 22''$ East - 945.26 feet to an iron stake (found) for the Northwest corner of the tract herein described;

THENCE South $87^{\circ} 54' 06''$ East - 1000.98 feet to an iron stake (found) for the most Northerly Northeast corner of the tract herein described;

THENCE South $00^{\circ} 39' 53''$ West - 953.72 feet to an iron stake (found) for an interior corner of the tract herein described;

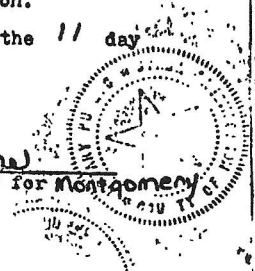
The State of Texas
County of

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BEFORE ME, the undersigned authority, on this day personally appeared Rayford L. Stokes, Sr. Newman Fuqua, Gertrude L. Neal, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 11 day of December, 1978

Bobbie De Rose
Notary Public in and for Montgomery
County, Texas.



FILED FOR RECORD
AT 7 O'CLOCK 2 M

DEC 13 1978

ROY HARRIS, Clerk
County Clerk, Montgomery County, Tex.
Shirley White, Deputy

7125311 12004

THE STATE OF TEXAS I
COUNTY OF MONTGOMERY I

We, Rayford L. Stokes, Trustee and Joe Newman Fuqua, Trustee, owners of the property subdivided in the above and foregoing map of the RUSTIC OAKS SUBDIVISION, do hereby make subdivision of said property, according to the lines, streets, lots, alleys, parks, building lines, and easements therein shown, and designate said subdivision as RUSTIC OAKS in the EARLY HURRY SURVEY, A-343, MONTGOMERY COUNTY, TEXAS; and dedicate to public use, as such, the streets, alleys, parks, and easements shown thereon forever; and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated, or occasioned by the alteration of the surface of any portion of streets or alleys to conform to such grades; and do hereby bind ourselves, our heirs and assigns to warrant and forever defend the title to the land so dedicated.

This is to certify that we, Rayford L. Stokes, Trustee and Joe Newman Fuqua, Trustee, have complied with or will comply with all regulations heretofore on file with the Montgomery County Engineer and adopted by the Commissioners' Court of Montgomery County.

I, Gertrude L. Neal, owner and holder of a Vendor's Lien against the above described property, said Vendor's Lien being evidenced by an instrument of record in Volume 990, Pages 493-495 of the Waranty Deed Records of Montgomery County, Texas, do hereby in all things subordinate to said subdivision and dedication said Vendor's Lien and I hereby confirm that I am the present owner of said Vendor's Lien and have not assigned the same nor any part thereof.

There is also dedicated for utilities an unobstructed aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward, located adjacent to all easements shown hereon.

FURTHER, we do hereby dedicate forever to the public a strip of land fifteen (15) feet wide on each side of the center line of any and all gullies, ravines, draws, sloughs, or other natural drainage courses located in said subdivision, as easements for drainage purposes, giving Montgomery County and/or any other public agency the right to enter upon said easement at any and all times for the purpose of construction and/or maintaining drainage work and/or structures.

FURTHER, all of the property subdivided in the above and foregoing map shall be restricted in its use, which restrictions shall run with the title of the property, and shall be enforceable, at the option of Montgomery County, by Montgomery County or any citizen thereof, by injunction, as follows:

1. The drainage of septic tanks into road, street, alley or other public ditches, either directly or indirectly is strictly prohibited.
2. Drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater, and shall be a minimum of one and three quarters (1-3/4) square feet (18" diameter pipe culvert). Culverts or bridges must be used for driveways and/or walks.

We hereby covenant and agree that all lots within the boundaries of this subdivision are for residential purposes unless otherwise noted.

WITNESS our hands in Paris, Texas, this _____ day of December, 1978.

Rayford L. Stokes, Trustee

Joe Newman Fuqua, Trustee

Gertrude L. Neal

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority, on this day personally appeared Rayford L. Stokes, Trustee and Joe Newman Fuqua, Trustee, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 11th day of December, 1978.

Caroline D. Brown
Notary Public in and For
Montgomery County, Texas

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority, on this day personally appeared Gertrude L. Neal, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for purposes and consideration therein expressed, and in the capacity therein and herein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 11th day of December, 1978.

Caroline D. Brown
Notary Public in and For
Montgomery County, Texas

I, B. V. Cooper, County Engineer of Montgomery County, Texas, do hereby certify that the plat of this subdivision complies with all of the existing rules and regulations of this office as adopted by the Montgomery County Commissioners' Court.

I further certify that the plat of this subdivision complies with requirements for internal subdivision drainage as adopted by the Commissioners' Court; however, no certification is hereby given as to the effect of drainage from this subdivision on the intercepting drainage artery or parent stream or on any other area of subdivision within the watershed.

B. V. Cooper
County Engineer

RUSTIC OAKS

MONTGOMERY COUNTY, TEXAS

APPROVED BY THE COMMISSIONERS' COURT OF MONTGOMERY COUNTY, TEXAS THIS
DAY OF _____, 1978.

COUNTY COMMISSIONER, PRECINCT 1

COUNTY COMMISSIONER, PRECINCT 2

COUNTY JUDGE

COUNTY COMMISSIONER, PRECINCT 3

COUNTY COMMISSIONER, PRECINCT 4

I, ROY HARRIS, Clerk of the County Court of Montgomery County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 1978 at _____ o'clock, _____ M., and duly recorded on _____, 1978, at _____ o'clock, _____ M., in Volume _____ Page _____ of record of _____ for said County.

WITNESS MY HAND AND SEAL OF OFFICE AT CONROD, MONTGOMERY COUNTY, TEXAS, the day and date last above written.



ROY HARRIS, Clerk, County Court,
Montgomery County, Texas
By: _____

This is to certify that I, Lynn R. Lovett, a Registered Engineer of the State of Texas, have platted the above subdivision from an actual survey on the ground, and that all block corners, angle points and points of curve are properly marked with iron rods, and that this plat correctly represents that survey made by me.

Lynn R. Lovett
Lynn R. Lovett
Texas Registration No. 27936



Easement Note:
Electric Power Lines -
Electric power line easements are within the 15 foot wide public utility easement as indicated on the plat.

BARR ENGINEERING & SURVEYING CORP.
407 W. MAIN
TOMBALL, TEXAS 77375



LYNN R. LOVETT
REGISTERED PROFESSIONAL ENGINEER N° 27936

Cabinet C
Sheet 10A

DWG. N° 419
JOB N° 428-78

F.B. 237 PGS. 1-22
DWN. BY: S.R.C.
DATE: JULY 19, 1978