DEED RESTRICTIONS
TRES PALACIOS OAKS PROPERTY OWNERS ASSOCIATION

THE STATE OF TEXAS

COUNTY OF MATAGORDA

As recorded in the County of Matagorda Official Records

VOL 187 Page 772 and 773 Deed Restrictions for Tres Palacios Oaks Subdivision

WHEREAS, there now exists certain Restrictions to the Various Sections of Tres Palacios Oaks Subdivisions, which were recorded in the Deed Records of Matagorda County, Texas, when the various Sections were subdivided in the Tres Palacios Subdivision, as follows:

1. Restrictions a to the Live Oak Section dated April 28, 1969, recorded in Volume 5, Pages 47/50 of the Matagorda County Deed Records;

2. Restrictions as to the Oak Meadows Section dated February 1, 1971, recorded in Volume 6, Pages 31/33 of the Matagorda County Deed Records;

3. Restrictions as to the Creekside Section dated November 8, 1971, recorded in Volume 6, Pages 50/52 of the Matagorda County Deed Records;

4. Restrictions as to the High Meadow Section dated June 5, 1979, recorded in Volume 622, Page 575 of the Matagorda County Deed Records;

5. Restrictions to the High Meadow Extension Section will go into effect immediately.

Whereas, a duly called meeting with proper notification to all lot owners of the entire various Sections of the Tres Palacios Oaks Subdivisions was held on Saturday, April 9,1988, wherein all lot owners in the five (5) separate Sections an Subdivision of Tres Palacios Oaks cast their vote to amend and combine the outstanding Deed Restrictions of each of the above mentioned Sections into one (1) uniform set of Restrictions for lots and or Sections of the Tres Palacios Oaks Subdivisions, all in accordance with the By-Laws of the Tres Palacios Oaks Property Owners Association; and

Whereas, such outstanding Deed Restrictions as to each of the five (5) above named separate Sections were, (by more than majority of the vote of the qualified lot owners and members), terminated and amended by such membership in the combined Sections of Tres Palacios Oaks Subdivisions and such members and owners duly adopted one uniform set of Restrictions for the Live Oak Section, Oak Meadows Section, Creekside Section, High Meadow Section and High Meadow Extension Section, which shall constitute covenants and conditions running with the land for a ten (10) year period, but said Restrictions shall nevertheless continue to the end of the period for which they are then in effect.

Whereas, the owners of a majority of the square foot area in said Subdivisions may terminate or amend the same on April 1, 1989, or at the end of any successive ten (10) year period thereafter by executing, acknowledging and filing for record in the Matagorda County Clerk's office an appropriate instrument or

agreement in writing for such purpose which may be filed at any time within five (5) years of the end of any successive ten (10) year period, but said Restrictions shall nevertheless continue to the end of the period for which they are then in effect.

NOW, THEREFORE, for and in consideration of the mutual benefits to the parties and owners of property in Tres Palacios Oaks Subdivisions, we hereby adopt the following restrictions:

TRES PALACIOS OAKS RESTRICTIONS

These restrictions are superseding all other restrictions, for High Meadow Section, Live Oak Section, Oak Meadow Section, and for Creed Side Section. These restrictions incorporate all sections into one uniform set for all of Tres Palacios Oaks Subdivision.

These easements, covenants, restrictions and conditions to which such property shall be subject are:

1. Property in said subdivision shall be used for single residence families only. No duplexes, rooming houses or similar building shall be permitted upon such property.

2. No lot or any part thereof may be used for commercial, business or professional uses of any type.

3. No building shall be occupied while it is in the process of construction. All buildings shall be completed on the outside within six (6) months after construction is commenced, and if wood, they must have at least two coats of high grade paint or stain applied to the exterior, except where cedar siding is used.

4. No more than one residence shall be erected on any lot.

5. No residence may be constructed or covered with tarpaper, metal or any material other than that customarily used for the erection of residences. All residences shall have minimum of six hundred (600) sq. ft. of living area, not counting stoops or porches.

6. No tents or canvas covered shelters to be used as permanent living quarters, nor be placed on any lot.

7. No displaying or discharging of any kind of firearms.

8. No used material may be used in the construction of any structure in the subdivision.

9. No used house or other building may be moved onto any lot in said subdivision.

10. No part of any lot shall be used for the dumping of rubbish, trash and other waste, all of which shall be kept in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept clean and sanitary.

11. No sewage or other waste matter shall be placed or deposited in or permitted to drain into the bar ditches. All septic tanks and lines shall be designed for maximum seepage and comply with Matagorda County Specifications.

12. All piers, docks and other structures erected adjacent to any lot shall conform to all regulations and laws pertaining to said property. No boathouses or pier shall extend into the Tres Palacios River more than Matagorda County Specifications from the rear property line. Piers or boathouses may not extend into canals or lakes more than six (6) feet from the rear property line. No building or residence shall be located on any lot nearer than the minimum set back lines shown on the recorded plat, or nearer than five (5) feet to any side lot line, including overhangs, stoops and porches.

13. The river is for the use of all persons in the subdivision and shall not be obstructed in any manner. No waste, refuse or other foreign material of any kind shall be dumped or deposited in any said waterways.

14. No livestock shall be staked or pastured on any lot. No animals, livestock or poultry of any kind shall be raised, or bred or kept on any lot, except that dogs and cats or other household pets may be kept, provided they are not bred, kept or maintained for any commercial purpose and solely as pets.

15. No signs, billboards and advertising devices of any character shall be erected on any lot or plat.

16. Factory made mobile homes are permitted as long as they are NOT over (5) years old when moved onto premises, and are in good condition. Certificate of Title must be presented at subdivision office to verify the age at time of delivery.

17. Swimming pools, park and launching ramps are for the sole use and benefit of property owners and their guests. Association, nor Board of Directors does not assume any liability for theft, loss, damage, or injuries sustained.

18. At any and all elections each member in good standing in said subdivision shall be entitled to vote and shall be entitled to one vote for each lot owned. Owners of Fractional lots shall be entitled to (1/2) one-half vote irrespective of the fraction of lot held by owner.

19. All lots in said subdivision are subject to an annual Maintenance charge per lot per year. The said "Maintenance Charge" shall be due and payable on April 1st of each year, and on any lots purchased after April 1st, the Maintenance Fee will be pro-rated.

20. The maintenance charge shall be secured by a lien which is expressly created and retained upon each and every lot in the addition and shall be paid by each and every lot owner annually in advance. The Board of Directors shall be custodian and administrator of the maintenance fund, and the vendor's lien is transferred an assigned to the Board of Directors and the charges shall be payable to the Board of Directors in Matagorda County, Texas, at such address as it may designate from time to time.

21. All funds collected shall be used for any and all purposes in said subdivision which the Board of Directors in its sole judgment may deem for the benefit of the owners of any lots in said subdivision as outlined in the By-Laws.

22. All driveways or entrances to residential lots must be approached from inside the subdivision.

23. All culverts must be of size designated by drainage area within the subdivision and must be authorized by the Board of Directors.

24. If any person or persons, firm or corporation violates or attempts to violate any of these restrictions, covenants, or conditions, the Board of Directors or any person owning of having an interest in any lot in said subdivision may institute and prosecute any proceedings at law or in equity, to abate, prevent or enjoin any violation, or attempted violation, and in such event may recover any and all damages incurred, including but not limited to any and all expenses incurred in connection with institution and prosecution of such action, including without limitation attorney's fees, court cost and all other expenses so incurred.

25. If a suit is filed to collect maintenance funds, the purchaser shall be obligated to pay all attorneys' fees.

26. In validation of any one or more of these restrictions, covenants or conditions by judgment, court order or otherwise shall in no way effect or invalidate any other restriction, covenant or condition, all such other restrictions, covenants and conditions shall continue in full force and effect.

The following Restrictions were adopted by 2/3 members in good standing April 4, 2009 as follows:

1. The burning of household garbage is not allowed in the subdivision. Burning brush or just having a fire is allowed as long as there is no "burn ban" called by county officials.

2. The board of directors may fine operators of any vehicle $200.00 for traveling at excessive speeds, vehicles improperly taking-off, driving across other people's lots or subdivision parks or reserves, destruction of personal property, endangering the lives of others, etc. This fine will only apply within the platted boundaries of Tres Palacios Oaks, a private street subdivision.

The Following Restrictions were adopted by 2/3 members in good standing December 19, 2009 as follows:

1. As a property owner, I understand there are no lifeguards or other personnel at the pools, boat ramp, piers, parks, or other TPO-POA property, and I agree to indemnify and hold harmless TPO-POA as it relates to property owner association liability and further understand that we all use these facilities and the private roads inside our community at our own risk.

2. As a property owner, I understand it is my responsibility to read the deed restrictions and By-Laws of our community and obey them and all signs in our community. I understand that driving on or across other member's property will result in fines.

3. The speed limit within the subdivision is 20 MPH (this includes all vehicles and excessive speeds will result in fines). I understand that driving on or across other member's property will result in fines.

4. All members understand that each property owner is responsible for his/her guests and will be liable for any violations of Deed Restrictions, By-Laws, and resulting fines of his/her guests.

5. TPO is monitored by video/audio surveillance and any evidence obtained from this equipment may be used against violators and will be admissible in court to protect member's property and solve crimes.

6. All members understand that there will be a charge for the gate cards (voted on by the members in good standing) and each member in good standing is eligible to purchase as many cards as they need for

their family and guests. I understand that I must be current on all maintenance fees, mowing fees, fines, etc. to be eligible to purchase gate cards.

7. If any member becomes 30 days delinquent from the invoice date, we understand that their gate card(s) will be deactivated and will not open the gate.

8. Gate cardholders understand that if they allow non-current members to use their card(s), it will result in a $250 fine per occurrence.

The following Restrictions were adopted by 2/3 members in good standing March 31, 2010 as follows:

1. The ACC By-Laws shall include that all exterior paint for new construction, remodeling or repainting, should be consistent with standard residential home colors – no loud or fluorescent yellows, orange, blue, purple, etc.

2. The ACC By-Laws shall include that all remodeling shall be done with the same type and style of exterior material as the adjacent material on the structure (do not use dissimilar materials for repairs). You should use the same exterior material on the building. Example: No plywood repairs on a metal trailer; no plywood door on a home that does not match style of home. If your structure is made of T-111 siding make repairs with T-111, don't switch to plywood.

3. The subdivision will set live/humane traps for loose dogs and feral cats. When animals are captured the animal control will be called for pick up.

4. As per the Health and Safety Code 822.041-047 concerning Dangerous Dogs, any dog that commits unprovoked acts of bodily injury must be registered, kept in a secure enclosure and the owner must carry liability insurance of at least $100,000.

5. Standard fencing materials are to be utilized within the subdivision--no plywood, tin, scrap lumber, etc. allowed to be used.

6. The subdivision will notify owners whose lots are unsightly and grown up with tall grass, shrubs, trees, etc. that they have 14 days' notice to clean up the lot. After that time the association has the right to mow, trim and clean up the trash on these lots at the owner's expense whether or not the lot is listed with the association for mowing.

7. All residences are required by county emergency operations to obtain the 911address for the home or structure. Each address shall be posted with reflective material for faster service.

8. No more than 2 boats, 3 cars and 1 RV may be parked in the driveway of property--not in the yard.

The following restriction was adopted by 2/3 members April 7, 2018 as follows:

1. TPO will assess a $10.00 fee to each lot in the Subdivision annually; these funds are to be placed in the Road and Maintenance Fund for road repair only.

The following Restrictions were amended by a 2/3 member vote August 31, 2019 as follows:

Restriction #2 revised to – No lot or any part thereof may be used for commercial, business or professional uses without approval of the TPOPOA Board of Directors.

Restriction #3 revised to – No building shall be occupied while it is in the process of construction. All buildings shall be completed on the outside within six (6) months after construction is commenced. Wood must have at least two coats of high grade paint or stain applied to the exterior, except where cedar siding or metal is used.

Restriction #5 revised to – No residence may be constructed or covered with tarpaper, or any material other than what is customarily used for the erection of residences. All residences shall have a minimum of four hundred (400) sq ft of living area.

Restriction # 16 revised to – Factory mobile or modular homes are permitted as long as they are in excellent condition and must be approved by TPOPOA Board of Directors before being moved in to the TPOPOA subdivision.

The following Restrictions were adopted by 2/3 members vote April 06, 2024 as follows:

1. No travel trailer, RV or other building may be moved onto any lot in said subdivision without prior approval and inspection from the ACC and TPOPOA Board of Directors.

The following Restrictions were amended by a 2/3 members vote April 06, 2024 as follows:

Restriction #14 revised to – No livestock shall be staked or pastured on any lot. No animals, livestock or poultry of any kind shall be raised, or bred or kept on any lot, except that no more than four (4) dogs and (4) cats with vaccination records, or other household pets may be kept, provided they are not bred, kept or maintained for any commercial purpose and solely as pets.

Restriction #17 revised to – Swimming pool, park and launching ramps are for the sole use and benefit of property owners and their guests. Property owners will be responsible for their guests. Association, nor Board of Directors does not assume any liability for theft, loss, damage or injuries.

END OF DEED RESTRICTIONS