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NACOGDOCHES COUNTY
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THE STATE OF TEXAS ⁶⁵ 6122
COUNTY OF NACOGDOCHES X

DEED RECORDS
VOL 411 PAGE 577

RESTRICTIONS FOR ARBOR OAKS SUBDIVISION,
SECTION THREE AND SECTION FOUR,
AN ADDITION TO THE CITY OF NACOGDOCHES, TEXAS

KNOW ALL MEN BY THESE PRESENTS: -

That Billy J. Roberts and Sophie L. Roberts, owners of Arbor Oaks Subdivision, in order to insure uniformity and harmony in the character of buildings, and in order to maintain the suitability of the neighborhood for residential purposes, and to carry out a general plan for the protection, benefit, use and convenience of every purchaser of a lot or lots in Arbor Oaks Subdivision, Section Three (3) and Section Four (4), an addition to the City of Nacogdoches, Nacogdoches County, Texas, plats of which are recorded in Volume 2, Page 50 (Section 3) and Volume 2, Page 52 (Section 4) of the Map and Plat Records of Nacogdoches County, Texas, to which reference is hereby made for a complete description of said Addition, and each and every lot therein, do hereby adopt the following protective covenants:

1.

All lots shall be used for single family owner occupied residential purposes only.

2.

No building shall be erected, altered, placed or permitted to remain on any lot other than one detached, single family dwelling, not exceeding two stories in height, and a private garage for not more than four (4) cars.

3.

The heated and cooled area of the main structure, exclusive of porches and garage, shall not be less than 1,150 square feet.

4.

No building shall be located nearer to a street than 578
thirty (30) feet from the back of the curb nor nearer than ten
(10) feet to any side lot line.

5.

No residential structure shall be constructed or placed upon any lot unless it shall have at least forty per cent (40%) of the area of the exterior (exclusive of window, roof and door openings) finished with brick or stone without the written approval of Billy J. Roberts.

6.

No old existing house or pre-built or pre-fabricated house or structure shall be moved, placed or maintained on any lot in the Subdivision without the written approval of Billy J. Roberts.

7.

No fence or similar structure having a height of more than eighteen (18) inches may be erected or maintained on the front or side of any lot anywhere in the area between the front line of the house and the front line of the street, unless constructed of masonry.

8.

No detached garage or other outbuilding shall be erected, placed or maintained nearer than sixty (60) feet to the front property line of the lot on which it is placed.

9.

No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be an annoyance or nuisance to the neighborhood, No lot therein shall

be used or maintained as a dumping ground for rubbish, Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. 579

10.

No structure of a temporary character, trailer, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.

11.

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

12.

No truck, bus, or trailer shall be left parked in the street in front of any Lot except for construction and repair equipment while a residence or residences are being built or repaired in the immediate vicinity.

13.

No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location and finish grade elevations of the structure have been approved by the dedicator, Billy J. Roberts, as to quality of workmanship and materials, compatibility of exterior design with existing structures and environment.

ROOFS: All roofs shall be constructed of Cedar shingles, slats, tile, rigid asbestos, composition shingles, or such other roofing material of equal or better character and quality with same esthetic appeal.

All driveways serving such dwellings shall be hard surfaced with asphalt, concrete or such other materials as the said 580
Billy J. Roberts may designate.

No fence shall be constructed or allowed to remain in front of the minimum building set-back line. No fence, wall, storeroom, playhouse, tree house or any type of separate structure shall be erected, placed or altered on any lot until construction plans and specifications showing the location of the structure have been approved as above set out as to quality of workmanship and materials, compatibility of exterior design with existing structures and environment.

14.

The use of all lots and blocks in this Addition and the erection of any buildings thereon shall conform to existing and future zoning regulations of the City of Nacogdoches, Nacogdoches County, Texas.

15.

Easements for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat of said Addition, as well as Dedicator's reservation unto himself of requisite easements along any and all lot lines as he may determine necessary for the purpose of serving said lots with all utility systems, electric, telephone, gas, water and sewer, whether underground or overhead.

16.

Nothing herein shall prevent the construction on any lot in the Subdivision of a swimming pool or cabana, or any other structure incidental and appropriate to residential occupancy, provided the location of same on the lot is not in violation of

the building set-back requirements set forth in Paragraphs 4 and 8 above.

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17.

It shall be permissible at the option of Billy J. Roberts for one or more lot in the Subdivision to be set aside for community purposes, and such lot or lots, if so set aside, may be excluded from the requirements of Paragraphs 1, 2, 3, 5 and 7 of these restrictions.

18.

These covenants are to run with the land, and shall be binding on all parties and all persons claiming under them for a period of twenty (20) years from the date these covenants are recorded, after which said covenants shall be automatically extended for successive periods of ten (10) years each unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part.

19.

Enforcement of the protective covenants affecting said conditions shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain any violation or to recover damages, and may be begun by any owner of any lot in the said Subdivision as these covenants and conditions shall inure to the benefit of any such owner or same shall inure to the benefit of any lien holder or any municipality having jurisdiction of such Subdivision; any invalidation of any one of these covenants by judgment or other Court Order shall in no wise affect any other provisions and all of which shall yet remain in full force and effect.

No lot may be used for the establishment of any road or roadway other than as a driveway to serve the dwelling house situate on said lot or an adjoining lot, but no part of any lot may be dedicated to the public use without the consent of Billy J. Roberts and Sophie L. Roberts.

Dated this the 5th day of October, A.D., 1976.

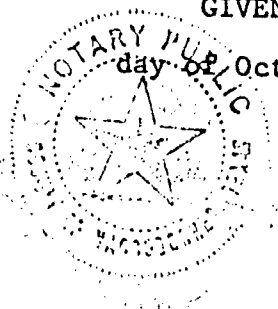
Billy J. Roberts
Billy J. Roberts

Sophie L. Roberts
Sophie L. Roberts

THE STATE OF TEXAS X
COUNTY OF NACOGDOCHES X

BEFORE ME, the undersigned authority, on this day personally appeared BILLY J. ROBERTS and SOPHIE L. ROBERTS, known to me to be the persons whose names are subscribed to the foregoing instruments, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 5 day of October, A.D., 1976.



Joseph Horca
Notary Public in and for Nacogdoches County, Texas.

FILED FOR RECORD
At 1:15 O'clock P.M.

NOV 11 1976

Hope Skipper
County Clerk, Nacogdoches County, Texas
By [Signature] DEPUTY

STATE OF TEXAS
COUNTY OF NACOGDOCHES
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me, and was duly RECORDED, in the Volume and Page of the named RECORDS of Nacogdoches County, Texas as stamped hereon by me, on

NOV 16 1976



Hope Skipper
COUNTY CLERK
NACOGDOCHES COUNTY, TEXAS



TRUE AND CORRECT COPY
OF ORIGINAL FILED IN
NACOGDOCHES COUNTY
CLERK'S OFFICE

THE STATE OF TEXAS
COUNTY OF NACOGDOCHES

X
X

750

864

DEED RECORDS
VOL. 414 PAGE 129

AMENDED RESTRICTIONS FOR ARBOR OAKS SUBDIVISION,
SECTION THREE AND SECTION FOUR,
AN ADDITION TO THE CITY OF NACOGDOCHES, TEXAS

KNOW ALL MEN BY THESE PRESENTS:

That Billy J. Roberts and Sophie L. Roberts, owners of Arbor Oaks Subdivision, in order to insure uniformity and harmony in the character of buildings, and in order to maintain the suitability of the neighborhood for residential purposes, and to carry out a general plan for the protection, benefit, use and convenience of every purchaser of a lot or lots in Arbor Oaks Subdivision, Section Three (3) and Section Four (4), an addition to the City of Nacogdoches, Nacogdoches County, Texas, plats of which are recorded in Volume 2, Page 50, (Section 3) and Volume 2, Page 52 (Section 4) of the Map and Plat Records of Nacogdoches County, Texas, to which reference is hereby made for a complete description of said Addition, and each and every lot therein, do hereby adopt the following protective covenants:

1.

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2.

No building shall be erected, altered, placed or permitted to remain on any lot other than one detached, single family dwelling, not exceeding two stories in height, and a private garage for not more than four (4) cars.

3.

The heated and cooled area of the main structure, exclusive of porches and garage, shall not be less than 1,000 square feet.

4.

No building shall be located nearer to a street than thirty (30) feet from the back of the curb nor nearer than ten (10) feet to any side lot line.

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5.

No residential structure shall be constructed or placed upon any lot unless it shall have at least forty per cent (40%) of the area of the exterior (exclusive of window, roof and door openings) finished with brick or stone without the written approval of Billy J. Roberts.

6.

No old existing house or pre-built or pre-fabricated house or structure shall be moved, placed or maintained on any lot in the Subdivision without the written approval of Billy J. Roberts.

7.

No fence or similar structure having a height of more than eighteen (18) inches may be erected or maintained on the front or side of any lot anywhere in the area between the front line of the house and the front line of the street, unless constructed of masonry.

8.

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No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be an annoyance or nuisance to the neighborhood, No lot therein shall

be used or maintained as a dumping ground for rubbish, Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. 131

10.

No structure of a temporary character, trailer, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.

11.

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

12.

No truck, bus, or trailer shall be left parked in the street in front of any Lot except for construction and repair equipment while a residence or residences are being built or repaired in the immediate vicinity.

13.

No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location and finish grade elevations of the structure have been approved by the dedicator, Billy J. Roberts, as to quality of workmanship and materials, compatibility of exterior design with existing structures and environment.

ROOFS: All roofs shall be constructed of Cedar shingles, slats, tile, rigid asbestos, composition shingles, or such other roofing material of equal or better character and quality with same esthetic appeal.

All driveways serving such dwellings shall be hard surfaced with asphalt, concrete or such other materials as the said Billy J. Roberts may designate.

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No fence shall be constructed or allowed to remain in front of the minimum building set-back line. No fence, wall, storeroom, playhouse, tree house or any type of separate structure shall be erected, placed or altered on any lot until construction plans and specifications showing the location of the structure have been approved as above set out as to quality of workmanship and materials, compatibility of exterior design with existing structures and environment.

14.

The use of all lots and blocks in this Addition and the erection of any buildings thereon shall conform to existing and future zoning regulations of the City of Nacogdoches, Nacogdoches County, Texas.

15.

Easements for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat of said Addition, as well as Dedicator's reservation unto himself of requisite easements along any and all lot lines as he may determine necessary for the purpose of serving said lots with all utility systems, electric, telephone, gas, water and sewer, whether underground or overhead.

16.

Nothing herein shall prevent the construction on any lot in the Subdivision of a swimming pool or cabana, or any other structure incidental and appropriate to residential occupancy, provided the location of same on the lot is not in violation of

the building set-back requirements set forth in Paragraphs 4 and 8 above.

133

17.

It shall be permissible at the option of Billy J. Roberts for one or more lot in the Subdivision to be set aside for community purposes, and such lot or lots, if so set aside, may be excluded from the requirements of Paragraphs 1, 2, 3, 5 and 7 of these restrictions.

18.

These covenants are to run with the land, and shall be binding on all parties and all persons claiming under them for a period of twenty (20) years from the date these covenants are recorded, after which said covenants shall be automatically extended for successive periods of ten (10) years each unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part.

19.

Enforcement of the protective covenants affecting said conditions shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain any violation or to recover damages, and may be begun by any owner of any lot in the said Subdivision as these covenants and conditions shall inure to the benefit of any such owner or same shall inure to the benefit of any lien holder or any municipality having jurisdiction of such Subdivision; any invalidation of any one of these covenants by judgment or other Court Order shall in no wise affect any other provisions and all of which shall yet remain in full force and effect.

No lot may be used for the establishment of any road or roadway other than as a driveway to serve the dwelling house situate on said lot or an adjoining lot, but no part of any lot may be dedicated to the public use without the consent of Billy J. Roberts and Sophie L. Roberts.

21.

These amended restrictions for Arbor Oaks Subdivision, Section 3 and Section 4, are made in lieu of those certain restrictions of Arbor Oaks Subdivision, Section 3 and Section 4, dated October 5, 1976, and recorded in Volume 411, Page 577, Deed Records of Nacogdoches County, Texas, for the purpose of correcting an error contained in such restrictions wherein it was stated in Paragraph No. 3 that the heated and cooled area of the main structure, exclusive of porches and garage, shall not be less than 1,150 square feet, when in truth and fact such restrictions should have required only 1,000 square feet of such heated and cooled area and in all other respects, these amended restrictions ratify and confirm such former restrictions.

Dated this the 1st day of February, A.D., 1977.

Billy J. Roberts

Billy J. Roberts

Sophie L. Roberts

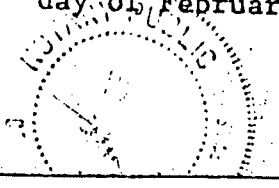
Sophie L. Roberts

THE STATE OF TEXAS
COUNTY OF NACOGDOCHES

X
X

BEFORE ME, the undersigned authority, on this day personally appeared BILLY J. ROBERTS and SOPHIE L. ROBERTS, 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 expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 9th day of February, A.D., 1977.



Nancy M. Reynolds

Notary Public in and for
Nacogdoches County, Texas.

FILED AT 11:20 O'CLOCK A M

FEB 9 1977

HOPE SKIPPER, CLERK, COUNTY COURT
NACOGDOCHES COUNTY, TEXAS

BY *Jenna Ridd* DEPUTY

STATE OF TEXAS }
COUNTY OF NACOGDOCHES }
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me; and was duly RECORDED, in the Volume and Page of the named RECORDS of Nacogdoches County, Texas as stamped hereon by me, on

FEB 15 1977



Hope Skipper

COUNTY CLERK
NACOGDOCHES COUNTY, TEXAS