MAP OF CROSS MOUNTAIN ACRES

OUTLOT No. 524

SUR. No. 190
JAMES W. CLARK

CROSS MOUNTAIN DRIVE EAST

BLOCK A

BLOCK B

BLOCK C

BUNNY MEADOW DRIVE

UNNUMBERED OUTLOT

AVENUE

ALLEY

STREET

SCALE: 1" = 100'

ORIGINAL IN Vol. 80, page 464

CROSS MOUNTAIN ACRES

UNIT NO. 5

BEING 15.94 ACRES OF LAND, SITUATED IN GILLESPIE COUNTY, TEXAS, COMPRISING PART OF OUTLOT NO. 308 AND PART OF OUTLOT NO. 309 AS SAID OUTLOTS ARE KNOWN ON THE MAP OF FREDERICKSBURG, TEXAS, BY THE GERMAN EMIGRATION COMPANY, AND AS LAID OUT ON THE JOSE MARIA DE MOLLIS SURVEY NO. 132, ABSTRACT NO. 263, AND THE NICHOLAS FAIR SURVEY NO. 130, ABSTRACT NO. 846, AND BEING THAT 9.97 ACRE TRACT OF LAND DESCRIBED IN A CONVEYANCE TO CMA INVESTMENTS, A JOINT VENTURE, BY HELENA HEFFENDORF, DATED JUNE 29, 1993, FOUND OF RECORD IN VOLUME 250, PAGES 214-218 OF THE REAL PROPERTY RECORDS OF GILLESPIE COUNTY, TEXAS, AND BEING THAT 9.97 ACRE TRACT OF LAND DESCRIBED IN A CONVEYANCE TO CMA INVESTMENTS BY DANIEL HEFFENDORF, ET AL, DATED JUNE 29, 1993, FOUND OF RECORD IN VOLUME 250, PAGES 219-223 OF SAID REAL PROPERTY RECORDS.

I (We) hereby certify that, I am (We are) the owner(s) of the property shown and described hereon and that I (We) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all public streets, alleys, walks, parks, water courses, easements and other open space to public use forever.

6-7, 1994 Richard Stehling Jr
Owner

Charles E. Fitz
Owner

THE STATE OF TEXAS,
COUNTY OF GILLESPIE.
This instrument was acknowledged before me on this the 7th day of June, 1994, by Richard Stehling Jr

Donna E. Durst
Notary Public in and for
The State of Texas.

My commission expires: 8-4-95

Donna E. Durst
Printed Name of Notary

THE STATE OF TEXAS,
COUNTY OF GILLESPIE.
This instrument was acknowledged before me on this the 7th day of June, 1994, by Charles E. Fitz

Donna E. Durst
Notary Public in and for
The State of Texas.

My commission expires: 8-4-95

Donna E. Durst
Printed Name of Notary

I, hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for the City of Fredericksburg, Texas, with the exception of such variances, if any, as are noted in the minutes of the City Board of Commissioners and that it has been approved for recording in the office of the County Clerk.

9 June 1994 Diane M. Kemmlead
Chairman, City Planning & Zoning Commission

I, the undersigned, a Registered Professional Land Surveyor, hereby certify that this plat is true and correctly made and is prepared from an actual survey of the property made under my supervision on the ground and that the corner monuments were properly placed under my supervision.

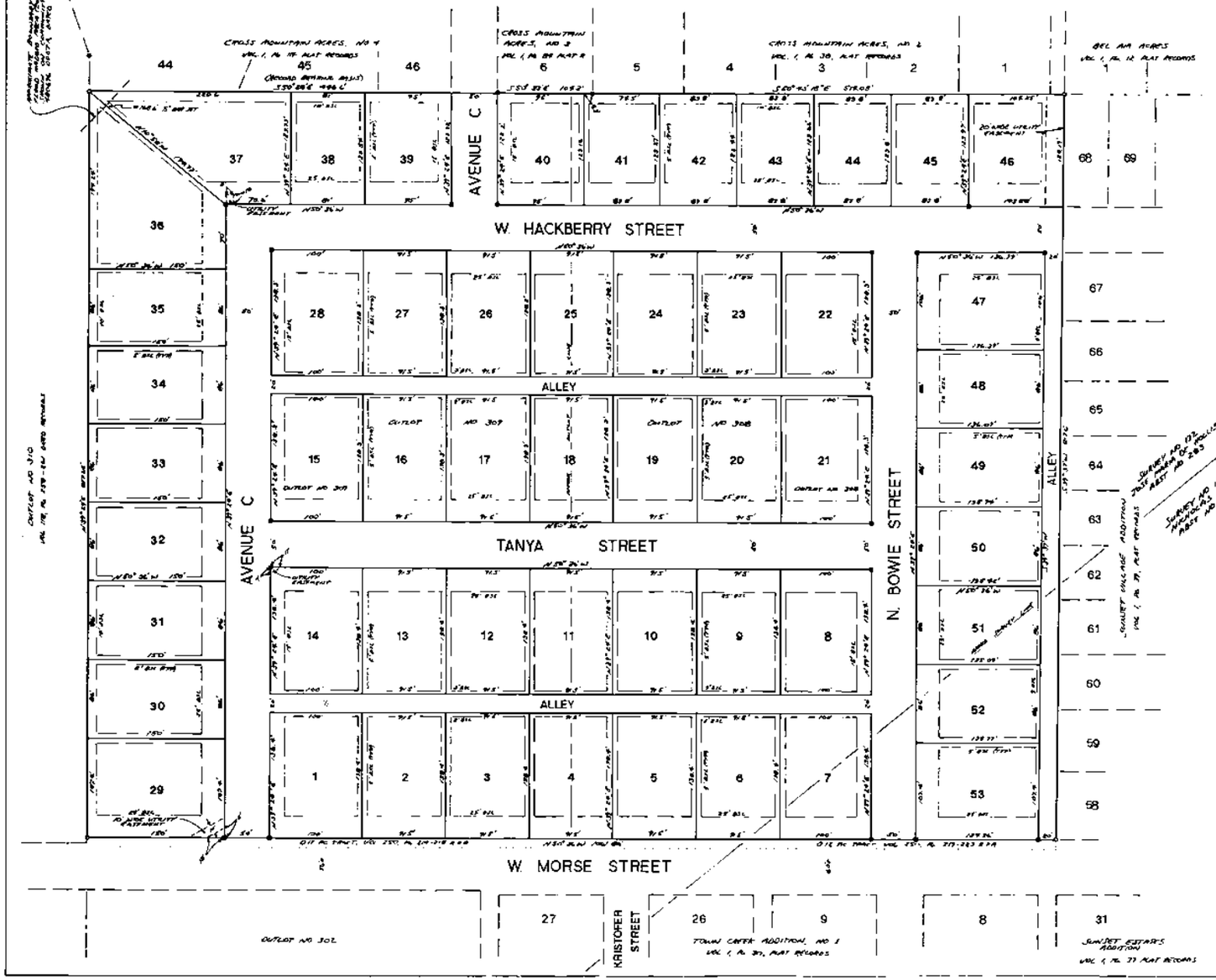
APRIL 28, 1993
Date of Survey

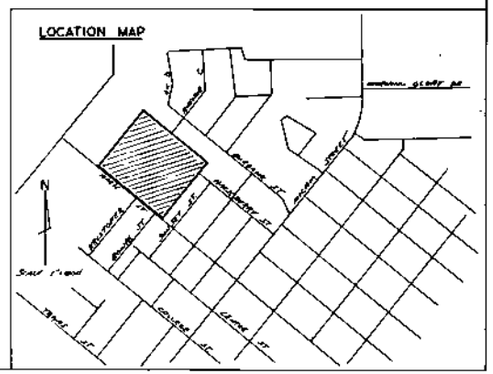
Registered Professional
Land Surveyor No. 4447
Bunn Surveying 210-997-3864

Filed for record at 9:13 o'clock A.M., this the 10th day of June, 1994, A.D., on Page 48 Volume 2 of the Plat Records of Gillespie County, Texas

Deputy

Clerk, County Court
Gillespie County, Texas





CJB/emh/6/22/93/RE10

CROSS MOUNTAIN ACRES ADDITION, UNIT NO. 5 TO THE PUBLIC

DEDICATION DEED

THE STATE OF TEXAS §
KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF GILLESPIE §

9423/96

THAT, CMA INVESTMENTS, a Joint Venture, CHARLES E. ITZ and RICHARD STEHLING, JR., Venture partners, being the sole owners of the following described tract of land, to-wit:

> BEING 20.18 acres of land situated in Gillespie County, Texas, being out of Outlot No. 308 and Outlot No. 309, as said outlots are shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company and laid out on part of Survey No. 132, Jose Maria de Hollis and on part of Survey No. 130, Nicholas Pain, said 20.18 acres of land being more particularly described as Tracts I, II, III, and IV on Exhibit "A" attached hereto and incorporated herein by reference.

does hereby subdivide said property into CROSS MOUNTAIN ACRES ADDITION, Unit No. 5, an Addition to the City of Fredericksburg, Gillespie County, Texas, as shown by the Map or Plat thereof found of record in Volume 2, Page 48, of the Plat Records of Gillespie County, Texas, for the purpose of selling lots and tracts of land with reference thereto and for all other purposes; and do hereby dedicate to the City of Fredericksburg, Texas, for public use forever, the streets, alleys, water courses, drains, easements and public places shown on said plat to be used as public thoroughfares and for the installation and maintenance of any and all public utilities which said City may elect to install and maintain, or permit to be installed and maintained, said dedications being subject to the following restrictive and protective covenants.

The undersigned owners do hereby adopt the following restrictions, protective covenants and conditions which are to run with the land and shall be binding upon and inure to the benefit of all parties and all persons claiming under them until July 1, 2013, at which time said restrictions, protective covenants and conditions shall be automatically extended for successive periods of ten (10) years unless a majority of the then owners of the lots in said said Addition shall execute an

instrument waiving or amending the restrictions, protective covenants or conditions prior to July 1, 2013 or to the expiration of any of the successive ten (10) year periods. No amendment shall be effective until recorded in the Real Property Records of Gillespie County, Texas or until the approval of any governmental regulatory body which is required shall be obtained, viz:

1. All lots and every part thereof are restricted to single family residential uses exclusively and none of said property shall be used for business or commercial purposes.

2. No dwelling house shall be constructed upon any lot in this addition, which contains less than 1400 square feet of living area, exclusive of garages, carports and porches, and all dwelling houses shall have masonary construction or brick, rock or stucco veneer covering not less than 70% of the exterior wall area. The exterior wall area shall not include the area occupied by entrance doors, windows, garage doors or gables.

3. Only new construction materials (except for used brick or stone) shall be used in construction of any structure situated on a lot.

4. No swine or any other animals or poultry that are noxious or offensive shall be kept upon any lot or portions thereof.

5. Every dwelling constructed upon said property shall be provided with sanitary, indoor plumbing and no permanent outdoor privies shall be permitted.

6. No trailer, trailer house, modular home, tent, shack, garage apartment or servant's quarters shall ever be used as a dwelling, temporary or permanent, in evasion of these restrictive covenants and conditions.

7. No shack, trailer, trailer house, modular home, or tent shall ever be placed upon any of said property for dwelling or any other permanent purpose, except that trailers belonging to individual owners of said property may be stored upon the premises provided they are not used for dwelling purposes.

8. No dwelling house or other structures shall be moved upon the premises from outside said addition, except with the express consent of a majority vote of the lot owners, each lot to be allowed one vote.

9. All restrictive covenants and conditions herein shall apply to future remodeling of buildings and to rebuilding in case of destruction by fire or the elements.

10. No fence, wall or hedge shrub, which obstructs sight lines at elevations between two and six feet above the roadway shall be placed or permitted to remain on any corner lot within a triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines. All fences shall be constructed of new material (except for used brick or stone).

11. No dwelling shall be erected or placed on any lot on which the lot width is less than 70 feet at the minimum building set back line.

12. No noxious or offensive activity shall be carried upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood such as a secondary business as auto mechanic or repair shop.

13. No sign of any kind shall be displayed tc the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period. The developer may erect a sign of larger size in conformance with city ordinance to advertise the development as long as there remains any unsold lots in the development.

14. No fence or wall shall be erected nearer the front property line than the front of the dwelling.

15. No inoperative vehicles shall remain parked on the premises, in streets or in alleys, for longer than thirty (30) days.

16. All boats, boat trailers, stock trailers or trailers of any kind, and all vehicles having a load capacity of greater than one (1) ton, shall be parked on the property of the lot owner, and shall not be parked on any street or alley.

17. All outbuildings such as tool sheds, storage houses, trailer ports, etc. shall have the exterior walls constructed of standard building materials, including colored metal and painted concrete block. Galvanized metal on the exposed walls of any such outbuilding is expressly prohibited.

18. No residence shall be occupied until construction of the interior and exterior of ·e residence is completed.

19. The erection or construction of log homes shall be prohibited in this subdivision.

20. Each owner of a lot in the subdivision shall keep said property clean and neat in appearance and free of litter at all times, including the occasional mowing of grass and weeds which shall enhance the beauty of the subdivision and act as a fire protection measure.

21. The covenants and conditions set forth above shall be covenants running with the title of any lot or division of any lot.

If the undersigned or its assigns shall violate or attempt to violate any of the restrictive covenants and conditions herein, any owner of any property in the Addition may prosecute any proceeding at law or in equity against such owner violating or attempting to violate any such restrictive covenants and conditions, either to prevent it or them from doing so and/or to recover damages or other dues for such violation. Failure to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other restrictive

covenants and conditions which shall remain in full force and effect.

SECURITY STATE BANK AND TRUST, FREDERICKSBURG, TEXAS, as lienholder, agrees to subrogate its rights under any document creating a lien and security interest in the property to the restrictions, protective covenants and conditions which are herein created.

WITNESS our hands this the 9th day of June, 1994.

RICHARD STEHLING, JR.

CHARLES E. ITZ

SECURITY STATE BANK AND TRUST,
FREDERICKSBURG, TEXAS

BY: Gary Stehling
Printed Name: Gary Stehling
Title: Vice President

STATE OF TEXAS §

COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the 9th day of June, 1994, by RICHARD STEHLING, JR. and CHARLES E. ITZ.

CARROLL J. BRYLA
MY COMMISSION EXPIRES
January 2, 1997

Carroll J. Bryla
Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the 9th day of June, 1994, by Gary Stehling, Vice President of SECURITY STATE BANK AND TRUST, FREDERICKSBURG, TEXAS, on behalf of said bank.

CATHLEEN STRAUBE
Notary Public
STATE OF TEXAS
My Comm. Exp. MAR. 31, 1997

Cathleen Straube
Notary Public, State of Texas

EXHIBIT "A"

9.97 ac. part of Outlot 309

THE STATE OF TEXAS, *
COUNTY OF GILLESPIE. *

Field notes of a survey of 9.97 acres of land made at the request of Helen Neffendorf, et al. Said land is situated in Gillespie County, Texas, being part of Outlot No. 309 as said Outlot is shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company, and laid out on part of Survey No. 132, Jose Maria de Hollis.

Said 9.97 acre tract of land is described by metes and bounds as follows, to wit:

BEGINNING at a steel bar set at an old fence post, taken for the North corner of Outlot 309, being the west corner of Lot 44, Cross Mountain Acres Addition, Unit No. 3, plat found of record in Volume 1, page 84 of the Plat Records of Gillespie County, Texas, for the North corner of this tract of land;

THENCE with the S.W. line of Cross Mountain Acres Addition, Unit No. 3, S. 50 deg. 28 min. E. 532.6 feet to the east corner of Outlot No. 309, for the north corner of Outlot No. 308, for the East corner of this tract of land;

THENCE with the S.E. line of Outlot No. 309 and with the N.W. line of Outlot 308, S. 39 deg. 32 min. 45 sec. W. 816.32 feet to a point in the N.E. line of W. Morse Street, staked 60 feet wide, for the South corner of this tract of land;

THENCE with the N.E. line of W. Morse, staked 60 ft. wide, N. 50 deg. 34 min. W. 531.23 feet to a point in the N.W. line of said Outlot No. 309, for the West corner of this tract of land;

THENCE N. 39 deg. 27 min. E. 817.24 feet to the place of beginning.

Surveyed December 1991

I hereby certify that the forcgoing field notes represent a survey made on the ground under my supervision.

Charles E. Ottmers
Reg. Prof. Land Surveyor No. 1818

EXHIBIT "A"

0.12 ac. part of Outlot 309

THE STATE OF TEXAS, *
COUNTY OF GILLESPIE. *

Field notes of a survey of 0.12 acre of land, more or less, made at the request of Helenl Neffendorf, et al. Said land is situated in Gillespie County, Texas, being part of Outlot No. 309 as said Outlot is shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company, and laid out on part of Survey No. 132, Jose Maria de Hollis.

Said 0.12 acre tract of land, more or less, is described by metes and bounds as follows, to wit:

BEGINNING at the south corner of Outlot No. 309, for the South corner of this tract of land;

THENCE N. 50 deg. 34 min. W. 531.21 feet to the west corner of Outlot No. 309, for the West corner of this tract of land;

THENCE with the N.W. line of Outlot No. 309 N. 39 deg. 27 min. E. 9.76 feet to a point in the N.E. line of W. Morse Street, staked 60 feet wide, for the North corner of this tract of land;

THENCE with the N.E. line of W. Morse Street, staked 60 feet wide, S. 50 deg. 34 min. E. 531.23 feet to a point in the S.E. line of Outlot No. 309, for the East corner of this tract of land;

THENCE S. 39 deg. 32 min. 45 sec. W. 9.76 feet to the place of beginning.

Surveyed December 1991

I hereby certify that the foregoing field notes represent a survey made on the ground under my supervision.

Charles E. Ottmers
Reg. Prof. Land Surveyor No. 1818

EXHIBIT "A"

9.97 ac. part of Outlot 308

THE STATE OF TEXAS, *
COUNTY OF GILLESPIE. *

Field notes of a survey of 9.97 acres of land made at the request of Daniel Neffendorf, et al. Said land is situated in Gillespie County, Texas, being part of Outlot No. 308 as said Outlot is shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company, and laid out on part of Survey No. 132, Jose Maria de Hollis and on part of Survey No. 130, Nicholas Pain.

Said 9.97 acre tract of land is described by metes and bounds as follows, to wit:

BEGINNING at a steel bar set for the East corner of Outlot 308, being the north corner of Lot 68, Sunset Village Addition, plat found of record in Volume 77, pages 470-473 of the Deed Records of Gillespie County, Texas, for the East corner of this tract of land;

THENCE with a N.W. line of Sunset Village Addition, S. 39 deg. 39 min. W. 817.64 feet to a steel bar set in the N.E. line of W. Morse Street, staked 60 feet wide, for the South corner of this tract of land;

THENCE with the N.E. line of W. Morse, staked 60 ft. wide, N. 50 deg. 34 min. W. 531.0 feet to a point in the N.W. line of said Outlot No. 308, and in the S.E. line of Outlot No. 309, for the West corner of this tract of land;

THENCE with the N.W. line of Outlot No. 308 and with the S.E. line of Outlot No. 309, N. 39 deg. 32 min. 45 sec. E. 816.32 feet to a point in the S.W. line of Lot 23, Cross Mountain Acres Addition, Unit No. 3, for the north corner of Outlot No. 308, for the east corner of Outlot No. 309, for the North corner of this tract of land;

THENCE S. 50 deg. 28 min. E. 18.25 feet to the south corner of said Lot 23, being the west corner of Lot No. 5, Cross Mountain Acres Addition, Unit No. 2;

THENCE S. 50 deg. 43 min. E. 514.24 feet to the place of beginning.

Surveyed December 1991

I hereby certify that the foregoing field notes represent a survey made on the ground under my supervision.

Charles E. Ottmers
Reg. Prof. Land Surveyor No. 1818

EXHIBIT "A"

0.12 ac. part of Outlot 308

THE STATE OF TEXAS, *
COUNTY OF GILLESPIE. *

Field notes of a survey of 0.12 acre of land, more or less, made at the request of Daniel Neffendorf, et al. Said land is situated in Gillespie County, Texas, being part of Outlot No. 308 as said Outlot is shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company, and laid out on part of Survey No. 132, Jose Maria de Hollis and on part of Survey No. 130, Nicholas Pain.

Said 0.12 acre tract of land, more or less, is described by metes and bounds as follows, to wit:

BEGINNING at the south corner of Outlot No. 308, for the South corner of this tract of land;

THENCE N. 50 deg. 34 min. W. 530.98 feet to the west corner of Outlot No. 308, for the West corner of this tract of land;

THENCE with the N.W. line of Outlot No. 308 N. 39 deg. 32 min. 45 sec. E. 9.76 feet to a point in the N.E. line of W. Morse Street, staked 60 feet wide, for the North corner of this tract of land;

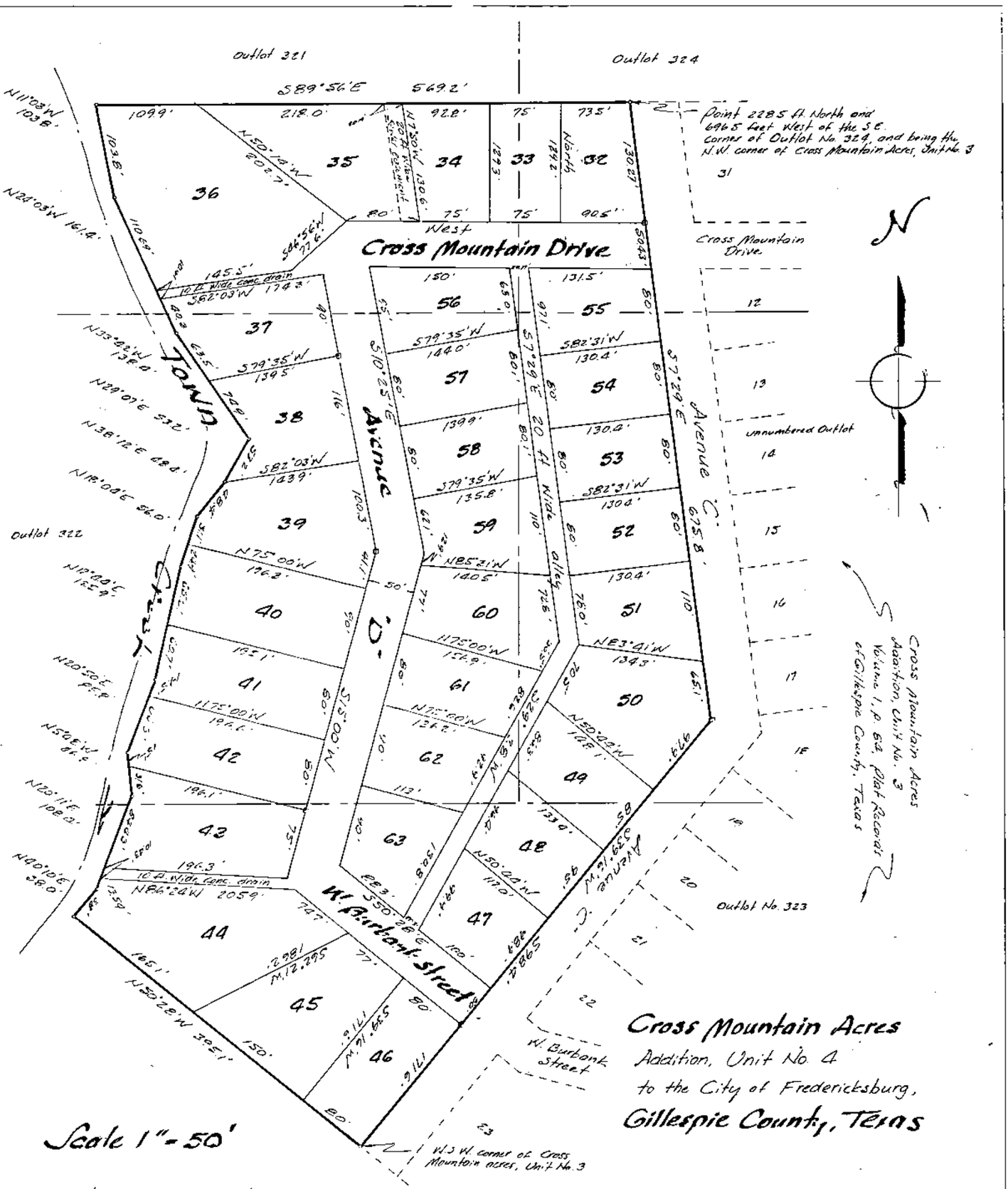
THENCE with the N.E. line of W. Morse Street, staked 60 feet wide, S. 50 deg. 34 min. E. 531.0 feet to a point in the S.E. line of Outlot No. 308, for the East corner of this tract of land;

THENCE S. 39 deg. 39 min. W. 9.76 feet to the place of beginning.

Surveyed December 1991

I hereby certify that the foregoing field notes represent a survey made on the ground under my supervision.

Charles E. Ottmers
Reg. Prof. Land Surveyor No. 1818



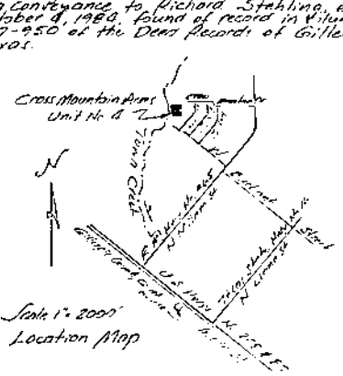
Cross Mountain Acres
Addition, Unit No. 4
to the City of Fredericksburg,
Gillespie County, Texas

● Steel bars set in Concrete.

Cross Mountain Acres Addition, Unit No. 4

Being 12.80 acres of land, part of the Jose Maria de Hollos Survey, No. 132, Abstract No. 283, and comprising parts of Outlots No. 321, 322, 323, 324, and part of an unnumbered Outlot adjoining East of Outlot No. 322 as said Outlots are shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company,

and being that 12.40 acre tract of land described in a Conveyance to Richard Stehling, et al dated October 4, 1984, found of record in Volume 162, p. 947-950 of the Deed Records of Gillespie County, Texas.



We hereby certify that we are the owners of the property shown and described hereon and we hereby adopt this plan of subdivision with our free consent, establish the minimum building restriction lines, and dedicate all public streets, alleys, walks, parks, water courses, easements and other open space to public use forever.

August 28, 1985 Richard Stehling Jr.
Owner

Owner

The State of Texas,
County of Gillespie

This instrument was acknowledged before me on this the 28 day of August, 1985 by Richard Stehling and Charles E. Ing.

Lynne E. Durst
Notary Public in and for the State of Texas

My commission expires 8-4-87

Downing E. Durst
Printed name of Notary

I, the undersigned, a registered public surveyor, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground and that the correct monuments were properly placed under my supervision.

Registered Public Surveyor No. 1818

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for the City of Fredericksburg, Texas, with the exception of such variances, if any, as are noted in the minutes of the City Board of Commissioners and that it has been approved for recording in the office of the County Clerk. 9-10, 1985

John W. Peveto
Chairman, City Planning and Zoning Commission

Filed for record at 3:42 o'clock P. M. this the 10th day of September, A.D. 1985 on page 114, Volume 1 of the Plat Records of Gillespie County, Texas.

Deputy

Doris Lange
Clerk, County Court, Gillespie County, Texas

Volume 1 Page 114

CJB/blf/12-18-84/RE11

CHARLES E. ITZ, ET AL TO THE PUBLIC

DEDICATION DEED

THE STATE OF TEXAS §
KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF GILLESPIE §

VOL 166 PAGE 598

THAT CHARLES E. ITZ and RICHARD STEHLING, JR., being the sole owners of the following described tract of land, to-wit:

> BEING 12.4 acres of land in Gillespie County, Texas and being part of the Jose Maria de la Hollos, Survey No. 132, Abstract No. 283, and comprises part of Outlots No. 321, 322, 323, 324 and part of an unnumbered Outlot adjoining East of Outlot No. 322, as said Outlots are shown on the Map of Fredericksburg, Texas, and Environs by the German Emigration Company, and being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

does hereby subdivide said property into CROSS MOUNTAIN ACRES ADDITION, Unit No. 4, an Addition to the City of Fredericksburg, Gillespie County, Texas, as shown by the Plat thereof attached hereto and made a part hereof, for the purpose of selling lots and tracts of land with reference thereto and for all other purposes; and do hereby dedicate to the City of Fredericksburg, Texas, for public use forever, the streets, alleys, water courses, drains, easements and public places shown on said plat to be used as public thoroughfares and for the installation and maintenance of any and all public utilities which said City may elect to install and maintain, or permit to be installed and maintained, said dedications being subject to the following restrictive and protective covenants.

The undersigned owners do hereby adopt the following restrictions, protective covenants and conditions which are to run with the land and shall be binding upon all parties and all persons claiming under them until May 1, 2005, at which time said restrictions, protective covenants and conditions shall be automatically extended for successive periods of ten (10) years unless by vote of a majority of the then owners of the lots in said Addition, it is agreed to change the same in whole or in part, viz:

1. All lots and every part thereof are restricted to single family residential uses exclusively and none of said property shall be used for business or commercial purposes.

2. No dwelling house shall be constructed upon any lot in this addition, which contains less than 1200 square feet of living area, exclusive of garages, carports and porches, and all dwelling houses shall have masonary construction or brick or rock veneer covering not less than 70% of the exterior wall area. The exterior wall area shall not include the area occupied by entrance doors, windows, garage doors or gables.

3. No swine or any other animals or poultry that are noxious or offensive shall be kept upon any lot or portions thereof.

4. Every dwelling constructed upon said property shall be provided with sanitary, indoor plumbing and no permanent outdoor privies shall be permitted.

5. No trailer, trailer house, tent, shack, garage apartment or servant's quarters shall ever be used as a dwelling, temporary or permanent, in evasion of these restrictive convenants and conditions.

6. No shack, trailer or tent shall ever be placed upon any of said property for dwelling or any other permanent purpose, except that trailers belonging to individual owners of said property may be stored upon the premises provided they are not used for dwelling purposes.

7. No dwelling house or other structures shall be moved upon the premises from outside said addition, except with the express consent of a majority vote of the lot owners, each lot to be allowed one vote.

8. All restrictive covenants and conditions herein shall apply to future remodeling of buildings and to rebuilding in case of destruction by fire or the elements.

9. No fence, wall or hedge shrub, which obstructs sight lines at elevations between two and six feet above the roadway shall be placed or permitted to remain on any corner lot within a triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines.

10. No dwelling shall be erected or placed on any lot having a width of less than 50 feet at the minimum building set back line, nor shall any dwelling be erected or placed on any lot having an area of less than 10,000.00 square feet.

11. No noxious or offensive activity shall be carried upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

12. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

13. No fence or wall shall be erected nearer the front property line than the front of the dwelling.

14. No inoperative vehicles shall remain parked on the premises, in streets or in alleys, for longer than thirty (30) days.

15. All boats, boat trailers, stock trailers or trailers of any kind, shall be parked on the property of the lot owner, and shall not be parked on any street or alley.

16. All outbuildings such as tool sheds, storage houses, trailer ports, etc. shall have the exterior walls constructed of standard building materials, including colored metal and painted concrete block. Galvanized metal on the exposed walls of any such outbuilding is expressly prohibited.

17. Property owners shall not dump any litter, any household garbage, refuse or dead animals into Town Creek, which runs along the Western side of this Subdivision.

18. None of the lots contained within the Cross Mountain Acres, Unit No. 4 Subdivision shall be sub-divided into a smaller lot or lots.

19. No residence shall be occupied until construction of the interior and exterior of the residence is completed.

20. The erection or construction of log homes shall be prohibited in this subdivision.

21. The covenants and conditions set forth above shall be covenants running with the title of any lot or division of any lot.

If the undersigned or its assigns shall violate or attempt to violate any of the restrictive covenants and conditions herein, any owner of any property in the Subdivision may prosecute any proceeding at law or in equity against such owner violating or attempting to violate any such restrictive covenants and conditions, either to prevent it or them from doing so and/or to recover damages or other dues for such violation.

Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other restrictive covenants and conditions which shall remain in full force and effect.

WITNESS our hands this the 16th day of April, 1985.

Richard Stehling, Jr.
RICHARD STEHLING, JR.

Charles E. Itz
CHARLES E. ITZ

CJB/blf/12-18-84/RE11

VOL 166 PAGE 901

THE STATE OF TEXAS §

COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the 16th day of April, 1985, by RICHARD STEHLING, JR.

Bonnie Flory
Notary Public, State of Texas

Bonnie Flory
(Type or Print Name)

My Commission Expires: 1-11-89

THE STATE OF TEXAS §

COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the 16th day of April, 1985, by CHARLES E. ITZ.

Bonnie Flory
Notary Public, State of Texas

Bonnie Flory
(Type or Print Name)

My Commission Expires: 1-11-89

EXHIBIT "A"

BEING 12.40 acres of land in Gillespie County, Texas, being part of the Jose Maris de la Hollos Survey No. 132, Abstract No. 283, and comprises parts of Outlots 321, 322, 323, 324, and part of an unnumbered Outlot adjoining East of Outlot No. 322, as said Outlots are shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company, and being part of that 23.48 acre tract of land described in a conveyance to Boise Cascade Corporation by John J. Moritz, et ux, dated December 30, 1981, found of record in Volume 145, Pages 899-902 of the Deed Records of Gillespie County, Texas. Said 12.40 acre tract of land is described by metes and bounds as follows, to-wit:

BEGINNING at a steel bar found set in the West line of Avenue C, for the S. W. corner of Cross Mountain Acres Addition, Unit No. 3, to the City of Fredericksburg, Texas, plat found of record in Volume 1, Page 84 of the Plat Records of Gillespie County, Texas, for the South corner of this tract of land;

THENCE N. 50° 28' W. 395.1 feet to a steel bar found set on the East high bank of Town Creek for the W. S. W. corner of that 23.48 acre tract of land described in said conveyance to Boise Cascade Corporation, found of record in Volume 145, Pages 899-902 of the Deed Records of Gillespie County, Texas, for the N. W. corner of this tract of land;

THENCE with the East high bank of Town Creek and the West line of said 23.48 acre tract as follows:

N. 40° 10' E. 38.0 feet;

N. 20° 11' E. 108.4 feet;

N. 5° 48' W. 46.8 feet;

N. 20° 50' E. 85.8 feet;

N. 12° 44' E. 125.9 feet;

N. 18° 04' E. 56.0 feet;

N. 38° 12' E. 48.4 feet;

N. 29° 07' E. 53.2 feet;

N. 33° 42' W. 138.4 feet;

N. 24° 03' W. 161.4 feet;

N. 11° 03' W. 103.8 feet to a steel bar found set for the N. W. corner of said 23.48 acre tract, for the N. W. corner of this tract of land;

THENCE S. 89° 55' E. 569.2 feet to a steel bar found set in the West line of Avenue C., for the N. W. corner of said Cross Mountain Acres Addition, Unit No. 3, for the N. E. corner of this tract of land;

THENCE with the West line of Avenue C as follows:

S. 7° 29' E., crossing Cross Mountain Drive, 675.8 feet to a steel bar;

S. 39° 16' W., crossing Burbank Street, 598.4 feet in all to the PLACE OF BEGINNING.

Plat of Cross Mountain Acres Addition, Unit No 3

The State of Texas
County of Gillespie.

The owner of the land shown on this plat and whose name is subscribed hereto and in person or through a duly authorized agent acknowledged that this plat was made from an actual survey and dedicates to the use of the public forever all Streets, alleys, parks, water courses, drains, Easements, and public places thereon shown for the purposes and considerations therein expressed.

Richard Stehling Jr.
Owner: Boise Cascade Corporation

The State of Texas
County of Gillespie.

Before me, the undersigned authority, on this day personally appeared Richard Stehling, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 19th day of May A.D. 1982.

Pat Dooley (Pat Dooley)
Notary Public, Gillespie County, Texas

NOTARY PUBLIC STATE OF TEXAS

This plat of Cross Mountain Acres Addition, Unit No 3 has been submitted to and considered by the Planning Commission of the City of Fredericksburg, Texas, and is hereby approved by such Commission.

Dated this 20th day of May A.D. 1982.

(by) Thomas Olivier Rudd
Chairman, Planning Commission

The State of Texas
County of Gillespie.

The undersigned do hereby certify that the foregoing plat of Cross Mountain Acres Addition, Unit No 3 has been duly filed with the City Council of the City of Fredericksburg, examined, approved, and ordered recorded by order of the minutes of the City Council of the City of Fredericksburg in Book 11, page 66.

Given under our official hands and seal this 29th day of May A.D. 1982.

Mayor, City of Fredericksburg, Texas

Attest:
City Secretary

The State of Texas,
County of Gillespie.

I, Doris Lange, County Clerk of Gillespie County, Texas, do hereby certify that by an order of the Commissioners Court of Gillespie County, Texas on the 15th day of June A.D. 1982, and entered in the minutes of said Court in Book 11, page 434, the foregoing plat was approved and the dedication accepted, and the said plat of Cross Mountain Acres Addition, Unit No 3 was authorized to be filed for record.

Witness my hand and seal of office on this 15th day of June A.D. 1982.

Doris Lange
County Clerk, Gillespie County, Texas

Filed for record on the 15th day of June A.D. 1982 at 3:52 O'clock P.M. and Recorded in Volume 1 page 84 of the Plat Records of Gillespie County, Texas.

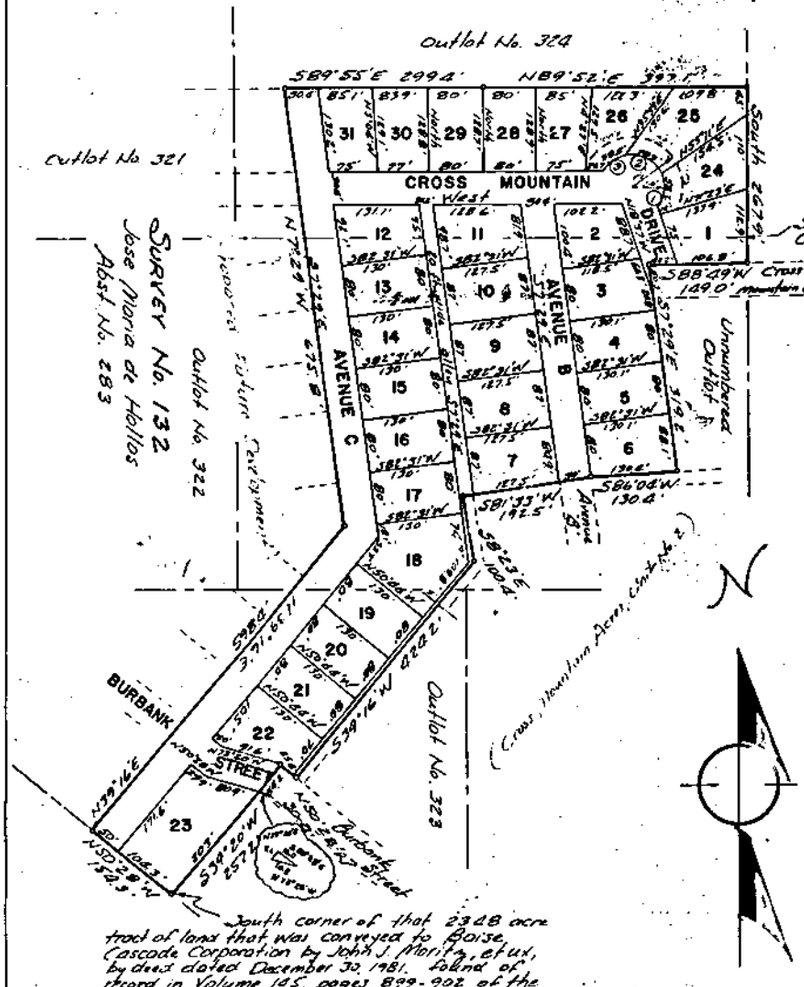
Witness my hand and seal of office this 15th day of June A.D. 1982.

Doris Lange
County Clerk, Gillespie County, Texas

The State of Texas,
County of Gillespie.

I hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

Reg. Public Surveyor No. 1865
May 13, 1982



South corner of that 2348 acre tract of land that was conveyed to Boise Cascade Corporation by John J. Moritz, et ux, by deed dated December 30, 1981, found of record in Volume 125, pages 899-902 of the Deed Records of Gillespie County, Texas

Curve Data

	①	②	③
R-	50'	50'	50'
Δ-	66°43'13"	80°32'29"	44°08'07"
L-	58.22'	70.29'	38.52'
LC-	54.99'	64.64'	37.57'

CROSS MOUNTAIN ACRES ADDITION, UNIT NO. 3

TO THE CITY OF FREDERICKSBURG, GILLESPIE COUNTY, TEXAS

Being 11.05 acres of land, part of the Jose Maria de Hollos Survey No. 132, Abract No. 283, and comprising parts of Outlots No. 323, 324 and an unnumbered Outlot adjoining East of Outlot No. 322, as said Outlots are shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company.

Scale 1"=100'

30

BOISE CASCADE CORPORATION TO THE PUBLIC

DEDICATION DEED

THE STATE OF TEXAS,)
COUNTY OF GILLESPIE.) KNOW ALL MEN BY THESE PRESENTS:

That BOISE CASCADE CORPORATION, a Delaware Corporation, with a office and place of business at Dallas, Dallas County, Texas, being the sole owner of the following described tract of land, to-wit:

BEING 11.05 acres of land, part of the Jose Maria de Hollos Survey No. 132, Abstract No. 283, and comprising parts of Outlots Nos. 323, 324, and an unnumbered Outlot adjoining East of Outlot No. 322, as said Outlots are shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company, and being more particularly described in Exhibit "A", attached hereto;

does hereby subdivide said property into CROSS MOUNTAIN ACRES ADDITION, Unit No. 3, an Addition to the City of Fredericksburg, Gillespie County, Texas, as shown by the Plat thereof attached hereto and made a part hereof, for the purpose of selling lots and tracts of land with reference thereto and for all other purposes; and do hereby dedicate to the City of Fredericksburg, for public use forever, the streets, alleys, water courses, drains, easements and public places shown on said plat to be used as public thoroughfares and for the installation and maintenance of any and all public utilities which said City may elect to install and maintain, or permit to be installed and maintained, said dedications being subject to the following restrictive and protective covenants.

The undersigned owner does hereby adopt the following restrictions, protective covenants and conditions which are to run with the land and shall be binding upon all parties and all persons claiming under them until January 1, 2002, at which time said restrictions, protective covenants and conditions shall be automatically extended for successive periods of ten (10) years unless by vote of a majority of the then owners of the lots in said Addition, it is agreed to change the same in whole or in part, viz:

1. All lots and every part thereof are restricted to single family residential uses exclusively and none of said property shall be used for business or commercial purposes.

2. No dwelling house shall be constructed upon any lot in this addition, which contains less than 1200 square feet of living area, exclusive of garages, carports and porches, and all dwelling houses shall have masonry construction on at least three sides.

3. No swine or any other animals or poultry that are noxious or offensive shall be kept upon any lot or portions thereof.

4. Every dwelling constructed upon said property shall be provided with sanitary, indoor plumbing and no permanent outdoor privies shall be permitted.

5. No trailer, trailer house, tent, shack, garage apartment or servant's quarters shall ever be used as a dwelling, temporary or permanent, in evasion of these restrictive covenants and conditions.

6. No shack, trailer or tent shall ever be placed upon any of said property for dwelling or any other permanent purpose, except that trailers belonging to individual owners of said property may be stored upon the premises provided they are not used for dwelling purposes.

7. No dwelling house or other structures shall be moved upon the premises from outside said addition, except with the express consent of a majority vote of the lot owners, each lot to be allowed one vote.

8. All restrictive covenants and conditions herein shall apply to future remodeling of buildings and to rebuilding in case of destruction by fire or the elements.

9. No fence, wall or hedge shrub, which obstructs sight lines at elevations between two and six feet above the roadway shall be placed or permitted to remain on any corner lot within a triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines.

10. No dwelling shall be erected or placed on any lot having a width of less than 50 feet at the minimum building set back line, nor shall any dwelling be erected or placed on any lot having an area of less than 10,000 square feet.

11. No noxious or offensive activity shall be carried upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

12. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

13. No fence or wall shall be erected nearer the front property line than the front of the dwelling.

14. No inoperative vehicles shall remain parked on the premises, in streets or in alleys, for longer than thirty (30) days.

15. All boats, boat trailers, stock trailers or trailers of any kind, shall be parked on the property of the lot owner, and shall not be parked on any street or alley.

16. All outbuildings such as tool sheds, storage houses, trailer ports, etc. shall have the exterior walls constructed of standard building materials, including colored metal and painted concrete block. Galvanized metal on the exposed walls of any such outbuilding is expressly prohibited.

17. Property owners shall not dump any litter, any household garbage, refuse or dead animals into Town Creek, which runs along the Western side of this Subdivision.

18. The covenants and conditions set forth above shall be covenants running with the title of any lot or division of any lot.

If the undersigned or its assigns shall violate or attempt to violate any of the restrictive covenants and conditions,

herein, any owner of any property in the Subdivision may prosecute any proceeding at law or in equity against such owner violating or attempting to violate any such restrictive covenants and conditions, either to prevent it or them from doing so and/or to recover damages or other dues for such violation.

Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other restrictive covenants and conditions which shall remain in full force and effect.

WITNESS my hand this the 12th day of May, A. D., 1982.

BOISE CASCADE CORPORATION

By: Richard Stehling, Jr.
RICHARD STEHLING, JR.

THE STATE OF TEXAS,)
COUNTY OF GILLESPIE.)

This instrument was acknowledged before me, on this the 12th day of May, A. D., 1982, by Richard Stehling, Jr., Agent for Boise Cascade Corporation, a corporation, in behalf of said corporation.

Joan Gold (Joan Gold)
Notary Public in and for the State of Texas.

My Commission Expires: May 2, 1985.

EXHIBIT "A"

BEING a survey of Cross Mountain Acres Addition, Unit No. 3, to the City of Fredericksburg, Texas. Said land is situated in Gillespie County, Texas, and is part of the Jose Maria de Hollos Survey No. 132, Abstract No. 283, and comprises parts of Outlots Nos. 323, 324 and an unnumbered Outlot adjoining East of Outlot No. 322, as said outlots are shown on the Map of Fredericksburg, Texas and Environs by the German Emigration Company; said Cross Mountain Acres Addition, Unit No. 3 to the City of Fredericksburg, Texas, comprises a total of 11.05 acres of land and is described by metes and bounds as follows, to-wit:

BEGINNING at a steel bar found set in fence, being a point in the Southwest line of Outlot No. 323, for the South corner of that 23.48 acre tract of land that was conveyed to Boise Cascade Corporation by John J. Moritz, et ux by Deed dated December 30, 1981, found of record in Volume 145, Pages 899-902, of the Deed Records of Gillespie County, Texas, for the South corner of this tract of land;

THENCE with fence North 50 deg. 28' West 154.3 feet to a steel bar set for the Southwest corner of this tract of land;

THENCE with the West line of proposed Street, Avenue "C", as follows:
North 39 deg. 16' East 598.4 feet to a steel bar corner;
North 7 deg. 29' West 675.8 feet to a steel bar in fence, for the Northwest corner of this tract of land;

THENCE with fence as follows:
South 89 deg. 55' East 299.4 feet to a steel bar;
North 89 deg. 52' East 397.1 feet to a corner post, being a point in the East line of Outlot No. 324, for the Northeast corner of this tract of land;

THENCE South, at 228.6 feet the Southeast corner of Outlot No. 324, 267.9 feet in all to a steel bar found set in the North line of Corss Mountain Drive, for an East Southeast corner of this tract of land;

THENCE with the North line of Cross Mountain Drive South 88 deg. 49' West 149.0 feet to a steel bar for corner;

THENCE South 7 deg. 29' East, crossing Cross Mountain Drive, 319.2 feet to a steel pipe found set for a Southeast corner of this tract of land;

THENCE with the Northwest boundary line of Cross Mountain Acres, Unit No. 2, as follows:
South 86 deg. 04' West 130.4 feet to a steel bar found set in the East line of Avenue "B";
South 81 deg. 33' West, crossing Avenue "B", 192.5 feet to a steel bar for corner;
South 8 deg. 23' East 100.4 feet to a steel bar for corner;
South 39 deg. 16' West 424.2 feet to a steel bar found set in the Northeast line of Burbank Street for corner;
North 50 deg. 28' West 30.4 feet to a steel bar found set for corner;
South 39 deg. 20' West, crossing Burbank Street, 257.2 feet in all to the place of beginning;

No. 321

No. 322

No. 323

No. 324

SURVEY No. 190
J.W. CLARK

SURVEY No. 129
RAFAEL VILLARIAL

CROSS MOUNTAIN DRIVE EAST

BUNNY DRIVE N 86° 14' E.

AVENUE B N. 40° E.

AVENUE A N. 40° E.

MORITZ N. 50° W.

N. 7° 45' W.

N. 9° W.

S. 7° 45' E. 245

DRIVE N. 50° W.

BLOCK A

BLOCK B.

BLOCK C.

BLOCK D.

BLOCK E

SUBDIVISION No. 1

SUBDIVISION No. 2

16' ALLEY

SCALE: 1" = 100'

MAP OF CROSS MOUNTAIN ACRES No. 2 FREDERICKSBURG TEXAS

ORIGINAL IN VOL. 41, page 721

JOHN J. MORITZ, ET UX TO THE PUBLIC

DEDICATION DEED
& Plat

VOL 91 PAGE 717

THE STATE OF TEXAS)
)
COUNTY OF GILLESPIE)

KNOW ALL MEN BY THESE PRESENTS; that we, John J. Moritz and wife, Margaret Moritz, being the sole owners of the following described property, to-wit: Being 8.53 acres of land lying within Subdivision No. 2 of "Cross Mountain Acres", being parts of Survey No. 132, Jose Maria de Hollos, and Survey No. 130, Nicholas Pain, situated in Gillespie County, Texas, adjacent to the City of Fredericksburg, Texas, being part of that 40.141 acres of land conveyed by W. F. Haberman et ux to John J. Moritz et ux, by Deed dated October 1, 1960, recorded in Volume 79, page 538, Deed Records of Gillespie County, Texas, and including that parcel of land out of Outlot No. 323 and an unnumbered Outlot S.E. of No. 323, conveyed by Gilbert Jung et ux to John J. Moritz et ux, recorded in Volume 82, page 353, Deed Records of Gillespie County, Texas. Said 8.53 acres of land is described by metes and bounds as follows, to-wit:

BEGINNING at an iron pin set in the N.E. line of Moritz Drive of Cross Mountain Acres at a point 176.7 feet N. 50 deg. W. of the South corner of Subdivision No. 1 of Cross Mountain Acres, it being the East corner of a tract of 3270.4 square feet of land granted to the City of Fredericksburg, Texas, for a sewer and water line;

THENCE S. 40 deg. W. 204.4 feet to an iron pin for the South corner of the said tract of 3270.4 square feet of land;

THENCE N. 50 deg. W. 516 feet to an iron pin for the West corner of Lot 5, Block E of Cross Mountain Acres;

THENCE N. 40 deg. E. 204 feet to the North corner of Lot 5, Block E of said Addition;

THENCE N. 40 deg E. 50 feet to the N.E. line of Moritz Drive;

THENCE S. 50 deg. E. 37.7 feet to the West corner of Lot 1, Block D of the said Subdivision;

THENCE N. 40 deg. E. 422 feet to a stake;

THENCE N. 7 deg. 45' W. 140 feet to a stake;

THENCE N. 82 deg. 15' E. 177.5 feet to the East line of Avenue B;

THENCE S. 7 deg. 45' E. 45 feet to the N.W. corner of Lot 7, Block B of this Subdivision;

THENCE N. 86 deg. 14' E. 120.65 feet to a stake;

THENCE N. 7 deg. 45' W. 10 feet to a stake;

THENCE N. 86 deg. 14' E. 110 feet to a stake;

THENCE S. 6 deg. 52' E. 136.8 feet to the S.W. corner of Lot 5, Block B of Subdivision No. 1 of the Cross Mountain Acres;

THENCE N. 86 deg. 14' E. 20 feet to a stake;

THENCE S. 40 deg. W. 760 feet to the S.W. line of Moritz Drive;

THENCE S. 50 deg. E. 163 feet to the place of beginning, as surveyed by B. L. Enderle, Licensed State Land Surveyor, on February 25, 1966,

DO HEREBY SUBDIVIDE SAID PROPERTY INTO "CROSS MOUNTAIN ACRES, Subdivision No. 2,"a subdivision adjacent to the City of Fredericksburg, Gillespie County, Texas, as shown by the Plat thereof attached hereto and made a part hereof, for the purpose of selling lots and tracts of land with reference thereto and for all other purposes; AND DO HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER the streets and alleys shown on said Plat to be used as public thoroughfare and for the installation and maintenance of any and all utilities which may be installed and maintained, said dedication being subject to the following restrictive covenants and conditions, which areto run with the land and shall be binding upon all parties and all persons claiming under them until January 1, 1992, at which time said restrictions, protective covenants and conditions shall be automatically extended for successive periods of ten (10) years unless by vote of a majority of the then owners of the lots in said Subdivision, it is agreed to change the same in whole or in part, viz:

a. All lots are restricted to residental use exclusively and none of said property shall be used for business or commercial purpose.

b. No dwelling house shall beconstructed upon any lot or any part of any lot in this Addition, which contains less than 1000 square feet, exclusive of garage or carport.

c. No swine or any other animals that are noxious or offensive

shall be kept upon any lot or portions thereof.

d. Every dwelling constructed upon saidproperty shall be provided with sanitary, indoor plumbing and no permanent outdoor privies shall be permitted. All such indoor plumbing shall drain into a septic tank and no cess pools shall be permitted.

e. No trailers, trailerhouse, tent, shack, garage apartment or servent's quarters shall ever be used as a dwelling, temporary or permanent, in evasion of these restrictive covenants and conditions.

f. No shack, trailer or tent shall ever be placed upon any of said property for dwelling or any other permanent purpose, except that trailers belonging to individual owners of said property may be stored upon the premises, provided they are not used for dwelling purposes.

g. No dwelling house or other structures shall be moved upon the premises from outside said Addition, except with the express consent of a majority vote of the lot owners, each lot to be allowed one vote.

h. All restrictive covenants and conditions herein shall apply to future remodeling of buildings and to rebuilding in case of destruction by fire or the elements.

i. No fence, wall or hedge shrub, which obstructs sight lines at elevations between two and six feet above the roadway shall be placed or permitted to remain on any corner lot within a triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines.

j. No dwelling shall be erected or placed on any lot having a width of less than 50 feet at the minimum building set back line, nor shall any dwelling be erected or placed on any lot having an area of less than 7,500 square feet.

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

l. No fence or wall shall be erected nearer the front property line than the front of the dwelling.

m. No dwelling shall be erected within 10 feet of the side property line of any lot, so that there shall be a minimum of 20

feet between each dwelling.

n. The covenants and conditions set forth above shall be covenants running with the title to any lot.

If the undersigned or their successors or assigns shall violate or attempt to violate any of the restrictive covenants and conditions herein, any owner of any property in the subdivision may prosecute any proceeding at law or in equity against such owner violating or attempting to violate any such restrictive covenants and conditions, either to prevent him or them from doing so and/or to recover damages or other dues for such violation.

Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other restrictive covenants and conditions which shall remain in full force and effect.

Executed this the 12th day of April, A.D., 1967.

John J. Moritz

Margaret Moritz

THE STATE OF TEXAS)
COUNTY OF GILLESPIE) BEFORE ME, the undersigned authority, a notary public in and for the county of Gillespie, in the State of Texas, on this day personally appeared John J. Moritz and Margaret Moritz, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed; and the said Margaret Moritz, wife of the said John J. Moritz, having been examined by me privily and apart from her husband, and havingthe same fully explained to her, she, the said Margaret Moritz, acknowledged such instrument to be her act and deed and declared that she had willingly signed the same for the purposes and consideration therein expressed and that she did not wish to retract it. GIVEN UNDER my hand and seal of office, this the 12th day of April, A.D., 1967.

Pat Dooley (Pat Dooley)

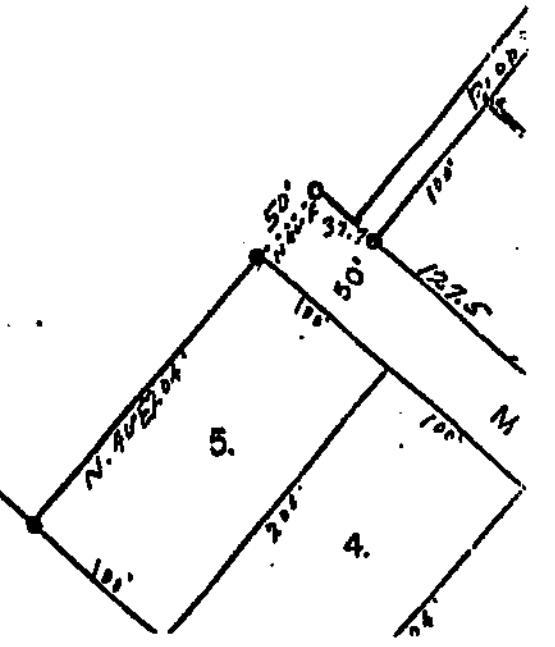
Notary Public, Gillespie County, Texas.

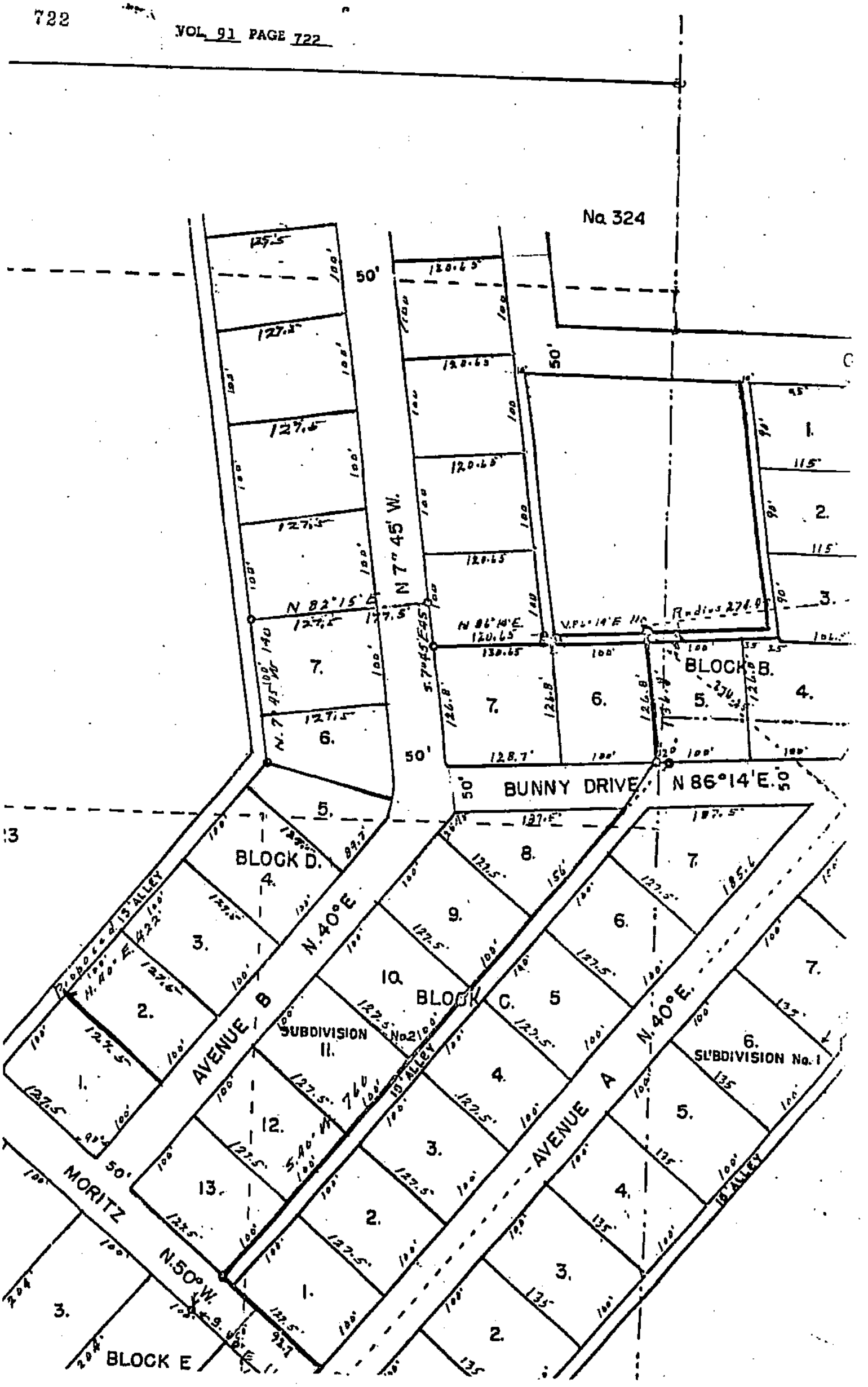
VOL. 91 PAGE 721

No. 321

No. 322

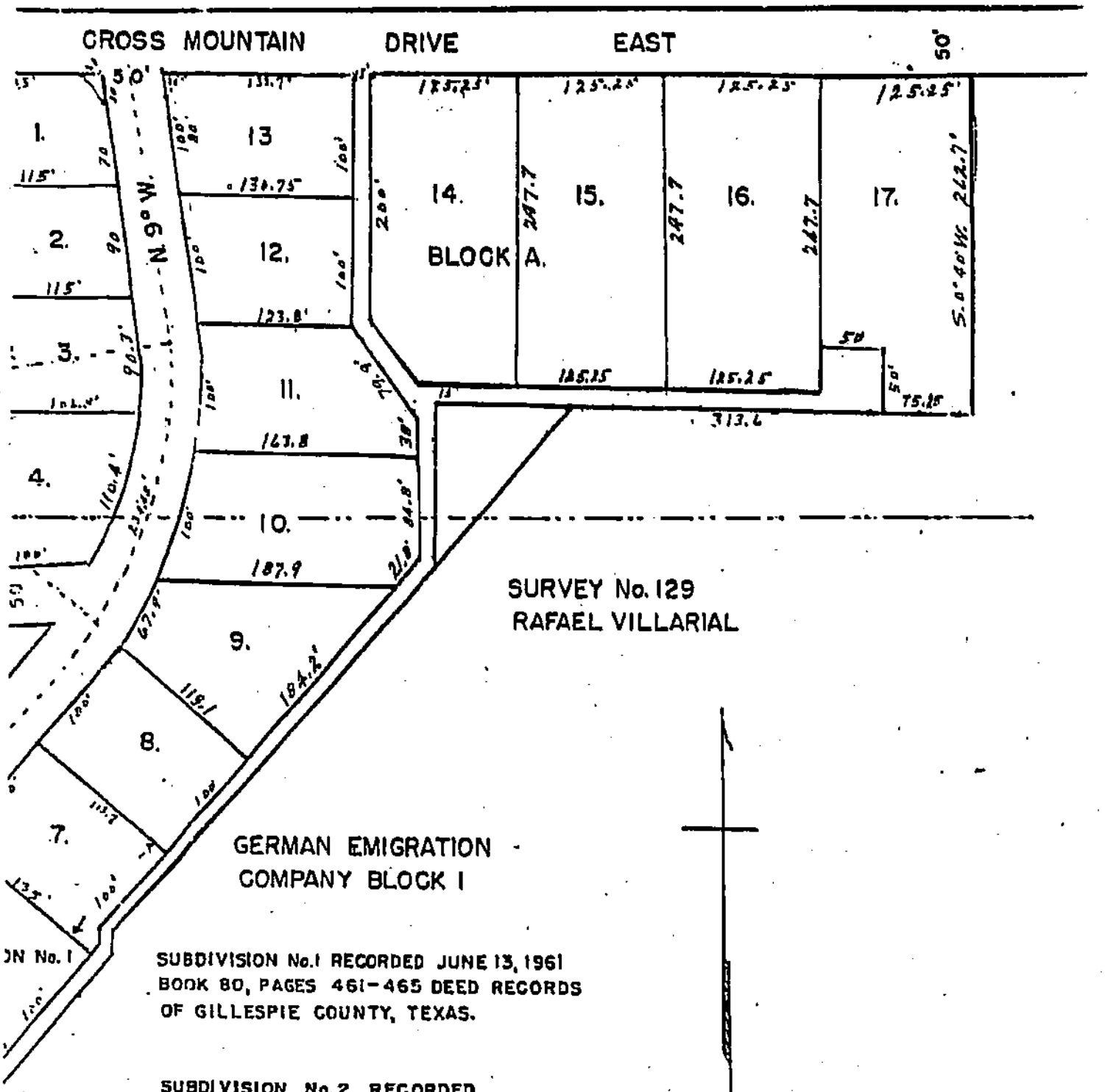
No. 323




No. 324
50'
N 7° 45' W.
N 82° 15' E.
N 86° 14' E.
S. 7° 45' E.
BLOCK B.
BUNNY DRIVE
N 86° 14' E.
BLOCK D.
AVENUE B
N. 40° E.
SUBDIVISION No. 2
SUBDIVISION No. 1
AVENUE A
MORITZ
N. 50° W.
BLOCK E
19' ALLEY

SURVEY No. 190
J.W. CLARK

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SUBDIVISION No.1 RECORDED JUNE 13, 1961
BOOK 80, PAGES 461-465 DEED RECORDS
OF GILLESPIE COUNTY, TEXAS.

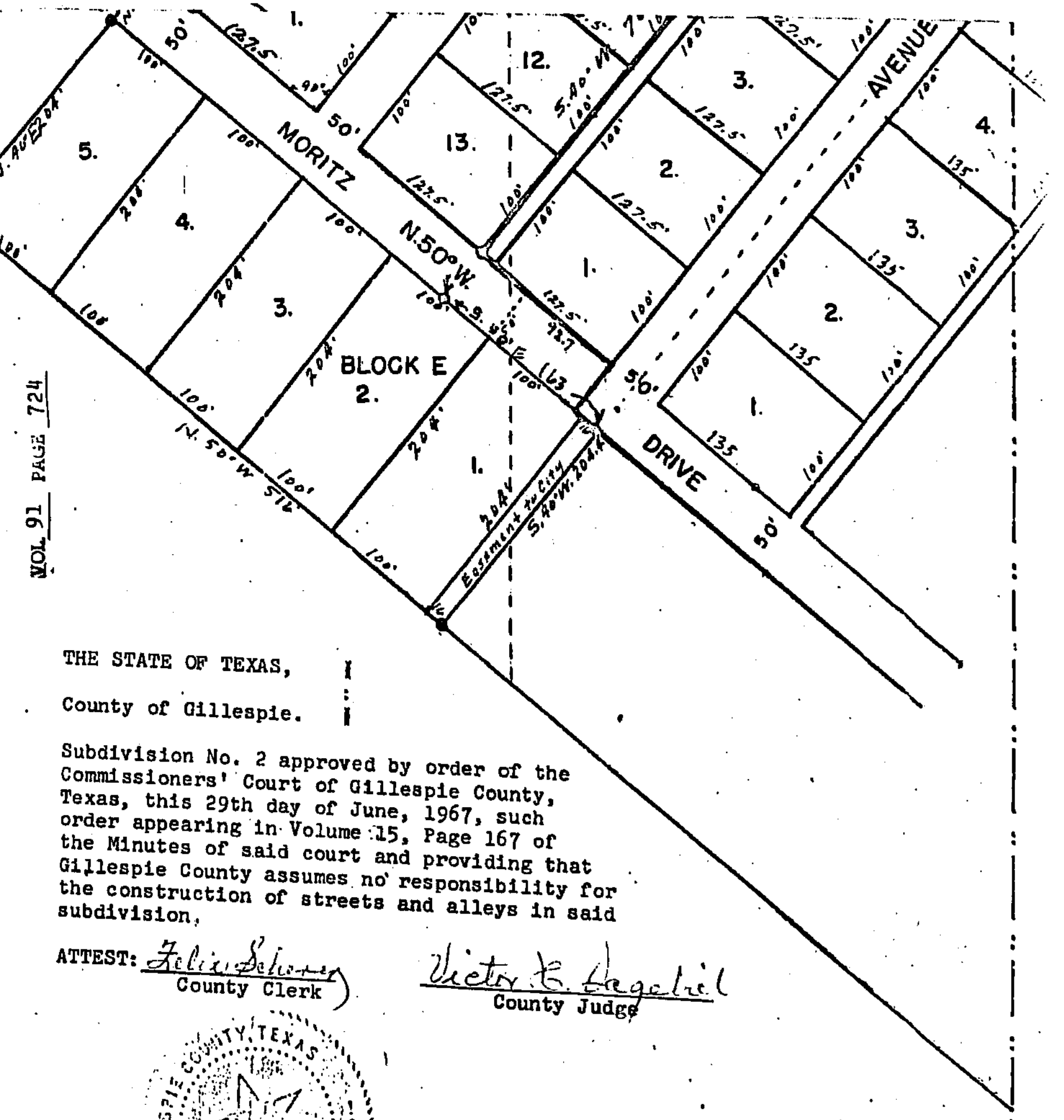
SUBDIVISION No. 2 RECORDED
BOOK PAGES DEED RECORDS

GILLESPIE COUNTY, TEXAS.

SCALE: 1" = 100'

CERTIFIED CORRECT:
B. L. Enderle
B.L.ENDERLE
LICENSED STATE LAND SURVEYOR
FEBRUARY 25, 1966.

MAP OF CROSS MOUNTAIN ACRES FREDERICKSBURG TEXAS



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THE STATE OF TEXAS,

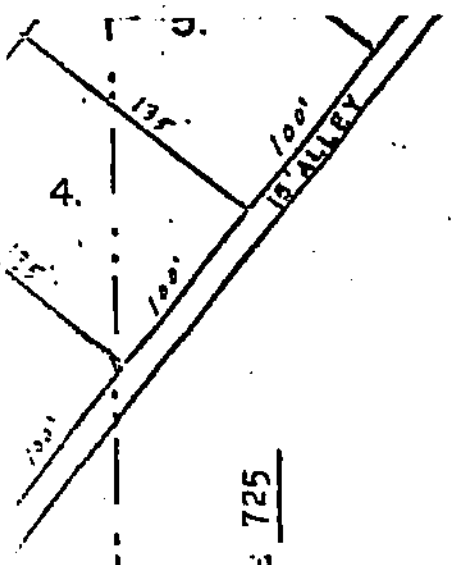
County of Gillespie.

Subdivision No. 2 approved by order of the Commissioners' Court of Gillespie County, Texas, this 29th day of June, 1967, such order appearing in Volume 15, Page 167 of the Minutes of said court and providing that Gillespie County assumes no responsibility for the construction of streets and alleys in said subdivision.

ATTEST: Felix Schuerg
County Clerk

Victor E. Engel III
County Judge

GILLESPIE COUNTY, TEXAS COUNTY COURT



SUBDIVISION No. 2 RECORDED
BOOK PAGES DEED RECORDS
GILLESPIE COUNTY, TEXAS.

SCALE: 1" = 100'

CERTIFIED CORRECT:
B. L. Enderle
B.L. ENDERLE
LICENSED STATE LAND
FEBRUARY 25, 1966.

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MAP OF CROSS MOUNTAIN ACRES FREDERICKSBURG TEXAS

MR. & MRS. JOHN J. MORITZ
OWNERS AND DEVELOPERS

The State of Texas,)
County of Gillespie,)
City of Fredericksburg.)

APPROVED BY ORDER of the Board of Commissioners of the City of Fredericksburg, Texas, this 13th day of June, A.D. 1966, such order appearing in Volume 4, at Page 7, of the Minutes of said Board of Commissioners.

[signature]
Mayor, City of Fredericksburg, Texas.

ATTEST: [signature]
Clerk, City of Fredericksburg, Texas.

SEAL OF CITY OF FREDERICKSBURG

Filed for record in my office the 6th day of July A.D. 1967 at 3:15 o'clock P. M. and duly recorded the 7th day of July A.D. 1967 at 1:30 o'clock P. M. in Volume 91, pages 717-725.

Felix Scheer, Clk. Co. Ct., Gillespie County, Texas.

80 1461-465 DR

JOHN J.MORITZ,ET UX TO THE PUBLIC

DEDICATION AND PLAT OF
"CROSS MOUNTAIN ACRES"

THE STATE OF TEXAS,)
COUNTY OF GILLESPIE.) Know all men by these presents, that we, John J. Moritz and wife, Margaret Moritz, being the sole owners of the following described property, to-wit: Being 13.4 acres of land, being part of Survey No. 130, Nicholas Pain, Survey No. 129, Rafael Villarial, Survey No. 190, J. W. Clark, Survey No. 132, Jose Maria de Hollos, situated in Gillespie County, adjacent to the City of Fredericksburg, Texas, being a part of that 40.141 acres of land that was conveyed by W. F. Haberman et ux to John J. Moritz et ux, by deed dated October 1, 1960, recorded in Volume 79, page 538, Deed Records of Gillespie County, Texas, and being more particularly described by metes and bounds as follows: BEGINNING at an iron pin in the South line of a public road leading to the Lower Crabapple Road, at a point 93 feet South and 71 feet East of the S. E. corner of the German Emigration Company Outlot No. 324; THENCE East 828.3 feet to an iron pin for the N. E. corner of the said 40.141 acres of land; THENCE S. 0 deg. 45' W. 262.7 feet to a fence corner post; THENCE West 313.6 feet to a fence corner post; THENCE S. 43 deg. 30' W. 558 feet to a Post Oak tree 20" in diameter; THENCE S. 12 deg. E. 24 feet; / THENCE S. 63 deg. 20' W. 47.5 feet;/ THENCE S. 40 deg. 00' W. 655.5 feet to a stake; THENCE N. 50 deg. W. 327.5 feet to a stake; THENCE N. 40 deg. E. 760 feet to a stake; THENCE S. 86 deg. 14' W. 20 feet to a stake; THENCE N. 30 deg. 46' W. 135 feet to a stake; THENCE N. 86 deg. 14' E. 130 feet to a fence corner post; THENCE N. 9 deg. W. 257.8 feet to the place of beginning, as surveyed by B. L. Enderle, Licensed State Land Surveyor on May 30, 1961, do hereby subdivide said property into "CROSS MOUNTAIN ACRES", a subdivision adjacent to the City of Fredericksburg, Gillespie County, Texas, as shown by the plat thereof attached hereto and made a part hereof, for the purpose of selling lots and tracts of land with reference thereto and for all other purposes; and do hereby dedicate to the County of Gillespie for public use forever the streets and alleys shown on said plat to be used as public thoroughfare and for the installation and maintenance of any and all utilities which may be installed and maintained, said dedications being subject to the following restrictive covenants and conditions ~~and conditions~~ which are to run with the land and shall be binding upon all parties and all persons claiming under them until January 1, 1986, at which time said restrictions, protective covenants and conditions shall be automatically extended for successive periods of ten (10) years unless by vote of a majority of the then owners of the lots in said Subdivision, it is agreed to change the same in whole or in part, viz: a. All lots are restricted to residental use exclusively and

none of said property shall be used for business or commercial purpose. b. No dwelling house shall be constructed upon any lot or any part of any lot in this addition, which contains less than 1000 square feet, exclusive of garage or carport. c. No swine or any other animals that are noxious or offensive shall be kept upon any lot or portions thereof. d. Every dwelling constructed upon said property shall be provided with sanitary, indoor plumbing and no permanent outdoor privies shall be permitted. All such indoor plumbing shall drain into a septic tank and no cess pools shall be permitted. e. No trailer, trailerhouse, tent, shack, garage apartment or servant's quarters shall ever be used as a dwelling, temporary or permanent, in evasion of these restrictive covenants and conditions. f. No shack, trailer or tent shall ever be placed upon any of said property for dwelling or any other permanent purpose, except that trailers belonging to individual owners of said property may be stored upon the premises, provided they are not used for dwelling purposes. g. No dwelling house or other structures shall be moved upon the premises from outside said addition, except with the express consent of a majority vote of the lot owners, each lot to be allowed one vote. h. All restrictive covenants and conditions herein shall apply to future remodeling of buildings and to rebuilding in case of destruction by fire or the elements. i. No fence, wall or hedge shrub, which obstructs sight lines at elevations between two and six feet above the roadway shall be placed or permitted to remain on any corner lot within a triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines. j. No dwelling shall be erected or placed on any lot having a width of less than 50 feet at the minimum building set back line, nor shall any dwelling be erected or placed on any lot having an area of less than 7,500 square feet. k. No noxious or offensive activity shall be carried upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. l. No fence or wall shall be erected nearer the front property line than the front of the dwelling. m. No dwelling shall be erected within 10 feet of the side property line of any lot, so that there shall be a minimum of 20 feet between each dwelling. n. The covenants and conditions set forth above shall be covenants running with the title to any lot. If the undersigned or their successors or assigns shall violate or attempt to violate any of the restrictive covenants and conditions herein, any owner of any property in the subdivision may prosecute any proceeding at law or in equity against such owner violating or attempting to violate any such restrictive covenants and conditions, either to prevent him or them from doing so and/or to recover damages or other dues for such violation. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other restrictive covenants and conditions which shall remain in full force and effect. Exectued this

the 13th day of June, A. D. 1961.

John J. Moritz
Margaret Moritz

THE STATE OF TEXAS,)
COUNTY OF GILLESPIE.) Before me, the undersigned authority, a notary public in and for the County of Gillespie, in the State of Texas, on this day personally appeared John J. Moritz and Margaret Moritz, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed; and the said Margaret Moritz, wife of the said John J. Moritz, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Margaret Mority, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it. Given under my hand and seal of office, this 13th day of June, A. D. 1961.

(Seal)

Pat Dooley (Pat Dooley)
Notary Public, Gillespie County, Texas.

OUTLOT No. 324

SUR. No. 190
JAMES W. CLARK

CROSS MOUNTAIN DRIVE EAST

ALLEY

1.
2.
3.
4.
5.
BLOCK B
13.
12.
11.
10.
9.
14.
15.
16.
17.
BLOCK A

UNNUMBERED OUTLOT

BUNNY N. 86° 14' E. DRIVE

7.
6.
5.
4.
3.
BLOCK C
8.
7.
6.
5.

AVENUE B

A

S. 43° 30' W. 558'

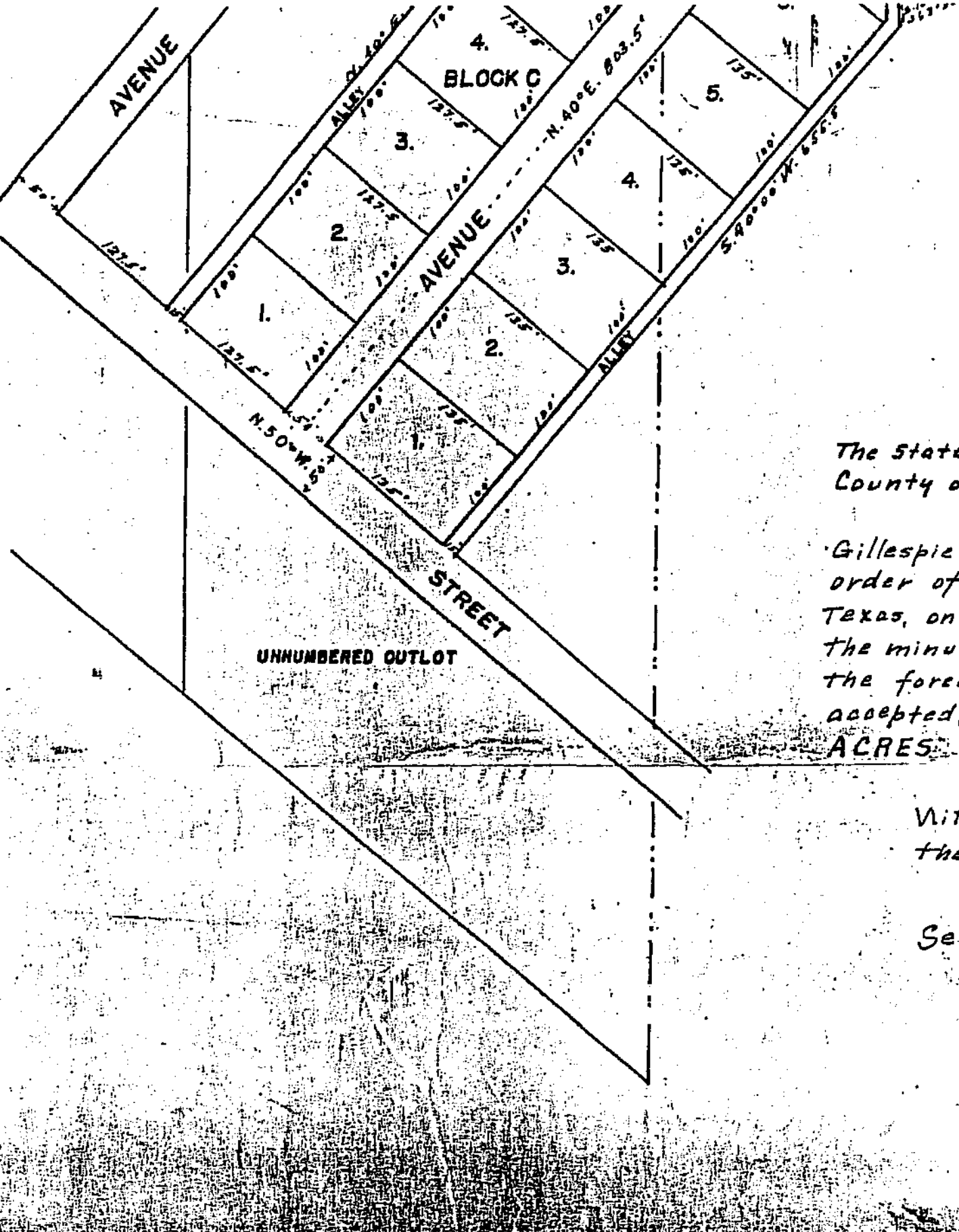
SUR. No. 189
RAFAEL VILLARIAL

MAP OF
CROSS MOUNTAIN ACRES
FREDERICKSBURG, TEXAS
MR. & MRS. JOHN J. MORITZ
OWNERS

FREDERICKSBURG, TEXAS

MR. & MRS. JOHN J. MORITZ
OWNERS

SCALE: 1" = 100'



The State of Texas
County of Gillespie

I, Felix Scherer, County Clerk of Gillespie County, Texas, do hereby certify that by an order of the Commissioners Court of Gillespie County, Texas, on the 13th day of June, 1961, and entered in the minutes of said Court, in Book 14, Page 315, the foregoing plat was approved and the dedications accepted, and the said plat of "CROSS MOUNTAIN ACRES" was authorized to be filed for record.

Witness my hand and seal of office on this the 19th day of June, 1961.

Felix Scherer
County Clerk, Gillespie County, Texas.

Seal

Filed for record in my office the 14th day of June, A. D. 1961 at 4:30 o'clock P. M. and duly recorded the 29th day of June, A. D. 1961 at 11:15 o'clock A. M. in Volume 80, pages 461-465.

Felix Schuerg, Clk. Co. Ct., Gillespie County, Texas.