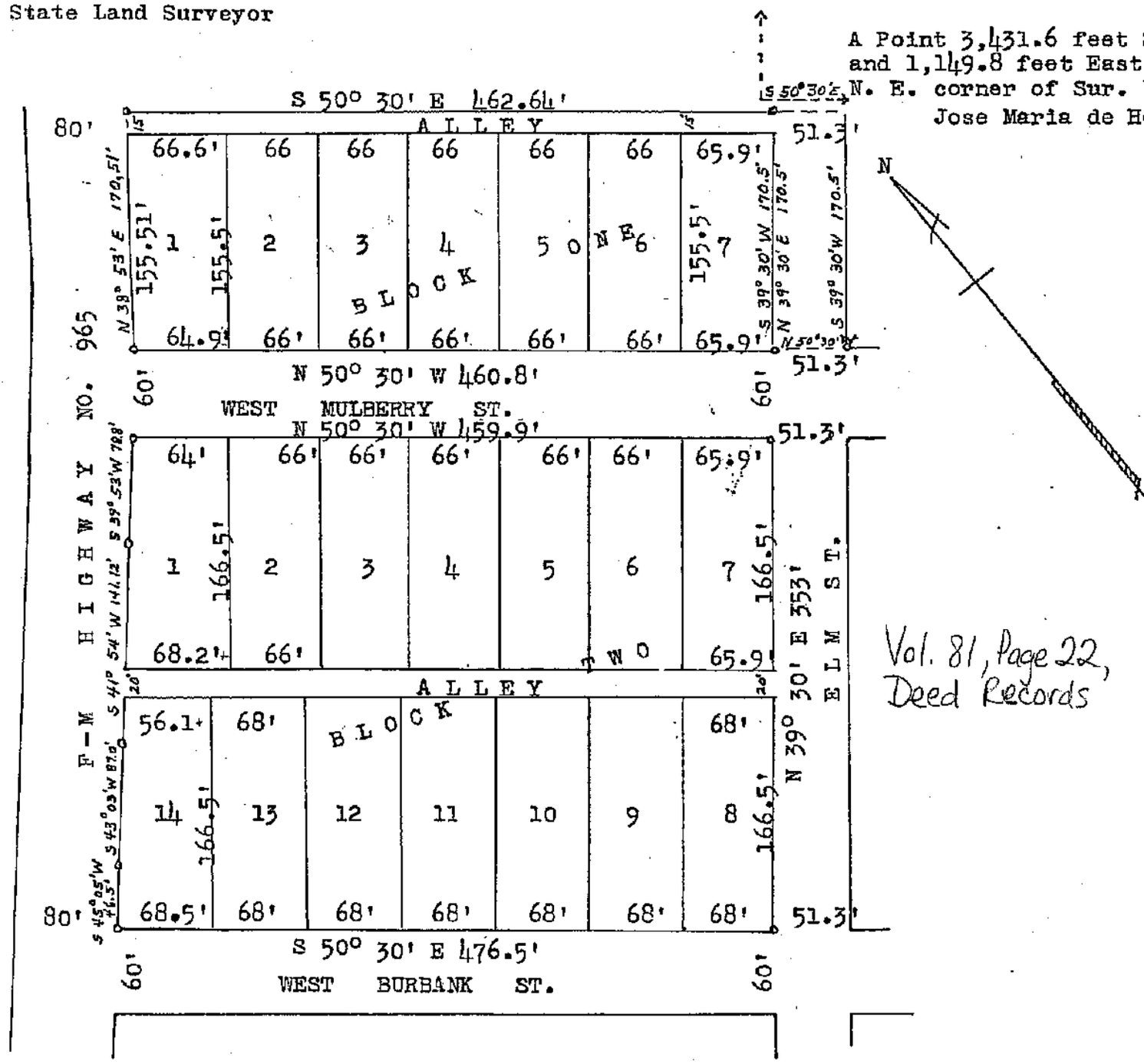
F GILLESPIE) The undersigned do hereby certify that the foregoing plat of "H
Second Addition" has been duly filed with the City Council of the City of Frederic
, approved, and ordered accepted by order of the Minutes of the City Council of the
ricksburg, in Book 3, Page 335. Given under our official hands and seal this 8th.
ary, 1960.

Max E. Schneider
Mayor, City of Fredericksburg, Texas

nd
retary

April 2, 1959
Enderle
derle
State Land Surveyor



H E I M A N N H E I G H T S S E C O N D A D D I T I O N

to the

C i t y o f F r e d e r i c k s b u r g

scale 1" = 100'

eBow, Vice President of Certain-teed Products Corporation, a corporation with a pe
ess in the State of Texas, do hereby certify that this duplicate is a true and cor
the original which has been misplaced or lost. IN TESTIMONY WHEREOF, I have hereu

81/23-25 DR

HEIMANN HEIGHTS SECOND ADDITION TO THE PUBLIC

CERTIFIED COPY OF RESTRICTIONS

THE STATE OF TEXAS
COUNTY OF GILLESPIE

KNOW ALL MEN BY THESE PRESENTS: That CERTAIN-TEED PRODUCTS CORPORATION, a Maryland Corporation, licensed to do business in the State of Texas, acting by and through its duly authorized officials, being the sole owner of the following described tracts of land, to-wit: Being all of that 35,340 square feet of land conveyed by Milton Schuette and Lydabel Schuette to Oliver C. W. Kowert by deed appearing of record in Volume 73, Page 240, Deed Records of Gillespie County, Texas, and part of that 3-1/4 acre tract of land that was conveyed by Emil Langhammer et ux to Oliver C. W. Kowert by deed appearing of record in Volume 70, Pages 625-626. Said tract of 3.7598 acres of land is described by metes and bounds as follows, to-wit: BEGINNING at an iron pin set in the N. W. line of Elm Street and the S. W. line of West Mulberry Street for the East corner of the aforesaid 35,340 square feet of land as conveyed by Milton Schuette and Lydabel Schuette to Oliver C. W. Kowert; THENCE with S. W. line of West Mulberry Street, N. 50°30' W. 459.9 feet to an iron pin set in the N. E. right-of-way line of F. M. Highway No. 965; THENCE with the said right-of-way line S. 39°53' W. 78.8 feet; S. 41°54' W. 141.12 feet; S. 43°03' W. 87 feet; S. 45°05' W. 46.5 feet to the N. E. line of West Burbank Street; THENCE with the N. E. line of West Burbank Street S. 50°30' E. 476.5 feet to an iron pin in the N. W. line of Elm Street; THENCE with the N. W. line of Elm Street N. 39°30' E. 353 feet to the place of beginning, and being the same property conveyed by William Schroeder to Certain-teed Products Corporation in deed dated April 20, 1959, and of record in Vol. 77, Pages 499-500, in the Deed Records of Gillespie County, Texas. TRACT ONE: 1.8072 acres of land out of and part of Survey No. 129, Rafael Villareal, patented to Otfried Baron Meusebach by Patent No. 10, Volume 15, April 28, 1841, and being part of Block I, German Emigration Company, and is described by metes and bounds as follows: BEGINNING at an iron pin set at the intersection of the N. W. line of Elm Street and the N. E. line of West Mulberry Street, at a point 138.8 feet N. 39°30' E. and 42 feet N. 50°30' W. of the South corner of that 2.96 acre tract of land conveyed by Joe P. Knopp et ux to Peter Roeder appearing of record in Volume 59, Page 192, Deed Records of Gillespie County, Texas; THENCE with the N. E. line of West Mulberry Street N. 50°30' W. 460.8 feet to an iron pin in the N. E. right-of-way line of F. M. Highway No. 965; THENCE with the said right-of-way line N. 38°53' E. 170.51 feet to an iron pin for corner; THENCE S. 50°30' E. 462.64 feet to an iron pin at a point to intersect the N. W. line of Elm Street if projected; THENCE S. 39°30' W. 170.5 feet to the place of beginning. TRACT TWO: 8745.65 square feet of land out of and part of Survey No. 129, Rafael Villareal, patented to Otfried Baron Meusebach by Patent No. 10, Volume 15, April 28, 1841 and being part of Block I, German Emigration Company, and is described by metes and bounds as follows: BEGINNING at an iron pin set at the intersection of the N. E. line of West Mulberry Street and the N. W. line of Elm Street if projected, at a point 138.8 feet N. 39°30' E. and 42 feet N. 50°30' W. of the South corner of that 2.96 acre tract of land, conveyed by Joe P. Knopp et ux to Peter Roeder, appearing of record in Volume 59, Page 192, Deed Records of Gillespie County, Texas; THENCE N. 39°30' E. 170.5 feet to an iron pin; THENCE S. 50°30' E. 51.3 feet to an iron pin; THENCE S. 39°30' W. 170.5 feet to an iron pin set in the N.W. line of West Mulberry Street; THENCE with line of West Mulberry Street N. 50°30' W. 51.3 feet to the place of beginning, and being the same property conveyed by Milton Schuette, et ux, to Certain-teed Products Corporation in deed dated June 15, 1959, and of record in Vol. 78, Pages 128-129, in the Deed Records of Gillespie County, Texas, does hereby subdivide said property into HEIMANN HEIGHTS SECOND ADDITION, an Addition to the City of Fredericksburg, Gillespie County, Texas, as shown by plat thereof attached hereto and made a part hereof, and as approved by the Board of Commissioners of the City of Fredericksburg, Gillespie County, Texas, and the Commissioners Court of Gillespie County, Texas, for the purpose of selling lots and tracts of land with reference

thereto and for all other purposes; and does hereby dedicate to the City of Fredericksburg for public use forever all alleys and the strip of land 51.3' in width by 170.5' in length as shown on said plat as an extension to Elm Street to be used as a public thoroughfare 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, subject to the following restrictions and protective covenants. Certain-teed Products Corporation 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 October 1, 1982, 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: (a) All lots in HEIMANN HEIGHTS SECOND ADDITION are restricted to residential uses exclusively; and there shall be no structure erected on any lot other than single family dwellings not to exceed two stories in height, and private garages or carports which may have servant's quarters or storage rooms attached or over them. (b) No dwelling nor any part thereof shall be erected less than 30-feet nor more than 40-feet from the front lot line on any lot in HEIMANN HEIGHTS SECOND ADDITION; nor shall any building be erected less than 6-feet from any inside lot line, and in the case of corner lots no building shall be erected less than 6-feet from the inside lot line nor less than 10-feet from the street side line; however, this restriction shall not be applicable to prohibit the building of a private garage or other out buildings on the rear one-third of any lot closer than 6-feet to the lot line except on corner lots where this restriction will be strictly observed insofar as the street side lines of such corner lots are concerned. (c) 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 6,000 square feet. (d) 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. (e) 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. (f) No drilling, oil development operation, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derricks or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot. (g) No residence or dwelling shall be erected on any lot or subdivision thereof as permitted herein which shall contain less than 750-square feet for one story structures, or less than 650-square feet ground floor area for two story structures, excluding basement area and the area in any out buildings permitted pursuant hereto or the area of any garage attached, detached, or included within the structure, and excluding unenclosed breezeways, porches, or stoops. (h) No 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. (i) No dwelling of old construction shall be moved and rebuilt upon any lot or subdivision of same in this addition. All construction shall be of new materials to the extent of at least 90% thereof. (j) 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, except that the restriction requiring new material shall apply to additional material used in connection with remodeling or restoring damaged improvements. (k) 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. (l) No

fence or wall shall be erected nearer the front property line than the front of the dwelling. (m) The covenants and conditions set forth above shall be covenants running with the title of any lot. If the undersigned or its 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 proceedings 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. WITNESS the execution hereof this 23rd day of January, A. D. 1960.

(Corp. Seal)
ATTEST:
O E Taeker
Assistant Secretary

CERTAIN TEED-PRODUCTS CORPORATION
By Dan LeBow
Vice President

THE STATE OF TEXAS §
COUNTY OF McLENNAN §

BEFORE ME, Wesa G. Saunders, a Notary Public in and for McLennan County, Texas, on this day personally appeared Dan LeBow, Vice President of Certain-teed Products Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated, as act and deed of said corporation. GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 23rd day of January, A. D. 1960.

(Seal)

Wesa G. Saunders
Wesa G. Saunders
Notary Public, McLennan County, Texas.

I, Dan LeBow, Vice President of Certain-teed Products Corporation, a corporation with a permit to do business in the State of Texas, do hereby certify that this duplicate is a true and correct copy of the original which has been misplaced or lost. IN TESTIMONY WHEREOF, I have hereunto set my hand as Vice President of said corporation and have attached hereto the official seal of said corporation, this 29th day of August, A. D. 1961.

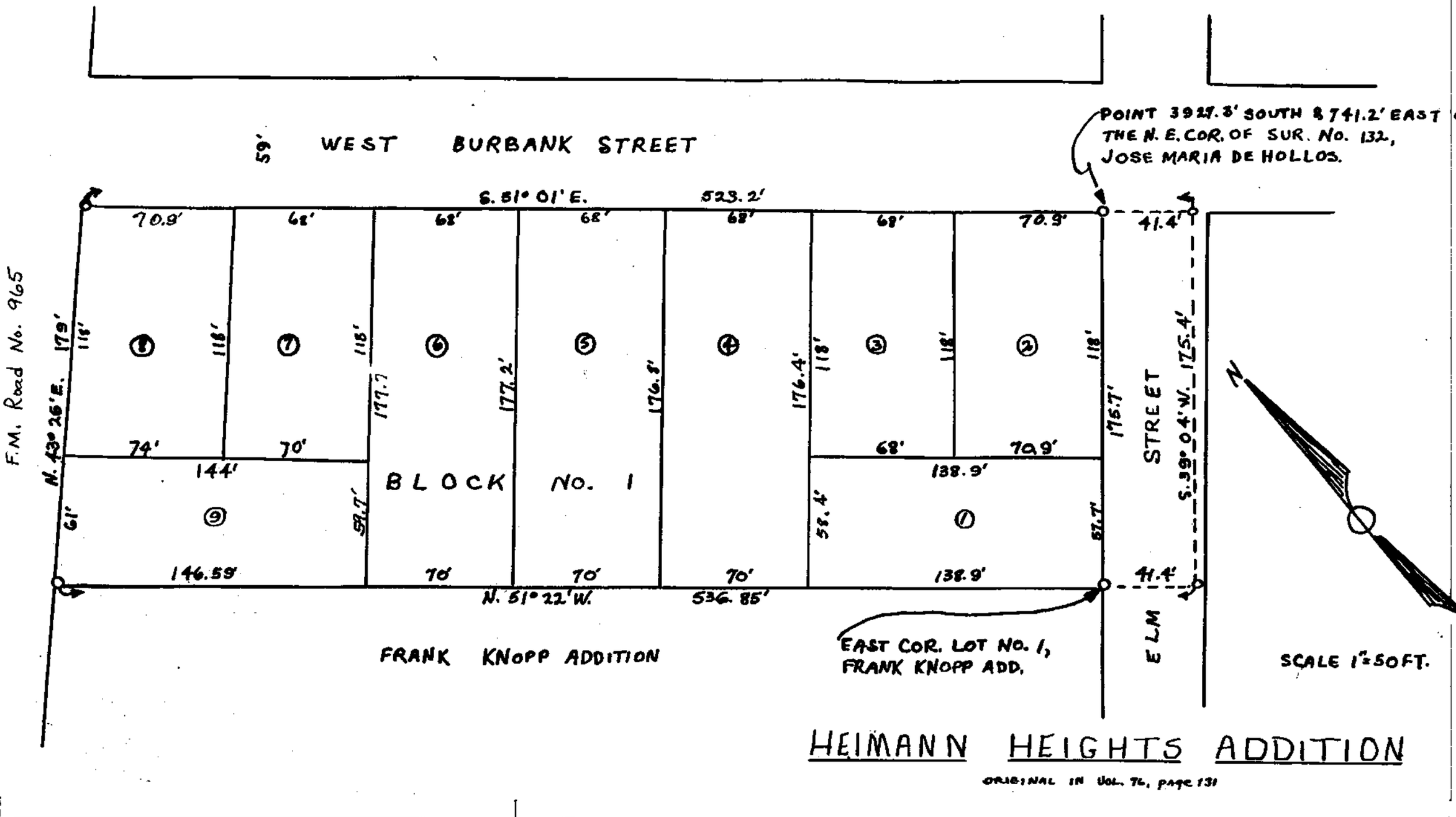
(Corp. Seal)

Dan LeBow
Dan LeBow, Vice President of
Certain-teed Products Corporation

Filed for record in my office the 1st day of September, A. D. 1961 at 2:02 o'clock P. M. and duly recorded the 21st day of September, A. D. 1961 at 2:40 o'clock P. M. in Volume 81, pages 23-25.

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

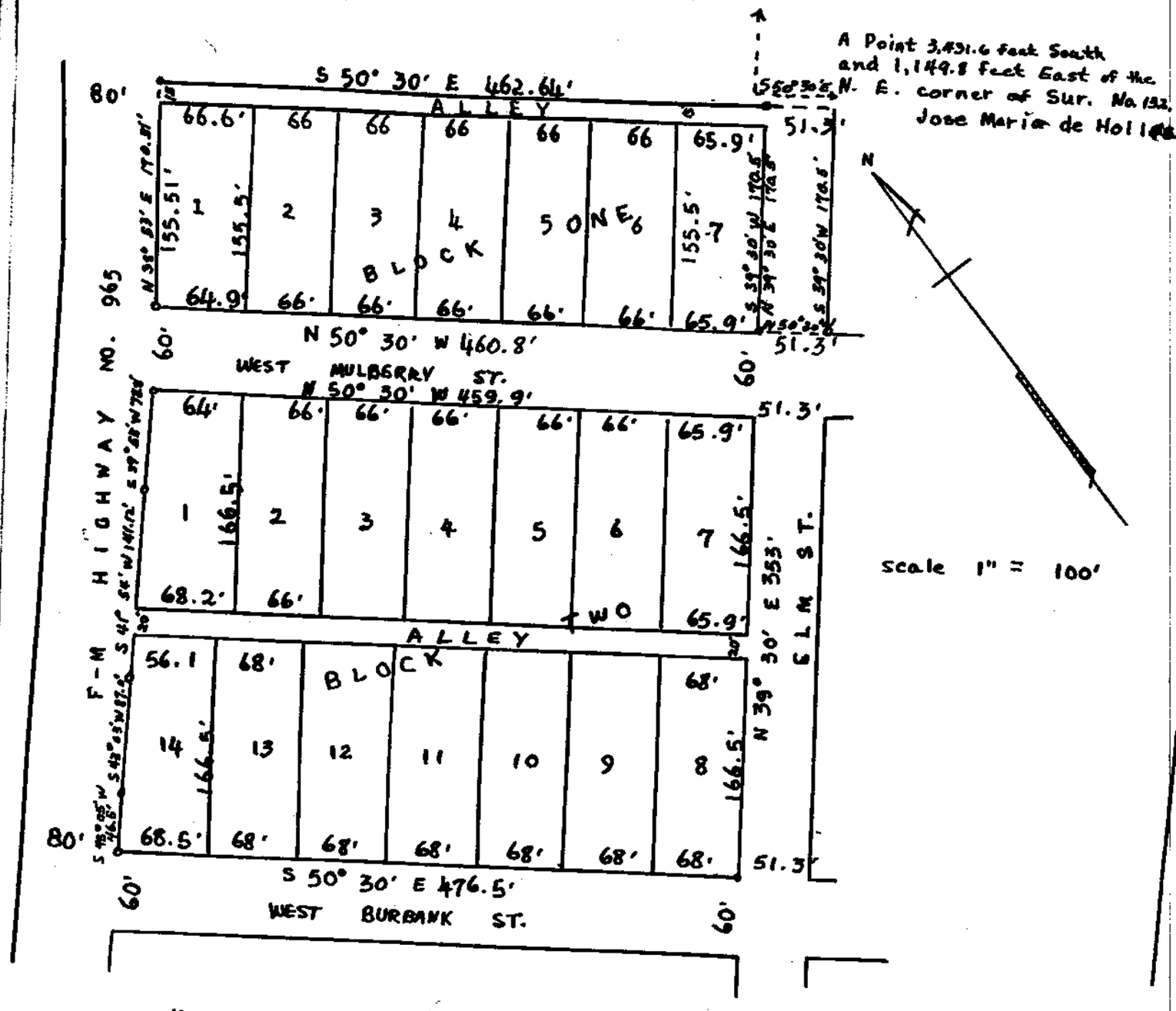
VI P6



HEIMANN HEIGHTS ADDITION

ORIGINAL IN Vol. 76, page 131

VI P6


A Point 3,491.6 feet South and 1,149.8 feet East of the N. E. corner of Sur. No 132, Jose Maria de Hol
S 50° 30' E 462.64'
ALLEY
80'
66.6'
66
66
66
66
66
66
65.9'
155.51'
155.5'
1
2
3
4
5
6
7
BLOCK
64.9'
66'
66'
66'
66'
66'
65.9'
N 50° 30' W 460.8'
60'
WEST MULBERRY ST.
N 50° 30' W 459.9'
51.3'
HIGHWAY NO. 965
64'
66'
66'
66'
66'
66'
65.9'
166.5'
1
2
3
4
5
6
7
68.2'
66'
TWO
65.9'
ALLEY
F-M
56.1
68'
BLOCK
68'
14
13
12
11
10
9
8
166.5'
68.5'
68'
68'
68'
68'
68'
68'
80'
S 50° 30' E 476.5'
60'
WEST BURBANK ST.
N 39° 30' E 353'
ELM ST.
N
scale 1" = 100'
HEIMANN HEIGHTS SECOND ADDITION