

SUPPLEMENTARY DECLARATION OF RESTRICTIONSONION CREEK SECTION (1-D)MAR 31-83²⁵ 8824 * 11.00

On this 30 day of MARCH, 1983, Onion Creek Development Company (a joint venture composed of Lumbermen's Investment Corporation and C & D Investments, a partnership of which James N. Demaret and James D. Connolly are the General Partners), herein collectively called "Developer", hereby declares that the land described below shall except to the extent set forth herein be held, transferred, sold, conveyed, and occupied subject to the covenants, conditions, restrictions, reservations and charges set forth in the Declaration of Restrictions by Developer dated July 9, 1973, recorded in Book 4678, Page 2216, Deed Records of Travis County, Texas, which is incorporated herein by reference and made a part hereof for all purposes, hereby specifying and agreeing that the Declaration of Restrictions as amended herein insofar as it pertains to the land described below shall be and does constitute covenants to run with the land and shall be binding upon Developer, its successors and assigns, and all subsequent owners of each lot by the acceptance of their deeds, for themselves, their heirs, executors, administrators, successors and assigns, covenant and agree to abide by the terms and conditions of the Declaration of Restrictions described above except that the following paragraphs and subparagraphs shall as to the land described below be deemed to be inserted in lieu of the corresponding paragraphs of the Declaration of Restrictions as follows:

1. Land.

Developer is the owner of real property located in Travis County, Texas, (herein called the "Land") more particularly described in the attached Exhibit "A", which is attached hereto and made a part hereof for all purposes.

2. Subdivision.

Developer has subdivided the Land into Lots in a subdivision to be known as Onion Creek Section 1-D, according to the Plat thereof recorded in Book 79, Page 309-310, Plat Records of Travis County, Texas, to which Plat and its record reference is made for all purposes. Developer plans to further the residential community created by previous sections through selling lots and other tracts of land for the construction of single family, condominium dwellings and duplex and fourplex condominium dwellings pursuant to this Supplementary Declaration of Covenants of even date herewith.

6. Restrictions on Lots.

(a) Land Use. All lots or tracts of land in the subdivision may be used solely for residential purposes, provided that such uses may be added to, subtracted from or amended as to any tract or part thereof by action of Developer without requiring the joinder of any owner of any land in the Subdivision other than the owner of the tract involved. Such designated uses may involve commercial or residential purposes or some of the elements of each or all of these purposes. Temporary uses may be made of the lots by Developer (or the owner thereof provided Developer has given its prior written consent) for model structures and parking lots and/or sales offices which shall be permitted until December 31, 1985, or until permanent cessation of such uses takes place, whichever is earlier.

(b) Building Types. No building shall be erected, altered, placed or permitted to remain on any lot other than:

(1) One detached single family dwelling or condominium unit not to exceed two stories in height and a one-story garage for not more than two motor vehicles.

(2) All garages shall be large enough to accommodate under roof two full-sized automobiles and be attached to the house by a common wall unless permission is granted by the Architectural Committee to deviate from this requirement. No building shall remain uncompleted for more than one year after construction has been commenced.

(c) Dwelling Size. The living area, exclusive of open or screened porches (covered or uncovered), garages, storage rooms, stoops, open terraces and/or servants quarters of

(1) Each single family condominium unit shall be not less than 1,400 square feet and, if more than one story, the ground floor shall be not less than 1,300 square feet and the combined area for the first and second floors shall be not less than 2,000 square feet.

(2) Each duplex style condominium unit for single-family occupancy shall be not less than 1,300 square feet.

(3) Each fourplex style condominium unit for single-family occupancy shall be not less than 1,100 square feet.

(f) Fences, Walls, Sidewalks. Fences and walls shall be considered buildings and may only be erected or maintained within the minimum building setback requirements from the front lot line per subparagraph (d). No chainlink fence

will be permitted in any location. On a lot that abuts the golf course of the Onion Creek Country Club as it may exist from time to time, no fence higher than three feet shall be erected adjacent to such golf course. All fences and walls must have the written approval of the Architectural Committee wherever constructed, erected or permitted to remain. Sidewalks shall be constructed in accordance with the requirements and specifications of the building codes of the City of Austin.

The sidewalks shall be completed at the time of completion of the residence of each lot.

(s) Pets. No pets will be allowed to roam loose and unattended and the owner of a pet shall be responsible for any damages caused by such pet.

(t) Children. Children shall be supervised by parents or their representative at all times and such parent or representative shall be available at the residence of each child for needed supervision. No air rifles, pellet guns or similar instruments may be discharged in the subdivision.

(u) Condominium Declaration. No Condominium Declaration shall be filed of record with respect to all or any part of the Land without the express prior written consent of the Developer to the terms thereof.

The above paragraphs and subparagraphs shall be deemed to supplant the corresponding paragraphs and subparagraphs of the Declaration of Restrictions as to the above described Land and except as supplanted or added to the terms of the Declaration of Restrictions shall be applicable to the above described Land and the lots into which the same is subdivided.

EXECUTED this the 30 day of MARCH, 1983.

ONION CREEK DEVELOPMENT COMPANY

By: Lumbermen's Investment Corporation

NO SEAL

By: K. M. Jastrow, II, President

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By: C & D Investments

By: J. D. Connolly
J. D. Connolly, General Partner

THE STATE OF TEXAS :

COUNTY OF TRAVIS :

This instrument was acknowledged before me on MARCH 30, 1983, by K. M. Jastrow, II, President of Lumbermen's Investment Corporation, on behalf of said corporation.

Joe A. Birowell
Notary Public, Travis County, Texas

NOTARY SEAL

JOE A. BIROWELL
(Name of Notary - Typed or Printed)

My Commission Expires: MAY 30, 1985

THE STATE OF TEXAS :

COUNTY OF TRAVIS :

This instrument was acknowledged before me on MARCH 30, 1983, by J. D. Connolly, General Partner of C & D Investments.

Joe A. Birowell
Notary Public, Travis County, Texas

NOTARY SEAL

JOE A. BIROWELL
(Name of Notary - Typed or Printed)

My Commission Expires: MAY 30, 1985

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

APR 1 1983



Louis Angeline
COUNTY CLERK
TRAVIS COUNTY, TEXAS

FILED

1983 APR -1 PM 1:47

Louis Angeline
COUNTY CLERK
TRAVIS COUNTY, TEXAS

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