

SUPPLEMENTARY DECLARATION OF RESTRICTIONS

DEC-4 ONION CREEK SECTION 5-B

2-74-3176

On this the 19th day of October, 1981, Onion Creek Development Company, (hereinafter referred to as the "Developer"), a joint venture composed of Lumbermen's Investment Corporation, a Texas corporation, and C & D Investments, a partnership of which James N. Demaret and James D. Connolly are the general partners, hereby declares that the land described below, 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 at Book 4678, Page 2216, Deed Records of Travis County, Texas, as amended by the Supplemental Declaration of Restrictions by Developer dated March 31, 1980, recorded at Book 6951, Page 154, Deed Records of Travis County, Texas, which are incorporated herein by reference and made a part hereof for all purposes, hereby specifying and agreeing that the Declaration of Restrictions and the Supplemental Declaration of Restrictions, as amended herein insofar as they pertain to the land described below, shall be and do 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 and Supplemental Declaration of Restrictions described above, except that the following paragraphs and subparagraphs shall be deemed to be inserted in lieu of the corresponding paragraphs and subparagraphs of the Declaration of Restrictions and Supplemental Declaration of Restrictions, with respect to the land described below, as follows:

1. Land.

Developer is the owner of real property located in Travis County, Texas (hereinafter referred to as the "Land"), more

DEED RECORDS
Travis County, Texas

7636 440

particularly described in the attached Exhibit "A", 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 5-B (hereinafter referred to as the "Subdivision"), according to the plat thereof recorded in Book 79, Pages 122 and 123, Plat Records of Travis County, to which plat and its record reference is here 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, townhouse-patio, condominium, duplex and fourplex dwellings pursuant to this Supplementary Declaration of Restrictions and the Supplementary Declaration of Restrictions dated March 31, 1980.

3. Restrictions on Lots.

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

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

- (1) One detached single-family dwelling not to exceed two stories in height and a one-story garage for not more than three motor vehicles.
- (2) Townhouse-patio home or condominium dwellings for single-family occupancy in each unit, not to

exceed two stories in height, or one duplex per lot with two single-family dwelling units in each building, not to exceed two stories in height, on each of the following lots:

Block J, Lots 2 - 8

All garages and carports shall be large enough to accommodate, under roof, two full-sized automobiles and shall be attached to the dwelling by a common wall unless permission is granted by the Architectural Committee to deviate from this requirement. No building or improvement 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 dwelling shall not be less than 2,000 square feet and, if more than one story, the ground floor shall not be less than 1,500 square feet and the combined area for the first and second floors shall not be less than 2,500 feet.
- (2) Each townhouse-patio home or condominium dwelling unit for single-family occupancy shall not be less than 1,600 square feet.
- (3) Each duplex dwelling unit for single-family occupancy shall not be less than 1,300 square feet.

The above paragraphs and subparagraphs shall be deemed to supplant the corresponding paragraphs and subparagraphs of the Declaration of Restrictions of July 9, 1973 and the Supplementary Declaration of Restrictions of March 31, 1980 as to the Subdivision and, except as herein supplanted or added to, the terms of the Declaration of Restrictions of July 9, 1973 and the Supplementary Declaration of Restrictions of March 31, 1980 shall be applicable to the Subdivision.

EXECUTED this the 19th day of October, 1981.

2-74-3179

ONION CREEK DEVELOPMENT COMPANY,
a Texas joint venture

By: Lumbermen's Investment Corporation
a Texas corporation

(NO SEAL)
By: K. M. Jastrow II
K. M. JASTROW II, President

By: C & D Investments, a partnership

By: William Donnelly
General Partner

THE STATE OF TEXAS:

COUNTY OF TRAVIS :

Before me, the undersigned authority personally appeared K. M. Jastrow II, President of Lumbermen's Investment Corporation, a Texas corporation and a joint venturer of Onion Creek Development Company, a Texas joint venture, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in the capacity therein stated, as the act and deed of said corporation as a joint venturer of said joint venture and as the act and deed of said joint venture for the purposes and consideration therein expressed.

(NOTARY SEAL)

Joe A. Birdwell
Notary Public in and for Travis
County, Texas

My commission expires:

10/1/85

JOE A. BIRDWELL
(Name - Typed or Printed)

THE STATE OF TEXAS:

COUNTY OF TRAVIS :

Before me, the undersigned authority, on this day personally appeared William Donnelly, General Partner of C & D Investments, a partnership and a joint venturer of Onion Creek Development Company, a Texas joint venture, 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, in the capacity therein stated and as the act and deed of said partnership.

(NOTARY SEAL)

Joe A. Birdwell
Notary Public in and for Travis
County, Texas

My Commission Expires:

10/1/85
JH3/26

JOE A. BIRDWELL
(Name - Typed or Printed)

STATE OF TEXAS
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 Travis County, Texas, as stamp hereon by me, on 4

COUNTY OF TRAVIS

DEC 4 1981



Doris Anapolina 7636
COUNTY CLERK

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FILED

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Doris Anapolina
COUNTY CLERK
TRAVIS COUNTY, TEXAS