

RESTRICTIONS OF CANYON LAKE VILLAGE WEST,  
UNIT NO. FOUR  
CANYON LAKE VILLAGE, INC., to THE PUBLIC

THE STATE OF TEXAS

↓

COUNTY OF COMAL

↓

KNOW ALL MEN BY THESE PRESENTS:

That CANYON LAKE VILLAGE, INC., a Texas corporation, acting herein by and through its President, Tom J. Sheridan, owner of CANYON LAKE VILLAGE WEST, UNIT NO. FOUR, a subdivision in Comal County, Texas, as shown on a plat recorded in Vol. 5, page 30, Map & Plat Records, Comal County, Texas, do hereby impress all of the property included in such subdivision with the following restrictions:

1. All lots shall be used solely for residential purposes, except Lot #16.
2. No building other than a single family residence containing not less than 1400 square feet, exclusive of open porches, breezeways, car ports and garages, shall be erected or constructed on any residential lot, and no garage may be erected except simultaneous with or subsequent to erection of residence. All buildings must be completed not later than six months after laying foundation, and no structures or house trailers of any kind may be moved onto the property; servants quarters and guest houses may be constructed on the rear one-third of said lots after completion of permanent residence. Each residential lot must have a minimum of 26000 square feet of land. (Twenty-six thousand square feet)
3. No improvements shall be erected or constructed on any lots in CANYON LAKE VILLAGE WEST UNIT NO. FOUR, nearer than fifty feet to the front property line, nor nearer than five feet to the side property line, except that in the case of corner lots, no improvements shall be erected or constructed within ten feet of said property lines adjacent to streets.
4. No building or structure shall be erected or constructed on any lot until the building plans, specifications, plot plans and external design have first been approved in writing by the corporation, or by such nominee or nominees as it may designate in writing.
5. No building or structure shall be occupied or used until the exterior thereof is completely finished with not less than two coats of paint. No outside toilet shall be installed or maintained on any premises and all plumbing shall be connected with a sanitary sewer or septic tank approved by the State and Local Department of Health.
6. An assessment of two dollars (\$2.00) per month per lot (which may be paid annually, semi-annually or monthly in advance), shall run against each lot in said subdivision. Such assessment shall be and is hereby secured by a LIEN on each lot respectively, and shall be payable to the corporation or assigns. In cases where one owner owns more than one lot there will be only one assessment for such owner. Provided, however, that if such an owner shall sell one or more of his lots to a party who theretofore did not own property in subdivision then said lot or lots so transferred shall thereafter be subject to the lien provided for herein.
7. No noxious, offensive, unlawful or immoral use shall be made of the premises.
8. All lots are subject to easements and reservations of record and are subject to any applicable zoning rules and regulations.
9. The corporation reserves to itself, its successors and assigns an easement or right-of-way over a strip along the side, front and rear boundary lines of the lot or lots for the purpose of installation or maintenance of public utilities, including but not limited to gas, water, electricity, telephone, drainage and sewerage, and any appurtenances to the

supply lines therefore, including the right to remove and/or trim trees, shrubs or plants. This reservation is for the purpose of providing for the practical installation of such utilities as and when any public or private authority or utility company may desire on said lots with no obligation to corporation to supply such services.

10. That an assessment, for the purpose of bringing water to each lot of \$5.00 per front foot, shall run against each lot and part thereof in said subdivision, and an assessment on the same basis shall run against each tract of land sold in said subdivision by metes and bounds description. Such assessment shall be, and is hereby secured by a LIEN on each lot or tract respectively; and when corporation its successors or assigns, shall construct a water main in the street and/or easement, running by said lot or tract and water is made available to same, said assessment aforesaid shall become DUE and PAYABLE to corporation its successors and assigns, at the time the water supply is made available to said property. Said assessment may be arranged on a satisfactory monthly payment basis. CANYON LAKE VILLAGE, INC., does hereby TRANSFER, CONVEY and ASSIGN unto SATTLER SUPPLY, INC., a Texas corporation, all rights of CANYON LAKE VILLAGE, INC., in and to the above described water assessment, together with a lien securing same, and the above described easements and rights-of-way retained for the purpose of installation and maintenance of public utilities, in CANYON LAKE VILLAGE WEST, UNIT NO. FOUR.

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

12. All covenants and restrictions shall be binding upon the Purchaser, or his successors, heirs and assigns. Said covenants and restrictions are for the benefit of the entire subdivision.

13. The term "corporation" in the preceding restrictions being CANYON LAKE VILLAGE, INC., and the term "Purchaser" in the preceding restrictions meaning anyone purchasing a lot from the corporation, in this subdivision.

IN TESTIMONY WHEREOF, CANYON LAKE VILLAGE, INC., has caused this instrument to be signed by its President, attested and the corporate seal hereunto affixed this 31st day of March, 1975.

CANYON LAKE VILLAGE, INC.

By:

*Tom J. Sheridan*  
Tom J. Sheridan, President

ATTEST:

*Elizabeth M. Schlichter*  
Elizabeth M. Schlichter, Asst. Secy.

THE STATE OF TEXAS

COUNTY OF BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared TOM J. SHERIDAN, President of CANYON LAKE VILLAGE, INC., 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 corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 31st day of March, 1975.

*Juan J. Peyton*  
Notary Public, Bexar County, Texas

Filed for Record April 4, A.D. 1975; at 10:20 o'clock A.M.

*Judy Page*

Deputy. IRENE S. NUHN  
County Clerk, Comal County, Texas.

FILED FOR RECORD

1978 AUG -4 PM 4:44

STATE OF TEXAS  
COUNTY OF COMAL

170599

AFFIDAVIT

HENE S. NUHN  
COUNTY CLERK COMAL COUNTY

BY Ruth Hernandez  
500

BEFORE ME, the undersigned authority, on this day personally appeared TOM J. SHERIDAN, President of TOM J. SHERIDAN PROPERTIES, INC., and upon his oath did depose and say:

That in the capacity as President, he knows the records of the corporation of Canyon Lake Village, Inc., now merged into Tom J. Sheridan Properties, Inc., and that on March 31, 1975, Canyon Lake Village, Inc. did execute Restrictions for Canyon Lake Village West Unit #4, which Restrictions are recorded in Vol. 226, page 241-242 of the Deed Records of Comal County, Texas.

Paragraph #9 of said Restrictions provides as follows:

The corporation reserves to itself, its successors and assigns an easement or right-of-way over a strip along the side, front and rear boundary lines of the lot or lots for the purpose of installation or maintenance of public utilities, including but not limited to gas, water, electricity, telephone, drainage and sewerage, and any appurtenances to the supply lines therefor, including the right to remove and/or trim trees, shrubs or plants. This reservation is for the purpose of providing for the practical installation of such utilities as and when any public or private authority or utility company may desire on said lots with no obligation to corporation to provide such services.

That by error or mistake, the above quoted paragraph #9 omitted the width of the easement described therein, but that it was at that time the intent and purpose of Canyon Lake Village, Inc. to reserve to itself, its successors and assigns, a 5 foot wide strip along the side, front, and rear boundary lines of the lots in said subdivision for the purposes recited in said paragraph #9, and since the date of those Restrictions, Canyon Lake Village, Inc. and its successor Tom J. Sheridan Properties, Inc., has interpreted said easement to be a 5 foot wide strip, and has used and maintained said 5 foot wide strip as a utility easement since said Restrictions were recorded on March 31, 1975.

This Affidavit is given for the purpose of clarifying the above quote paragraph #9 of said Restrictions to indicate to the public that the width of the strip recited therein is 5 feet.

FURTHER DEPONENT SAYETH NOT.

TOM J. SHERIDAN PROPERTIES, INC.

T. J. Sheridan  
TOM J. SHERIDAN, President

SWORN TO and SUBSCRIBED before me, this the 27 day of



James Joseph  
Notary Public in and for  
Comal County, T E X A S

STATE OF TEXAS

COUNTY OF COMAL

BEFORE ME, the undersigned authority, on this day personally appeared TOM J. SHERIDAN, President of TOM J. SHERIDAN PROPERTIES, INC., 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.



GIVEN under my hand and seal of office on this 27 day of  
James Joseph  
Notary Public in and for  
Comal County, T E X A S

147053

RESTRICTIONS FOR LOT 16, CANYON LAKE VILLAGE WEST  
UNIT NO. FOUR  
TOM J. SHERIDAN PROPERTIES, INC., TO THE PUBLIC

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COMAL

That, TOM J. SHERIDAN PROPERTIES, INC., a corporation acting herein by and through its President, Tom J. Sheridan, owner of LOT NO. 16, CANYON LAKE VILLAGE WEST UNIT NO. 4, a subdivision in Comal County, Texas, as shown on a plat recorded in Volume 5, page 30, Map and Plat Records, Comal County, Texas, do hereby impress on LOT 16 the following restrictions:

1. LOT 16 shall be used solely for residential purposes only.
2. All other restrictions remain the same for LOT 16 as those recorded in Volume 226, page 241, Comal County Deed Records.

IN TESTIMONY WHEREOF, TOM J. SHERIDAN PROPERTIES, INC., has caused this instrument to be signed by its President, attested by its Secretary, and the corporate seal hereunto affixed this 21st day of April, 1976.

TOM J. SHERIDAN PROPERTIES, INC.

By: [Signature]  
Tom J. Sheridan, President



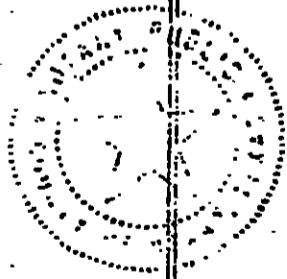
[Signature]  
Elizabeth M. Schlichter, Secretary

THE STATE OF TEXAS

COUNTY OF BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared TOM J. SHERIDAN, President of TOM J. SHERIDAN PROPERTIES, INC., 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 corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 21st day of April, 1976.



[Signature]  
Notary Public, Bexar County, Texas

Filed for Record April 30, A.D. 1976, at 9:46 o'clock AM.

[Signature]  
Deputy.

IRENE S. NUHN  
County Clerk, Comal County, Texas.