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05550

AMENDMENT OF RESTRICTION

VOL. 329 PAGE 367

WHEREAS, the undersigned, DAN H. JOHNSON, conveyed that property described in Exhibit "A" to ROBERT G. RISHER by Deed dated August 15, 1984, recorded in Volume 301, Page 581, Deed Records of Kerr County, Texas; and

WHEREAS, ROBERT G. RISHER subsequently conveyed parcels of the property described in Exhibit "A" to JOHN CHURCHILL (Lot 1, Block 14), R & H HOME BUILDERS, INC. (Lots 5 & 6, Block 15) and R. D. SINEX (Lot 8, Block 15), all of whom are currently owners of said property; and

WHEREAS, the hereinabove described Deed contained among others, the following restrictive covenants, to-wit:

*RM*  
*causing*  
*FRONT* "3. No residence or outbuilding shall be closer to the property line than twenty-five (25) feet."

WHEREAS, by virtue of the fact that other structures in the vicinity of the subject property are constructed approximately twenty feet from the property line, DAN H. JOHNSON desires to amend the hereinbefore described restrictive covenant;

NOW THEREFORE, DAN H. JOHNSON, hereby amends the above described restrive covenant to read as follows:

*RM*  
*FRONT*  
*20* "3. No residence or outbuilding shall be closer to the property line than twenty (20) feet."

and ROBERT G. RISHER, JOHN CHURCHILL, R & H HOME BUILDERS, INC. and R. D. SINEX, being all of the current owners and holders of that property described in Exhibit "A" attached hereto, hereby expressly agree to and accept said amended restriction as a replacement of that restriction originally contained in the deed recorded in Volume 301, Page 581, of the Deed Records of Kerr County, Texas, and in any subsequent Deeds to parcels of that property described in Exhibit "A".

EXECUTED this 12 day of June, 1985.

Dan H. Johnson  
DAN H. JOHNSON

Robert G. Risher  
ROBERT G. RISHER

John Churchill  
JOHN CHURCHILL

R. D. Sinex  
R. D. SINEX

R & H HOME BUILDERS, INC.

BY: Ronnie Moran  
RONNIE MORAN, PRESIDENT

FILED FOR RECORD

at 3:30 o'clock P.M.

JUN 17 1985

PATRICIA DYE  
Clerk County Court, Kerr County, Texas  
By Patricia Dye Deputy

STATE OF TEXAS §  
COUNTY OF KERR §

BEFORE ME, the undersigned authority, on this day personally appeared DAN H. JOHNSON, 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, this 10 day of



Liz Price  
Notary public in and for  
Kerr County, Texas Commission expires:  
11/14/85

STATE OF TEXAS §  
COUNTY OF KERR §

BEFORE ME, the undersigned authority, on this day personally appeared ROBERT G. RISHER, 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, this 7 day of



Liz Price Liz Price  
Notary public in and for  
Kerr County, Texas Commission expires: 11/14/85

STATE OF TEXAS §  
COUNTY OF KERR §

BEFORE ME, the undersigned authority, on this day personally appeared JOHN CHURCHILL, 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.



UNDER MY HAND AND SEAL OF OFFICE, this 10 day of

Liz Price Liz Price  
Notary public in and for  
Kerr County, Texas Commission Expires: 11/14/85

STATE OF TEXAS §  
COUNTY OF KERR §

BEFORE ME, the undersigned authority, on this day personally appeared R. D. SINEX, 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.



UNDER MY HAND AND SEAL OF OFFICE, this 11 day of

Liz Price Liz Price  
Notary public in and for  
Kerr County, Texas Commission Expires: 11/14/85

STATE OF TEXAS §  
COUNTY OF KERR §

BEFORE ME, the undersigned authority, on this day personally appeared RONNIE MORAN, PRESIDENT of R & H HOME BUILDERS, 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.

MISCEL/JOB PP/WP

VOL. 329 PAGE 370

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 12 day of



Liz Price Liz Price  
Notary public in and for  
Kerr County, Texas Commission Expires: 11/14/85

MISCEL/JOB FF/WP

EXHIBIT "A"

VOL. 329 PAGE 371

TRACT I:

All of Lots No. 1,3 and 7, Block 14 of Greenwood Forest No. 5, a subdivision of Kerr County, Texas, according to the amended plat and plan of said subdivision recorded in Volume 5, Page 3, Plat Records of Kerr County, Texas, to which instrument and its record reference is here made for all purposes.

TRACT II:

All of Lot 5, Block 14, and Lots 2 though 8, Block 15, of Greenwood Forest No. 5, a subdivision of Kerr County, Texas, according to the amended plat and plan of said subdivision recorded in Volume 5, Page 3, Plat Records of Kerr County, Texas, to which instrument and its record reference is here made for all purposes.

FIDELITY ABSTRACT AND TITLE CO.  
Ph. 696-4311 Kerrville, Texas

VOL. 329 PAGE 372

AMENDMENT OF RESTRICTION

Dan H. Johnson, et al

to

The Public

FILED FOR RECORD

at 3:30 o'clock P.M.

JUN 17 1985

PATRICIA DYE

Clerk County Court, Egg County, Texas

By *W. W. Watson* Deputy

Return to:  
Fidelity Abstract & Title Co.  
323 Earl Garrett St.  
Kerrville, Texas 78028

PROHL & LESLIE  
ATTORNEYS AT LAW  
829-D MAIN  
KERRVILLE, TEXAS 78028

Filed for record June 17, 1985 at 3:30 o'clock P.M.  
Recorded June 21, 1985  
PATRICIA DYE, Clerk By *W. W. Watson* Deputy

RESERVATIONS & TRIVIAL MATTERS

#5

Wedge wood

LDH/map/rev.08-15-84  
MAP 001 (X)

Greenwood Forest #5

VOL 301 PAGE 581

6995

WARRANTY DEED WITH VENDOR'S LIEN

THE STATE OF TEXAS §  
COUNTY OF KERR §

KNOW ALL MEN BY THESE PRESENTS:

That DAN H. JOHNSON, hereinafter referred to as Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid by ROBERT G. RISHER, 217 Bobwhite, Kerrville, Texas 78028, hereinafter referred to as Grantee, the receipt of which is hereby acknowledged and confessed, and for which said portion of the total consideration no lien, expressed or implied does or shall exist, AND FOR THE FURTHER CONSIDERATION of the execution and delivery by Grantee of his one certain promissory note of even date herewith in the principal sum of ONE HUNDRED NINETY THOUSAND AND NO/100 DOLLARS (\$199,000.00), payable to the order of the FIRST NATIONAL BANK, at its offices in Kerrville, Kerr County, Texas, as therein provided and bearing interest at the rates therein specified and providing for acceleration of maturity in event of default and for attorney's fees, the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a Deed of Trust of even date herewith to ROBERT L. INGRAM, Trustee, has GRANTED, SOLD AND CONVEYED and by these presents does GRANT, SELL AND CONVEY unto the above named Grantee, all of the following described property lying and being situated in Kerr County, Texas, to-wit:

TRACT 1:  
All of Lots No. 1, 3, and 7, Block 14 of Greenwood Forest No. 5, a subdivision of Kerr County, Texas, according to the amended plat and plan of said subdivision recorded in Volume 5, Page 3, Plat Records of Kerr County, Texas, to which instrument and its record reference is here made for all purposes.

TRACT II:

All of Lot 5, Block 14, and Lots 2 through 8, Block 15, of Greenwood Forest No. 5, a subdivision of Kerr County, Texas, according to the amended plat and plan of said subdivision recorded in Volume 5, Page 3, Plat Records of Kerr County, Texas, to which instrument and its record reference is here made for all purposes.

This conveyance is made and accepted subject to any and all restrictions, covenants, conditions and easements, if any, affecting the hereinabove described property that are properly of record and/or on the ground.

Further, this conveyance is made and accepted subject to the following, to-wit:

1. The building used for residential purposes shall contain a minimum of 1400 square feet of living area, excluding porches and garage, and be at least 51% brick or rock veneer.
2. No mobile homes or house trailers shall be allowed.
3. No residence or outbuilding shall be closer to the property line than twenty-five (25) feet.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, his heirs and assigns forever; and I do hereby bind myself, my heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the VENDOR'S LIEN, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.



Section 5 Lot

839678

WARRANTY DEED

VOL: 286 PAGE 586

THE STATE OF TEXAS §  
COUNTY OF KERR §

KNOW ALL MEN BY THESE PRESENTS

That DAN H. JOHNSON, hereinafter referred to as Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid by LEON R. TURNER, JR., P. O. Box 450, Ingram, Kerr County, Texas 78025, hereinafter referred to as Grantee, the receipt of which is hereby acknowledged and confessed, and for which no lien, expressed or implied does or shall exist, has GRANTED, SOLD AND CONVEYED and by these presents does GRANT, SELL AND CONVEY unto the above named Grantee, all of the following described property lying and being situated in Kerr County, Texas, to-wit:

All of Lot No. 12, Blk. 15, of Greenwood Forest No. 5, a subdivision of Kerr County, Texas, according to the amended plat and plan of said subdivision recorded in Volume 5, Page 3, Plat Records of Kerr County, Texas, to which instrument and its record reference is here made for all purposes.

This conveyance is made and accepted subject to any and all restrictions, covenants, conditions and easements, if any, affecting the hereinabove described property that are properly of record and/or on the ground.

Further this conveyance is made and accepted subject to the following:

1. The building used for residential purposes shall contain a minimum of 1400 square feet of living area, excluding porches and garage, and be at least 51% brick or rock veneer.
2. No mobile homes or house trailers shall be allowed.
3. No residence or outbuilding shall be closer to the property line than twenty-five (25) feet.

TO HAVE AND TO HOLD the above described premises together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, his heirs and assigns forever; and Grantor does hereby bind himself, his heirs, executors and administrators to WARRANT AND FOREVER DEFEND all

*15100  
Lot 12 B  
15 Greenwood*

and singular the said premises unto the said Grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

The wife of Dan H. Johnson is not joined herein because no part of the hereinabove described property constituted any part of the homestead, business or residential property of Dan H. Johnson.

EXECUTED this the 14th day of November, A.D. 1983.

FILED FOR RECORD  
at 4:05 o'clock PM

NOV 17 1983

PATRICIA DYE  
Clerk County Court Kerr County, Texas  
By [Signature] Deputy

[Signature]  
DAN H. JOHNSON

THE STATE OF TEXAS §  
COUNTY OF KERR §

This instrument was acknowledged before me on the 15th day of November, 1983, by DAN H. JOHNSON.



[Signature]  
NOTARY PUBLIC in and for  
the State of Texas

My commission expires \_\_\_\_\_

WITNESSED my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

5

840037

WARRANTY DEED

VOL. 287 PAGE 317

THE STATE OF TEXAS §  
COUNTY OF KERR §

KNOW ALL MEN BY THESE PRESENTS:

That DAN H. JOHNSON, hereinafter referred to as Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid by JOHN G. CAYAN and wife, <sup>D. & J. C.</sup> JEAN C. CAYAN, of 205 Wedgewood, Kerrville, Kerr County, Texas 78028, hereinafter referred to as Grantees, the receipt of which is hereby acknowledged and confessed, and for which no lien, expressed or implied does or shall exist, has GRANTED, SOLD AND CONVEYED and by these presents does GRANT, SELL AND CONVEY unto the above named Grantees, all of the following described property lying and being situated in Kerr County, Texas, to-wit:

All of Lot No. 2, Blk. 16, of Greenwood Forest No. 5, a subdivision of Kerr County, Texas, according to the amended plat and plan of said subdivision recorded in Volume 5, Page 3, Plat Records of Kerr County, Texas, to which instrument and its record reference is here made for all purposes.

This conveyance is made and accepted subject to any and all restrictions, covenants, conditions and easements, if any, affecting the hereinabove described property that are properly of record and/or on the ground.

Further this conveyance is made and accepted subject to the following:

1. The building used for residential purposes shall contain a minimum of 1400 square feet of living area, excluding porches and garage, and be at least 51% brick or rock veneer.
2. No mobile homes or house trailers shall be allowed.
3. No residence or outbuilding shall be closer to the front property line than twenty-five (25) feet.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantees, their heirs and assigns forever; and Grantor does hereby bind himself, his heirs,

executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantees, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

The wife of Dan H. Johnson is not joined herein because no part of the hereinabove described property constitutes any part of the homestead, business or residential property of Dan H. Johnson.

EXECUTED this the 2nd day of December, A.D. 1983.

2nd day of Dec. 19 83  
PATRICIA DYE 3:45 PM  
Clk, County Court, Kerr County, Texas  
By Karin Hudson Deputy

Dan H. Johnson  
DAN H. JOHNSON

THE STATE OF TEXAS §

COUNTY OF KERR §

This instrument was acknowledged before me on the 2nd day of December, 1983, by DAN H. JOHNSON.



Ann Robertson  
Notary Public in and for  
the State of Texas

My commission expires 3-8-84

Ann Robertson  
Stamped or printed name of notary

840037

DAN H. JOHNSON

TO

JOHN G. CAYAN AND  
JANE C. CAYAN

*Jean*

Filed *2nd* day of *Dec.* A.D. 19*83*  
PATRICIA DYE 3:56pm  
Clerk County Court, Kerr County, Texas  
By *Patricia Dye*, Deputy

WARRANTY DEED

Return to:

John G. Cayan and  
Jane C. Cayan  
205 Wedgewood  
Kerrville, Texas 78028

HARRIS, HARRIS & CHILDERS  
A PROFESSIONAL LEGAL CORPORATION  
LAWYERS BUILDING  
831 WATER STREET  
KERRVILLE, TEXAS 78028

FILED BY KERRVILLE TITLE COMPANY

Filed for record December 2, 1983 at 3:56 o'clock, P M  
Recorded December 6th, 1983  
PATRICIA DYE, Clerk By *Whinnice J. Watsen* Deputy

LDH/sh/3-19-85  
MAP002 (K)

02561

WARRANTY DEED

VOL 316 PAGE 763

THE STATE OF TEXAS §  
COUNTY OF KERR §

KNOW ALL MEN BY THESE PRESENTS:

That I, DAN H. JOHNSON, of the County of Kerr, State of Texas, hereinafter referred to as Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid by Louis H. Womack and Linda M. Womack, of 114 Wild Timber, Kerrville, Kerr County, Texas, hereinafter referred to as Grantees, the receipt of which is hereby acknowledged and confessed, and for which no lien, expressed or implied does or shall exist, have GRANTED, SOLD AND CONVEYED and by these presents do GRANT, SELL AND CONVEY unto the above named Grantees, all of the following described property lying and being situated in Kerr County, Texas, to-wit:

All of Lot No. 7, Blk. 16, of Greenwood Forest No. 5, a subdivision of Kerr County, Texas, according to the plat and plan of said subdivision recorded in Volume 5, Page 3, Plat Records of Kerr County, Texas, to which instrument and its record reference is here made for all purposes.

This conveyance is made and accepted subject to any and all restrictions, covenants, conditions and easements, if any, affecting the hereinabove described property that are properly of record and/or on the ground.

Further this conveyance is made and accepted subject to the following:

1. The building used for residential purposes shall contain a minimum of 1400 square feet of living area, excluding porches and garage, and be at least 51% brick or rock veneer.
2. No mobile homes or house trailers shall be allowed.
3. No residence or outbuilding shall be closer to the property line than twenty-five (25) feet.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantees, their heirs and assigns forever; and I do hereby bind myself, my heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantees, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

The wife of Dan H. Johnson is not joined herein because no part of the hereinabove described property constitutes any part of the homestead, business or residential property of Dan H. Johnson.


. EXECUTED this the 26th day of March, A.D. 1985.

  
DAN H. JOHNSON

THE STATE OF TEXAS §  
COUNTY OF KERR

This instrument was acknowledged before me on March 26, 1985, by DAN H. JOHNSON .



  
Notary Public in and for  
the State of Texas

My commission expires 3-8-88

ANN ROBERTSON  
Stamped or printed name of notary

FILED FOR RECORD  
at 4:41 o'clock P. M

MAR 26 1985

PATRICIA DYE  
Clerk County Court, Kerr County, Texas  
By Lois Hudson Deputy

DAN H. JOHNSON  
TO  
DOROTHY FAYE WOMACK

WARRANTY DEED

after recording return to:

DOROTHY FAYE WOMACK  
114 WILD TIMBER  
KERRVILLE, TEXAS 78028

*26th day of March 1985 at 4:41 pm  
Patricia Dye  
Clerk County Clerk, Kerr County, Texas  
By Dan Johnson Deputy*

HARRIS & MONROE, P. C.  
BANK OF KERRVILLE TOWER - SUITE 500  
222 SIDNEY BAKER SOUTH  
KERRVILLE, TEXAS 78028

FILED BY KERRVILLE TITLE COMPANY

Filed for record March 26, 1985 at 4:41 o'clock p.m.

Recorded April 1, 1985  
PATRICIA DYE, Clerk

By William J. Whitcomb Deputy