RESTRICTIONS GOVERNING THE USE OF AND CONSTRUCTION OF IMPROVEMENTS IN CANYON OAKS UNIT #4

STATE OF TEXAS §
§
COUNTY OF UVALDE §

I. INTRODUCTION

1. WHEREAS, KENNETH ARTHUR, acting as DEVELOPER on behalf of a partnership dba Canyon Oaks Unit #4, did on August 26, 1981, establish, adopt, execute and file for record RESTRICTIONS (hereinafter called "original RESTRICTIONS") to be imposed upon each numbered TRACT in a subdivision known and designated as CANYON OAKS UNIT #4 (hereinafter referred COU4) according to the map or plat of such subdivision filed for record in the office of the County Clerk of Uvalde County, Texas on the 10th day of December 1979, and recorded in Volume 3, Page 125 of the Map Records of Uvalde County, Texas. Said RESTRICTIONS are recorded in Book 237, Pages 158-163. Said RESTRICTIONS have subsequently been added to in 1994 and 1998. These additional RESTRICTIONS are filed for record in the deed records of Uvalde County, Texas in Volume 0343, Page 476 and Volume 0402, Page 667, respectively.

2. This subdivision was and is intended to be a collection of numbered TRACTS developed and improved as single family RESIDENCES (either homesteads or VACATION HOMES). Improvements to property in the subdivision shall be implemented and maintained in a manner consistent with perpetuating the natural environment of the area and in a manner consistent with preserving and propagating the wildlife thereon for the social and recreational benefit of the OWNERS of property in this subdivision. While the RESTRICTIONS allow OWNERS to rent or lease their houses to single families FROM TIME-TO-TIME it is not now, nor was it ever intended, that the subdivision should be used as a tourist camp during the entire summer.

3. Each of the numbered TRACTS was originally part of an undivided 222.982 acres conveyed by Jerry W. Jones, and wife Mecky Jones, to Kenneth W. Arthur ("DEVELOPER") by Warranty Deed with Vendors Lien executed January 15, 1982, and recorded in Book 239, Page 176 of the Deed Records of Uvalde County, Texas. Such deed included the conveyance of a non-exclusive easement for ingress and egress to DEVELOPER, his heirs and assigns, for access to the Frio River across the 2.681-acre Reserve Area as shown on the plat of ConCan Oaks, Unit 1, a subdivision in Uvalde County, Texas, according to the map or plat of that subdivision recorded in Volume 3, Page 102, of the Plat Records of Uvalde County, Texas ("RIVER ACCESS").

Thereafter, each of the numbered TRACTS, when originally sold by DEVELOPER, included in the conveyance of a non-exclusive easement for ingress and egress by the Grantee, his heirs, successors and assigns, to RIVER ACCESS across the 2.681-acre Reserve Area. Unless expressly excluded by a particular deed, DEVELOPER through the chain of title