

002065

VOL. 1664 PAGE 0687

**HEADWATERS RANCH  
RESTRICTIONS AND COVENANTS**

The property in the Headwaters Ranch, as recorded in the plat records of Kerr County, Texas, is subject to the covenants hereby made by the developer, (Seller), to-wit:

1. That these covenants are to run with the land and shall be binding on the Purchaser and all persons claiming under him. Purchaser understands that these restrictions and covenants are filed in the Real Property Records of Kerr County, Texas.
2. That the above property herein shall not be used for commercial or day lease hunting nor any manufacturing purposes.
3. That no automobile, truck, trailer, or other vehicle shall be abandoned on this property, nor shall there be any dumping or placing of unsightly objects of any kind on the property.
4. That no structure of any kind (including hunting blinds and/or deer feeders) shall be permitted within 200 feet of any property line. No mobile homes or manufactured homes shall be allowed.
5. That no noxious or offensive activity shall be carried on upon any tract nor shall anything be done thereon which may be or become an annoyance or nuisance to any adjoining tract. No tract shall be maintained or utilized in such a manner as to violate any applicable statute, ordinance or regulation of the United States of America, the State of Texas, the County of Kerr, if applicable, or any other governmental agency having jurisdiction thereof.
6. That not more than one residence shall be permitted on any tract. No communal residences shall be permitted.
7. That no commercial swine operation shall be permitted.
8. That no tract may be subdivided.
9. That any tract fronting on FM 1340 must access the tract from subdivision road constructed by Developer. No driveways to any tracts can be constructed from FM 1340.
10. That no deviation of any kind shall be permitted from these restrictions unless permission is granted in writing by the SELLER.

This instrument was acknowledged before me on the 20<sup>th</sup> day of MARCH, 2008, by Reginald A. Tuck, General Partner of Ranch Enterprises Ltd., a Texas Limited Partnership, d/b/a/ Headwaters Ranch, on behalf of said Limited Partnership.

Reginald A. Tuck  
Reginald A. Tuck  
General Partner of Ranch Enterprises, Ltd.

Paula L. Barcelo  
Paula Barcelo  
Notary Public in and for the State of Texas  
My Commission Expires on \_\_\_\_\_



FILED BY & RETURN TO:

RANCH ENTERPRISES LTD  
1001 WATER STREET, STE 200-B  
KERRVILLE, TX 78028

FILED AND RECORDED  
At 9:50 o'clock A M  
STATE OF TEXAS  
COUNTY OF KERR



MAR 24 2008

I hereby certify that this instrument was filed in the file numbered  
sequence on the date and time stamped hereon by me and was duly  
recorded in the Official Public Records of Kerr County Texas.  
Jannett Pieper, Kerr County Clerk

By: [Signature] Deputy

RECORDER'S NOTE  
AT TIME OF RECORDATION INSTRUMENT FOUND  
TO BE INADEQUATE FOR BEST PHOTOGRAPHIC  
REPRODUCTION DUE TO THE DEPTH & DARKNESS OF  
PRINT, COLOR OF PRINT OR INK, BACKGROUND OF  
PAPER, ILLEGIBILITY, CARBON OR PHOTO COPY ETC.

FILE # 2128 VOL. 8 K. 078 Sheet 1 of 2

FINAL Plat of Headwaters Ranch, Phase 2

A SUBDIVISION CONTAINING 213.99 ACRES OF LAND, MORE OR LESS, OUT OF C.H. & S.A. R.R. CO. SURVEY NO. 7, ABSTRACT NO. 403 AND SURVEY NO. 8, ABSTRACT NO. 1802, IN KERR COUNTY, TEXAS, LOCATED APPROXIMATELY 27 MILES NORTHWEST OF THE CITY OF KERRVILLE, KERR COUNTY TEXAS, AND BEING A PORTION OF THAT 664.89 ACRES DESCRIBED IN A DEED TO RANCH ENTERPRISES, LTD. FILED OF RECORD IN VOLUME 1596, PAGE 720 OF THE OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS.

SEWAGE AND WASTE FACILITIES

I, the developer and owner of the land identified by above, hereby certify that the sewage and waste facilities which may be constructed or installed by owners of lots within the subdivision shall be in accordance with the rules, regulations and requirements as currently exist, or which may be hereinafter or amended in the future. These requirements may include, but are not limited to, the construction of a sewage system, septic tank, or similar facility.

CERTIFICATION BY ADMINISTRATOR OF ON-SITE SEWAGE FACILITIES

I hereby certify that the sewage and waste facilities which may be constructed or installed by owners of lots within the subdivision shall be in accordance with the rules, regulations and requirements as currently exist, or which may be hereinafter or amended in the future. These requirements may include, but are not limited to, the construction of a sewage system, septic tank, or similar facility.

Dated this 25th day of February, 2008. Rodney W. Little, Designated Representative for Kerr County OSP

WATER NOT PROVIDED TO TRACTS

NOTICE: Water will not be provided to tracts in subdivision. Neither the owner, developer, nor subdivision interests to provide water to the tracts within the subdivision. The subdivision is located in the HEADWATERS RANCH subdivision. The subdivision does not affect the water rights pertaining to the individual tracts or lots within the subdivision, nor does it affect the water rights pertaining to the subdivision as a whole. For example, windmill, water tanks, water troughs, water pipelines, or the rights corresponding thereto. Neither the owner, developer, nor subdivision interests shall be liable for the availability, depth, or amount of subsurface water on individual tracts or lots within this subdivision.

BEARING, NOTATION BASIS OF BEARINGS: BEARS DERIVED FROM TRUE NORTH ON MARCH 9, 2007. C.F.S. (TRIANGLE) R.T.K. SYSTEM ON MARCH 9, 2007.

STATE OF TEXAS COUNTY OF KERR

I, Rodney W. Little, Registered Professional Land Surveyor No. 4394 do hereby certify that the above is a true and correct copy of a survey performed on the ground under my supervision and direction, and there are no visible or apparent errors or encroachments, except as shown and defined herein.

Dated this 25th day of February, 2008.



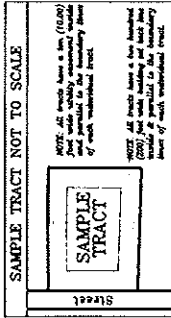
Signature of Rodney W. Little

DEED RESTRICTIONS

NOTICE OF DEED RESTRICTIONS OR RESTRICTIVE COVENANTS: All land within the HEADWATERS RANCH subdivision is subject to the deed restrictions, restrictive covenants and other restrictions which may limit or otherwise affect the use of the land by the owner. The restrictions or covenants are filed of record in the real estate or plat records of Kerr County, Texas.

ROAD NOTATION

ROADS SHOWN HEREON WILL BE DEDICATED TO KERR COUNTY. The roads shown on this plat are to be dedicated to Kerr County. Other such dedications and improvements in the HEADWATERS RANCH subdivision SHALL BE DEDICATED to public use and Kerr County. The dedication of roads and public use was prepared by Vordenbaum Engineering, Inc., 507-D East Highway Street, Fredericksburg, Texas 78604.



UTILITY EASEMENTS

DEDICATION OF UTILITY EASEMENTS: There is hereby provided for the utility easements within the HEADWATERS RANCH subdivision a ten (10.00) foot wide strip of land for utility purposes. Utility easements shall be in accordance with the subdivision plat of each subdivision tract. Utility easements shall be in accordance with the subdivision plat of each subdivision tract. Utility easements shall be in accordance with the subdivision plat of each subdivision tract.

TEXAS DEPARTMENT OF TRANSPORTATION

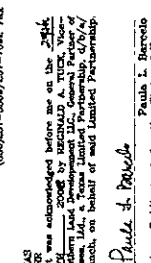
I have reviewed this subdivision plat, and find the bearings/areas to and from the Lots or Tracts shown hereon to be in compliance with Texas Department of Transportation guidelines.

Dated this 25th day of February, 2008. Rodney W. Little, Designated Representative for Texas Department of Transportation

STATE OF TEXAS COUNTY OF KERR

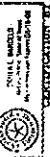
I, the developer and owner of the land identified by above, hereby certify that the subdivision is in accordance with the rules, regulations and requirements as currently exist, or which may be hereinafter or amended in the future. These requirements may include, but are not limited to, the construction of a sewage system, septic tank, or similar facility.

NOTE: Map of tract to any acide (N.T.S.) HEADWATERS RANCH



7744 LEGAT # 2128 Location of HEADWATERS RANCH

Notary Public in & for the State of Texas My Commission Expires on August 16, 2008



CERTIFICATION OF FLOOD PLAN ADMINISTRATOR The area shown hereon lies within "Zone X" as shown on FEMA Map Number 48580C0123 E, Kerr County Unincorporated Areas, dated July 11, 2006. I have reviewed and approved the subdivision plat, and find it applicable to the Kerr County Flood Prevention Order.

Dated this 25th day of March, 2008. Flood Plain Administrator

CERTIFICATION BY KERR 911 DIRECTOR I hereby certify that this subdivision complies with the Road Naming and Addressing Guidelines of Kerr 911.

Dated this 25th day of February, 2008. 911 Director

CERTIFICATION BY COUNTY ADMINISTRATOR I hereby certify that this subdivision plat conforms to all requirements of the Subdivision Rules & Regulations of Kerr County.

Dated this 25th day of March, 2008. County Administrator

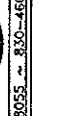
This Plat of HEADWATERS RANCH, PHASE 2 has been submitted to, and considered by the Commissioners Court of Kerr County, Texas, and is hereby approved by such Court.

Dated this 25th day of March, 2008.

Approved by the Commissioners Court of Kerr County, Texas, on the 24th day of March, 2008 by Order No. 20775

RECORDED on the 25th day of March, 2008 at Pages 873-019 of the Plat Records of Kerr County, Texas.

By: Rodney W. Little, County Clerk of Kerr County, Texas



RODNEY W. LITTLE ~ LAND SURVEYING & MAPPING ~ P.O. BOX 1593 ~ MEDINA, TEXAS 78055 ~ 830-460-4900

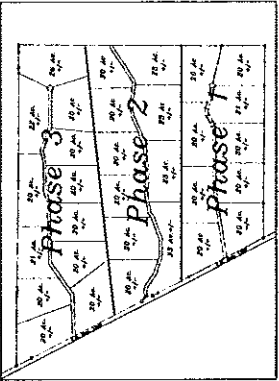
FINAL Plat of

Headwaters Ranch, Phase 2

A subdivision containing 213.99 acres of land, more or less, out of C.H. & S.A. R.R. Co. Survey No. 7, Abstract No. 403, and Survey No. 8, Abstract No. 1802 in Kerr County, Texas.

(NOTE: Approximate parcel acreages are shown in parentheses.)

Future Development Plan



TRACT	ACRES	ADJACENT TRACTS	COMMENTS
1	20.00	2, 3, 4, 5, 6, 7, 8, 9, 10	
2	23.50	1, 3, 4, 5, 6, 7, 8, 9, 10	
3	23.42	1, 2, 4, 5, 6, 7, 8, 9, 10	
4	23.51	1, 2, 3, 5, 6, 7, 8, 9, 10	
5	20.00	1, 2, 3, 4, 6, 7, 8, 9, 10	
6	20.00	1, 2, 3, 4, 5, 7, 8, 9, 10	
7	20.00	1, 2, 3, 4, 5, 6, 8, 9, 10	
8	20.00	1, 2, 3, 4, 5, 6, 7, 9, 10	
9	20.00	1, 2, 3, 4, 5, 6, 7, 8, 10	
10	20.01	1, 2, 3, 4, 5, 6, 7, 8, 9	

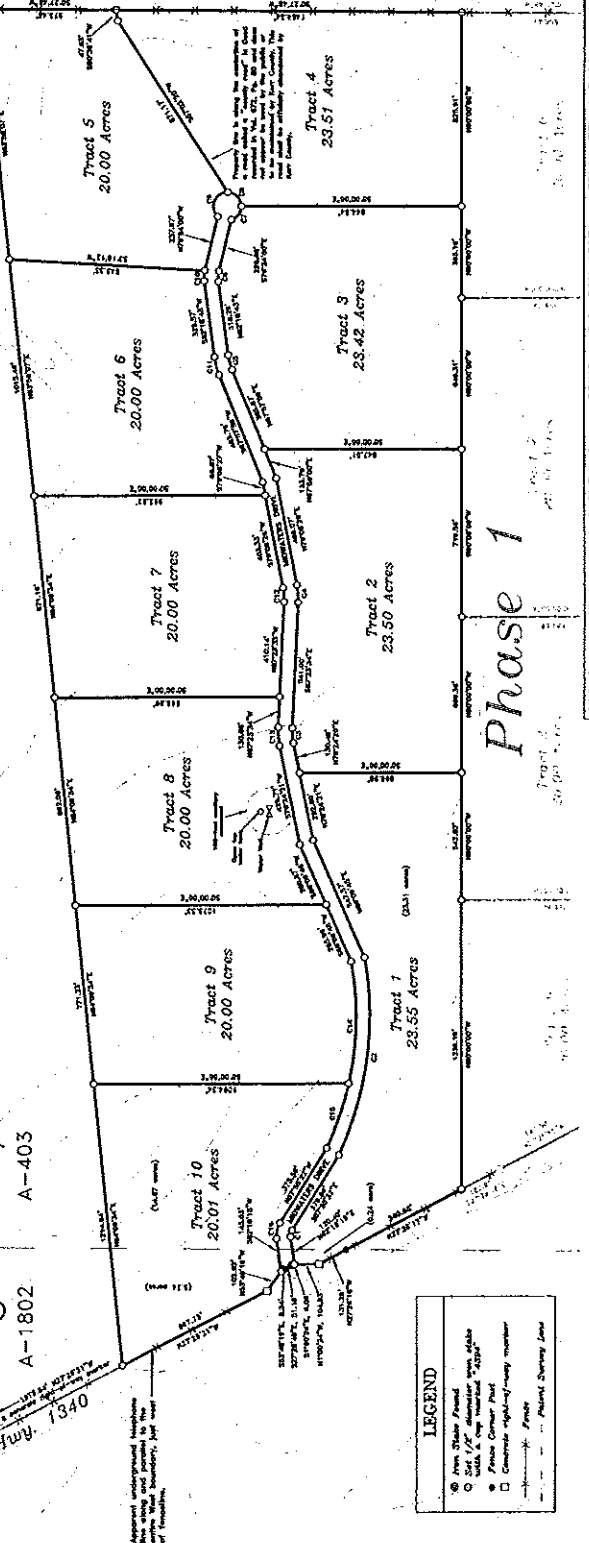
FILE EX-113 VOL. 8 PL. 804

NOTES:  
 1. This plat is a subdivision of land owned by Ranch Enterprises, Ltd., a corporation organized under the laws of the State of Texas, and is being subdivided into 10 tracts of land, more or less, for the purpose of sale to the public. The total area of the subdivision is 213.99 acres, more or less, and is situated in Kerr County, Texas. The subdivision is being made pursuant to the provisions of the Texas Subdivision Act, Chapter 252, Texas Property Code, and the rules and regulations thereunder. The subdivision is being made in accordance with the plat shown hereon, which is a true and correct copy of the original plat on file in the office of the County Clerk of Kerr County, Texas. The subdivision is being made in accordance with the plat shown hereon, which is a true and correct copy of the original plat on file in the office of the County Clerk of Kerr County, Texas. The subdivision is being made in accordance with the plat shown hereon, which is a true and correct copy of the original plat on file in the office of the County Clerk of Kerr County, Texas.

RANCH ENTERPRISES, LTD.  
 237 West 11th Street  
 Vol. 1586, Pg. 720  
 Official Public Records of  
 Kerr County, Texas

8  
 A-1802  
 A-403

1437  
 A-675



**LEGEND**

- Iron Stake Found
- 1/2" diameter iron stake
- 1/2" x 1/2" iron stake
- 1/2" x 1/2" iron stake
- Concrete right-of-way marker
- Fender
- Plat Survey Line

Phase 1

ROONEY W. LITTLE ~ LAND SURVEYING & MAPPING ~ P.O. BOX 1593 ~ MEDINA, TEXAS 78055 ~ 830-460-4900