

H 1200

10616

AMENDMENT TO RESTRICTIVE COVENANTS

WHEREAS, LAKE RANSOM CANYON, INC., a Texas corporation (herein referred to as "Developer") did impose certain restrictive covenants on Lots 1-137, Block 20, Lake Ransom Canyon, an Addition to the Town of Ransom Canyon, Lubbock County, Texas, by that certain Dedicatory Certificate recorded in Volume 4449, Page 262, Real Property Records of Lubbock County, Texas; and

WHEREAS, Developer, being the current owner of all of the above described lots, now desires to amend the restrictive covenants by adding additional restrictive covenants applicable to some of the above described lots.

NOW, THEREFORE, Developer, being the owner of all of the above described real property, does hereby amend the restrictive covenants previously imposed by the above described Dedicatory Certificate, by adding the following, to-wit:

1. Notwithstanding anything contained in prior restrictive covenants imposed upon such lots to the contrary, all buildings constructed on the East-West Garden Home Lots (identified as Lots 1-10, both inclusive, Lots 110 and 111, and Lots 133-137, both inclusive), or on the North-South Garden Home Lots (identified as Lots 95-109, both inclusive, and Lots 112-127, both inclusive) shall be one ground story, or one and one-half story (split level), and no two-story structures shall be allowed on said lots, and in any event, no building or other structure erected on any of such lots shall exceed twenty-five feet (25') in height.

2. The owners of Lots 51 and 52, Lots 68-71, both inclusive, Lots 83 and 84, Lots 89-91, both inclusive, and Lot 132, shall not be allowed to have direct vehicular access onto Ransom Road along the easternmost lot line of said lots.

In all other respects, Developer hereby confirms and ratifies the original restrictive covenants as imposed in the aforementioned instrument, and declares same to be in full force and effect except as amended by this instrument.

THE PLAINS NATIONAL BANK OF LUBBOCK, holder of a lien of record against the above referenced property, joins in the execution of this instrument for the sole purpose of showing its assent thereto, and that it has no objection to the amendment of the existing restrictive covenants, as hereinabove provided.

WITNESS the execution hereof this 22nd day of March, 1994.

LAKE RANSOM CANYON, INC.

By: Harold Chapman
Harold Chapman, President

THE PLAINS NATIONAL BANK OF LUBBOCK

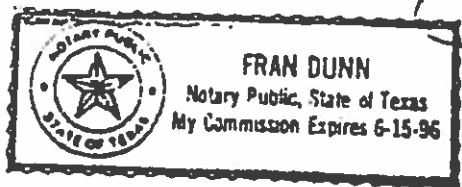
By:

Brian Heflin

Printed Name: Brian Heflin
Title: Vice President

THE STATE OF TEXAS §
COUNTY OF LUBBOCK §

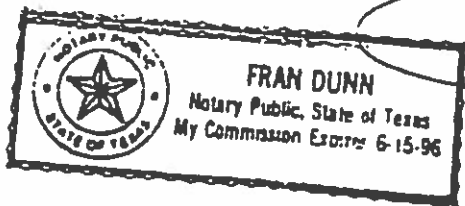
This instrument was acknowledged before me on the 23rd day of March, 1994, by Harold Chapman, President of LAKE RANSOM CANYON, INC., a Texas corporation, on behalf of said corporation.



Fran Dunn
Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF LUBBOCK §

This instrument was acknowledged before me on the 23rd day of March, 1994, by Brian Heflin, Vice President of THE PLAINS NATIONAL BANK OF LUBBOCK, a corporation, on behalf of said corporation.



Fran Dunn
Notary Public, State of Texas

25 - 3:15

THE STATE OF TEXAS §

DEDICATORY CERTIFICATE

COUNTY OF LUBBOCK §

This is to certify that LAKE RANSOM CANYON, INC., a Texas corporation, acting herein by and through its duly authorized officer, is the owner of a tract of land described as follows, to-wit:

A tract of land located in Sections 8 and 4, Block I, Lubbock County, Texas, being further described as follows:

BEGINNING at a point which bears North a distance of 385.06 feet and S. 89°57'15" E., a distance of 675.83 feet from the Southwest corner of Section 8, Block I and the Northwest corner of Section 4, Block I, Lubbock County, Texas;

THENCE North, a distance of 1,135.56 feet;

THENCE N. 63°39'32" E., a distance of 56.30 feet;

THENCE S. 50°44'45" E., a distance of 131.60 feet;

THENCE S. 66°18'04" E., a distance of 79.03 feet;

THENCE N. 57°35'05" E., a distance of 162.05 feet;

THENCE N. 46°12'56" E., a distance of 31.90 feet;

THENCE N. 48°43'25" E., a distance of 72.00 feet;

THENCE S. 64°00'00" E., a distance of 50.00 feet;

THENCE S. 04°00'00" E., a distance of 320.00 feet;

THENCE S. 15°00'00" E., a distance of 90.00 feet;

THENCE S. 46° E., a distance of 80.00 feet;

THENCE S. 89°00'00" E., a distance of 100.00 feet;

THENCE N. 87°21'55" E., a distance of 85.06 feet;

THENCE N. 74°56'52" E., a distance of 101.04 feet;

THENCE N. 80°37'16" E., a distance of 71.29 feet;

THENCE N. 67°30'00" E., a distance of 100.00 feet;

THENCE N. 25°00'00" E., a distance of 135.00 feet;

THENCE N. 45°22'27" E., a distance of 52.42 feet;

THENCE S. 47°39'22" E., a distance of 63.15 feet;

THENCE S. 50°05'16" E., a distance of 50.00 feet;

THENCE N. 82°33'56" E., a distance of 80.14 feet;

THENCE N. 77°23'18" E., a distance of 89.72 feet;

THENCE S. 48°03'23" E., a distance of 96.19 feet;

THENCE S. 21°47'04" E., a distance of 80.92 feet;

THENCE S. 73°46' E., a distance of 55.90 feet to a point which is in the West right-of-way line of Ransom Road;

THENCE S. 14°50'23" W. along the West right-of-way line of Ransom Road, a distance of 60.27 feet;

THENCE S. 11°43'49" W. along the West right-of-way line of Ransom Road, a distance of 111.12 feet;

THENCE S. 03°06'40" W. along the West right-of-way line of Ransom Road, a distance of 111.90 feet;

THENCE S. 13°01'17" E. along the West right-of-way line of Ransom Road, a distance of 140.99 feet;

THENCE S. 20°12'52" E. along the West right-of-way line of Ransom Road, a distance of 178.09 feet to a point of intersection;

THENCE Southeasterly around a curve to the left along the West right-of-way line of Ransom Road, said curve having a radius of 1170.90 feet, a central angle of 9°16'00", tangent lengths of 94.89 feet, a chord distance of 189.17 feet, and a chord bearing of S. 23°21'20" E. to a point of tangency;

THENCE S. 27°59'20" E. along the West right-of-way line of Ransom Road, a distance of 164.00 feet to a point of intersection;

THENCE Southerly around a curve to the right along the West right-of-way line of Ransom Road, said curve having a radius of 261.51 feet, a central angle of 31°22'00", tangent lengths of 73.42 feet, a chord distance of 141.38

feet, and a chord bearing of S. 12°19'33" E. to a point of intersection;
 THENCE S. 03°19'00" W. along the West right-of-way line of Ransom Road,
 a distance of 9.16 feet;
 THENCE S. 07°10'24" E. along the West right-of-way line of Ransom Road,
 a distance of 112.21 feet;
 THENCE S. 18°58'54" E. along the West right-of-way line of Ransom Road,
 a distance of 28.10 feet to a point in the North right-of-way line of West Lake
 Shore Drive;
 THENCE S. 71°13'37" W. along the North right-of-way line of West Lake
 Shore Drive, a distance of 79.23 feet to a point of curvature;
 THENCE Southwesterly around a curve to the left along the North right-of-
 way line of West Lake Shore Drive, said curve having a radius of 230.65 feet,
 a central angle of 19°10'12", tangent lengths of 38.95 feet and a chord
 distance of 76.81 feet;
 THENCE S. 52°03'25" W. along the North right-of-way line of West Lake
 Shore Drive, a distance of 25.61 feet to a point of curvature;
 THENCE Southwesterly around a curve to the right along the North right-of-
 way line of West Lake Shore Drive, said curve having a radius of 202.44 feet,
 a central angle of 46°28'54", tangent lengths of 86.94 feet, and a chord
 distance of 159.77 feet;
 THENCE S. 08°32'19" W., a distance of 50.00 feet;
 THENCE N. 69°36'20" W., a distance of 16.06 feet;
 THENCE S. 53°06'32" W., a distance of 4.72 feet to a point of intersection
 on a curve;
 THENCE Westerly, around a curve to the left, said curve having a radius of
 2857.14 feet, a central angle of 05°13'37", tangent lengths of 130.42 feet, and
 a chord distance of 260.56 feet;
 THENCE N. 87°04'12" W., a distance of 94.77 feet to a point of curvature;
 THENCE Northwesterly, around a curve to the right, said curve having a
 radius of 312.09 feet, a central angle of 12°47'12", tangent lengths of 34.97
 feet, a chord distance of 69.50 feet to a point of reverse curvature;
 THENCE Southwesterly, around a curve to the left, said curve having a radius
 of 124.16 feet, a central angle of 35°42'55", tangent lengths of 40.00 feet, a
 chord distance of 76.15 feet to a point of reverse curvature;
 THENCE Northwesterly, around a curve to the right, said curve having a
 radius of 117.88 feet, a central angle of 52°58'28", tangent lengths of 58.74
 feet, a chord distance of 105.15 feet;
 THENCE N. 57°01'27" W., a distance of 1002.38 feet to the Place of
 Beginning;

and the undersigned wishes to plat the above described property, designating streets, alleys,
 easements (surface and/or underground), and other public properties shown in accordance
 with the attached map, prepared by B. J. Gradel, Jr., Registered Professional Land
 Surveyor, on the _____ day of _____, 19____, and approved by the City
 Council of the Town of Ransom Canyon, Texas, on the _____ day of _____,
 1993, and desiring to have said property platted and duly filed for record as required by law,
 all as shown on the attached map;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That for and in
 consideration of the special benefits to the remainder of its property, the undersigned does
 hereby DEDICATE all the streets, alleys, easements (surface and/or underground), and other
 public properties shown and designated upon said map to the PUBLIC for PUBLIC USE

FOREVER; and by these presents does impress the name of "TRACT "A" and LOTS 1-137, BLOCK 20, LAKE RANSOM CANYON, an Addition to the Town of Ransom Canyon, Lubbock County, Texas" upon said property for the correct reference and description thereto by tract and lots as indicated upon the attached map, and the undersigned does hereby adopt the name hereinabove stated and impresses the same upon said land, incorporating said map as a part of this dedication.

And THE PLAINS NATIONAL BANK OF LUBBOCK, holder of a lien of record against the above referenced property, joins in this dedication for the sole purpose of showing its assent thereto and that it has no objection to the platting of said tract and lots in accordance with the attached map, and it hereby subordinates its lien upon those portions of the property which are embraced within the bounds of the streets, alleys, easements (surface and/or underground), and other public ways shown on said map and dedicated for public use in accordance with this dedicatory certificate.

And the undersigned does hereby impress and impose upon Lots 1-137, both inclusive, Block 20 (but excluding therefrom Tract "A", it being intended that Tract "A" shall remain unrestricted), the restrictive covenants and provision for maintenance charges heretofore imposed upon certain other lots and blocks in Lake Ransom Canyon Addition in an instrument of record in Volume 1055, Page 395 of the Deed Records of Lubbock County, Texas, hereby adopting the same by reference just as though the said prior restrictive covenants and provision for maintenance charges were set forth in this dedicatory certificate, and hereby imposed upon said lots. HOWEVER, the undersigned does hereby amend, and make additions to the aforementioned prior restrictive covenants, as to said lots only, as follows:

1. The name, LAKE RANSOM CANYON, INC., a Texas corporation, shall be substituted in the prior restrictive covenants, mentioned above, in all places in said restrictive covenants where the name Craigmont Building Co. is indicated; the said LAKE RANSOM CANYON, INC. having succeeded to the rights of Craigmont Building Co. as "Developer."

2. Notwithstanding anything contained in the prior restrictions, described above, to the contrary, no building shall be located on its respective lot nearer than 25 feet from the front lot line. Unless otherwise provided hereinbelow, the rear yard and side yard building setback requirements set forth in the prior restrictions, described above, shall remain

unchanged.

3. Lots 1-10, both inclusive, Lots 110 and 111, and Lots 133-137, both inclusive (hereinafter collectively referred to as the "East-West Garden Home Lots"), and Lots 95-109, both inclusive, and Lots 112-127, both inclusive (hereinafter collectively referred to as the "North-South Garden Home Lots"), are designed to facilitate the construction on each of said lots of a zero lot line house for single family residential purposes. Notwithstanding anything contained in the prior restrictions, described above, to the contrary, it is hereby declared that the East-West Garden Home Lots and the North-South Garden Home Lots shall be held, transferred, sold and conveyed, subject to the following restrictions and easements:

ACCESS EASEMENT AND SETBACK FOR NORTH-SOUTH GARDEN HOME LOTS

The zero lot line for the North-South Garden Home Lots shall be located on the Westernmost lot line of each lot. The Easternmost side of each lot shall have at least a ten foot (10') setback [with the exception of fireplaces and bay windows which may be located within seven (7) feet], five feet (5') of which shall constitute an access easement, for the benefit of the adjoining zero lot line owner to the East, for purposes of construction, maintenance or repair of the zero lot line owner's exterior side wall or fence. The zero lot line owner must replace any fencing, landscaping or other items of the adjoining property owner that may be disturbed during this construction or repair. This easement, when used, must be left clean and neat and any items removed must be replaced. The zero lot line owner must notify the adjacent owner of his intent to do any construction or maintenance at least five (5) days before work is started in order that the adjacent property owner may, at his option, remove any of his landscaping and other improvements.

EASEMENT FOR EAVE OVERHANG ON NORTH-SOUTH GARDEN HOME LOTS

In view of the fact that the West wall of each residence to be constructed on the North-South Garden Home Lots may be set directly on the West property line, the eave of each residence of the zero property line owner may hang past the West lot line onto the five foot (5') access easement, but said overhang shall not exceed two feet (2'). Consequently, Dedicator does hereby impose upon the East two feet (S. 2') of each of the North-South Garden Home Lots an aerial eave overhang easement and drainage easement in favor of the owner of the adjoining lot to the East.

ACCESS EASEMENT AND SETBACK FOR EAST-WEST GARDEN HOME LOTS

The zero lot line for the East-West Garden Home Lots shall be located on the Northernmost lot line of each lot. The Southernmost side of each lot shall have at least a ten foot (10') setback [with the exception of fireplaces and bay windows which may be located within seven (7) feet], five feet (5') of which shall constitute an access easement, for the benefit of the adjoining zero lot line owner to the South, for purposes of construction, maintenance or repair of the zero lot line owner's exterior side wall or fence. The zero lot line owner must replace any fencing, landscaping or other items of the adjoining property owner that may be disturbed during this construction or repair. This easement, when used, must be left clean and neat and any items removed must be replaced. The zero lot line owner must notify the adjacent owner of his intent to do any construction or maintenance at least five (5) days before work is started in order that the adjacent property owner may, at his option, remove any of his landscaping and other improvements.

EASEMENT FOR EAVE OVERHANG ON EAST-WEST GARDEN HOME LOTS

In view of the fact that the North wall of each residence to be constructed on the East-West Garden Home Lots may be set directly on the North property line, the eave of each residence of the zero property line owner may hang past the North lot line onto the five foot (5') access easement, but said overhang shall not exceed two feet (2'). Consequently, Dedicator does hereby impose upon the South two feet (S. 2') of each of the East-West Garden Home Lots an aerial eave overhang easement and drainage easement in favor of the owner of the adjoining lot to the South.

SIDE YARD SETBACK ON CORNER LOTS

No building shall be located on Lots 95, 109, 112 or 127 closer to the side street than five feet (5') from the side street lot line.

STRUCTURAL REQUIREMENTS FOR ZERO LOT LINE WALLS

The zero lot line wall, to be erected on each of said lots, shall have no doors, windows, gates, or openings of any kind, with the exception of Lots 10, 109, 110, and 112. All zero lot line walls shall be eight feet (8') high, and of brick or masonry construction, and shall be constructed the entire length of the structure, to include any courtyard constructed on the zero lot line side of the lot.

4. Those lots abutting Block 19, Lake Ransom Canyon, an Addition to the Town of Ransom Canyon, Lubbock County, Texas, namely Lots 12-15, both inclusive, Lots 32-36, both inclusive, and Lots 45-51, both inclusive (hereinafter collectively referred to as the "Canyon Rim Lots"), for the protection of those lot owners in Block 19 abutting the Canyon Rim Lots, shall be held, transferred, sold and conveyed subject to the following additional restrictions:

REAR YARD SETBACK FOR CANYON RIM LOTS

No building shall be located on the Canyon Rim Lots nearer than twenty-five feet (25') from the rear lot line.

HEIGHT LIMITATION ON CANYON RIM LOTS

No building, or other structure or improvement to be erected on the Canyon Rim Lots shall exceed in height the lowest point, in elevation, of the lot or lots in Block 19, adjoining, or abutting the respective Canyon Rim Lots.

5. In addition to the height limitations imposed upon the Canyon Rim Lots, as described immediately above, no building, or other structure erected on any of the lots shall exceed thirty-five feet (35') in height, unless, in the sole judgment and discretion of the Architectural Control Committee, exception is made as to a particular lot when in the judgment of the Committee, the topography requires that exception be made to this height limitation, provided, however, that the general scheme of residential planning is not disturbed.

6. The following restriction is added to paragraph 10 regarding Dwelling Size:

All single family dwelling units shall contain a minimum of 1600 square feet of floor space, exclusive of garages and porches. All split-level or two-story houses shall be required to have minimum square footage of 1000 square feet of floor space, exclusive of garages and porches, on the ground floor level, and shall be required to have a total square footage of a minimum of 1600 square feet of floor space as set forth above. If a home has a finished basement, only twenty-five percent (25%) of the required 1600 square feet of floor space can be considered as basement contribution to the total area required. This is not intended to limit the size of the basement, but to keep the visible home at ground level in keeping with the intent of the overall restrictions.

WITNESS the execution hereof this 8th day of December, 1993.

LAKE RANSOM CANYON, INC.

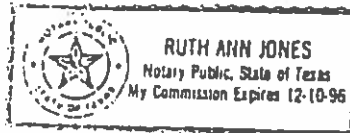
By: [Signature]
Harold Chapman, President

THE PLAINS NATIONAL BANK OF LUBBOCK

By: [Signature]
Printed Name: FUSTON MCCARTY
Title:

THE STATE OF TEXAS §
COUNTY OF LUBBOCK §

This instrument was acknowledged before me on the 8th day of Dec, 1993, by Harold Chapman, President of LAKE RANSOM CANYON, INC., a Texas corporation, on behalf of said corporation.



[Signature]
Notary Public, State of Texas

THE STATE OF TEXAS §
COUNTY OF LUBBOCK §

This instrument was acknowledged before me on the 8th day of Dec, 1993, by Fuston McCarty, Sr. V.P. of THE PLAINS NATIONAL BANK OF LUBBOCK, a corporation, on behalf of said corporation.



[Signature]
Notary Public, State of Texas