1786-329

J. A. SHELBY

TO

THE PUBLIC

THE STATE OF TEXAS |
COUNTY OF TRAVIS | KNOW ALL MEN BY THESE PRESENTS:

That I, J. A. Shelby, owner of Lots Nos. 1 to 16 inclusive and Lots Nos. 23 to 41 inclusive, in Oak Acres Subdivision, as shown on plat of said subdivision, recorded in Book 5, Page 24, of the Travis County Plat Records, do hereby impress all of the above enumerated lots included in said Oak Acres Subdivision, with the following restrictions and covenants:

1. No building shall be constructed, placed or permitted to remain upon any lot nearer than 50 feet to the street on which the lot faces, nor shall any dwelling house be constructed nearer than 5 feet to the side property line. No dwelling house containing less than 900 square feet of floor area exclusive of attached garages, breezeways and porches shall be constructed, placed or permitted to remain on any lot. Said house shall be of frame or better design and shall be of one story construction. Not more than two dwelling houses with the necessary outhouses and servants' quarters shall be erected on any one lot as shown on the plat for this subdivision. No garage or garage apartment or other facilities shall be used for residential purposes until the principal dwelling house is erected.

No soil, earth, sand, gravel, stone or trees shall be removed from any of the said lots to be sold or to the injury of the value or appearance of the property for residential use.

2. No unused building material, or other unsightly debris shall be left exposed on the front three-quarters of said property, except during actual building operations. Any building shall be completed and painted according to the foregoing requirements within eight months after erection is begun.

3. None of the above enumerated lots in this subdivision shall be used for the erection of a church building, or for conducting any type of business, nor shall said property be used for any other purpose than that of a residence.

4. No sewage or waste shall be allowed to run or flow into existing creeks, drains or branches, or on the surface of the ground. All sewage or waste shall be disposed of by owner by means of a septic tank as approved by the State Health Department, unless connection to a public sewage system is made.

5. Not more than one (1) head of livestock shall be kept on any tract of one and one-half acres or less in area, nor shall more than two (2) head of livestock be kept

on any tract of over one and one-half acres in area.

6. These restrictions and covenants are hereby declared to be covenants running with the land and shall be fully binding upon all persons acquiring any of the said lots in Oak Acres Subdivision whether by descent, devise, purchase, or otherwise, and any person by the acceptance of title to any of the said lots of this subdivision shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants. These restrictions and covenants shall be binding until January 1, 1980. On and after January 1, 1980, said restrictions and covenants shall be automatically extended for successive periods of ten years each unless, by a vote of a three-fourths majority of the then owners of the said lots of Oak Acres Subdivision, it is agreed to change said restrictions in whole or in part.

7. If any person or persons shall violate or attemnt to violate any of the restrictions and covenants herein, it shall be lawful for any other person or persons owning any of the said lots to prosecute proceedings at law or in equity against the person violating or attempting to violate any such restriction and covenant, and either to prevent him or them from so doing, or to correct such violation, or to recover damages or other dues for such violation. Invalidation of any one or any part of these restrictions by judgment or court order shall in no wise affect any of the other provisions or part of provisions which shall remain in full force and effect.

WITNESS MY HAND, this 9th day of Feb, 1957.

J. A. Shelby.

THE STATE OF TEXAS }
COUNTY OF TRAVIS }

BEFORE ME, the undersigned authority, on this day personally appeared J. A. Shelby, 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 the 9th day of Feb., 1957.

Notary Public, Travis County, Texas.

Filed for Record Feb. 11, 1957 at 8:40 A.M. Recorded Feb. 12, 1957 at 10 A.M.

THE STATE OF TEXAS |
COUNTY OF TRAVIS |

KNOW ALL MEN BY THESE PRESENTS:

That, whereas, J. A. SHELBY, owner of Lots Nos. One (1) to Sixteen (16) inclusive and Lots Nos. Twenty-three (23) to Forty-one (41) inclusive, in OAK ACRES SUBIDIVISION, as shown on plat of said subdivision recorded in Book 5, Page 24, Plat Records of Travis County, Texas, did impress upon said lots certain restrictions, covenants and conditions by instrument recorded in Volume 1786, Page 329, Deed Records, Travis County, Texas, and

WHEREAS, by deed dated May 1, 1957, recorded in Vol. 1815, Page 143, Deed Records of Travis County, Texas, J. A. Shelby conveyed to Homer Trimble a certain tract of 4.16 acres of land out of the Thomas Anderson League and said conveyance was made subject to the restrictions, covenants and conditions set out in Vol. 1786, Page 329, Deed Records of Travis County, Texas, and

WHEREAS, the said J. A. Shelby and Homer Trimble are still the owners of all of said lands hereinabove mentioned and they desire, by this instrument, to amend paragraph I of said restrictions to read as follows: "No building shall be constructed, placed or permitted to remain upon any lot nearer than fifty feet to the street on which the lot faces, nor shall any dwelling house be constructed nearer than five feet to the side property line. No dwelling house containing less than 1100 square feet of floor area exclusive of attached garages, breeze-ways and porches shall be constructed, placed or permitted to remain on any lot. Said house shall be of frame or better design and shall be one-story construction. Not more than two dwelling houses with the necessary out-houses and servants' quarters shall be erected on any one lot as shown on the plat of this subdivision. No garage or garage apartment, or other facalities shall be used for residential purposes until the principal dwelling house is erected.

No sod, earth, sand, gravel, stone or trees shall be removed from any of the said lots to be sold or to the injury of the value or appearance of the property for residential use."

WITNESS OUR HANDS, this 16 day of August, A. D., 1957.

J. A. SHELBY

HOMER TRIMBLE

THE STATE OF TEXAS |
COUNTY OF TRAVIS |

BEFORE ME, the undersigned authority, on this day personally appeared A. SHELBY, 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 13 day of August, 1957.

NOTARY PUBLIC, IN AND FOR TRAVIS COUNTY, TEXAS

THE STATE OF TEXAS |
COUNTY OF TRAVIS |

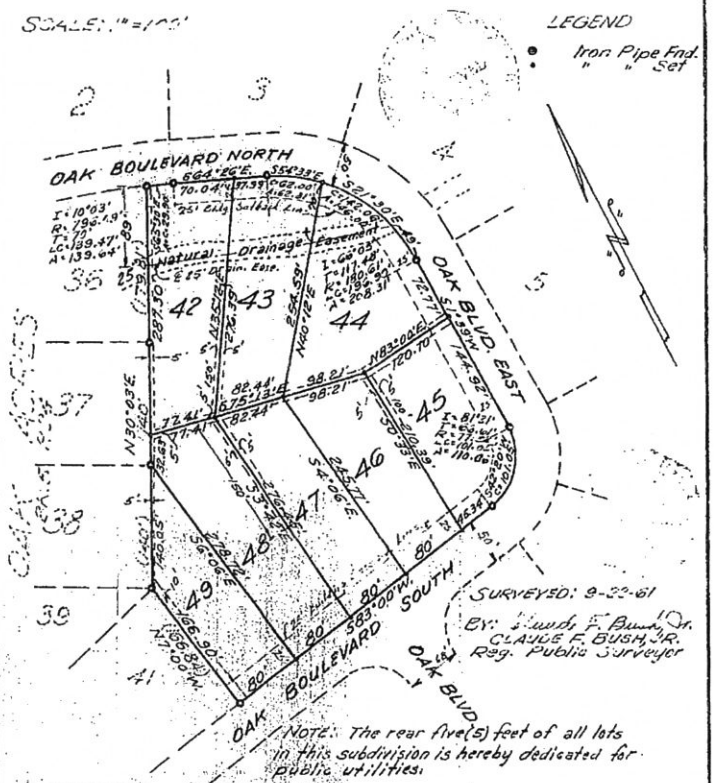
BEFORE ME, the undersigned authority, on this day personally appeared HOMER TRIBBLE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 15 day of August, 1957.

NOTARY PUBLIC, IN AND FOR TRAVIS COUNTY, TEXAS.

Filed for Record August15, 1957 at 10:40 A.M. Recorded August 19, 1957 at 9:50 AM

CULLEN RESUBDIVISION OF PART OF OAK ACRES



NOTE: The rear five(5) feet of all lots in this subdivision is hereby dedicated for public utilities.

THE STATE OF TEXAS}
COUNTY OF TRAVIS} KNOW ALL MEN BY THESE PRESENTS:

That I, Robert A. Cullen, owner of the hereon designated tract a part of Oak Acres and shown on map of said subdivision as PARK, recorded in Book 5, Page 24 of the Plat Records of Travis County, Texas, said park being vacated by the 53rd District Court of Travis County, Texas in Cause No. 105,708, being the same land conveyed to me by deed recorded in Volume 2363, Page 2 of the Deed Records of Travis County, Texas, do hereby subdivide said tract containing 4.16 acres in accordance with the foregoing plat, and do hereby adopt this plat as my subdivision to be known as CULLEN RESUBDIVISION OF PART OF OAK ACRES, subject to any restrictions or easements heretofore granted and do hereby dedicate to the public use all easements shown hereon.
WITNESS MY HAND this the 26th day of September, A.D. 1961.

Robert A. Cullen

THE STATE OF TEXAS}
COUNTY OF TRAVIS}

Before me the undersigned authority on this day personally appeared Robert A. Cullen, 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.
WITNESS MY HAND AND SEAL OF OFFICE this the 26th day of September, A.D. 1961.

Notary Public in for Travis County, Texas

APPROVED FOR ACCEPTANCE on the 10th day of October, A.D. 1961.
By Doyle M. Osborne
Doyle M. Osborne, Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, TEXAS on the 10th day of October, A.D. 1961.
W. Dale Lamm, Secretary
David B. Barrow, Chairman

"In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets, road and other public thoroughfares shown on this plat or any bridges or culverts necessary to be placed in such streets, roads or other public thoroughfares or in connection therewith, shall be the responsiblity of the owner and /or developer of the tract of land covered by this plat, in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas and said court assumes no obligation to build any streets, roads or other public thoroughfares shown on this plat or any bridges or culverts in connection therewith".

SEPTIC TANK NOTE: Each house in this subdivision shall be connected to a septic tank with a capacity of not less than 500 gallons and with a drain field of not less than 150 feet, shall be installed in accordance with the regulations of the city-county health officer and shall be inspected and approved by such officer. This restriction is enforceable by the City of Austin -Travis County Health Unit and/or the subdivider.

THE STATE OF TEXAS}
COUNTY OF TRAVIS}

I, Miss Emilie Limberg, County Clerk of Travis County, Texas do hereby certify that on the 16th day of October A.D. 1961, the Commissioners Court of Travis County, Texas [illegible] authorizing the filing for record of this plat and that said order has been [illegible] minutes of said court in Book 3 Page 349.
WITNESS MY HAND AND SEAL OF OFFICE this the 16th day of October A.D. 1961
Miss Emilie Limberg, County Clerk, Travis County, Texas
By Elsie Pruett Deputy

THE STATE OF TEXAS}
COUNTY OF TRAVIS}

I, Miss Emilie Limberg, Clerk of the county court within and for the County and State aforesaid, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 16 day of Oct A.D. 1961 at 10:20 o'clock A.M and duly recorded on the 16 day of Oct A.D. 1961 at 10:30 o'clock A.M in the Plat Records of said County in Book 14 Page 18.
WITNESS MY HAND AND SEAL OF OFFICE the date last written above.
Miss Emilie Limberg, County Clerk, Travis County, Texas
By Elsie Pruett Deputy

FILED FOR RECORD on the 16 day of Oct A.D. 1961 at 10:30 o'clock A.M.
Miss Emilie Limberg, County Clerk, Travis County, Texas
By Elsie Pruett Deputy

C8s-61-129