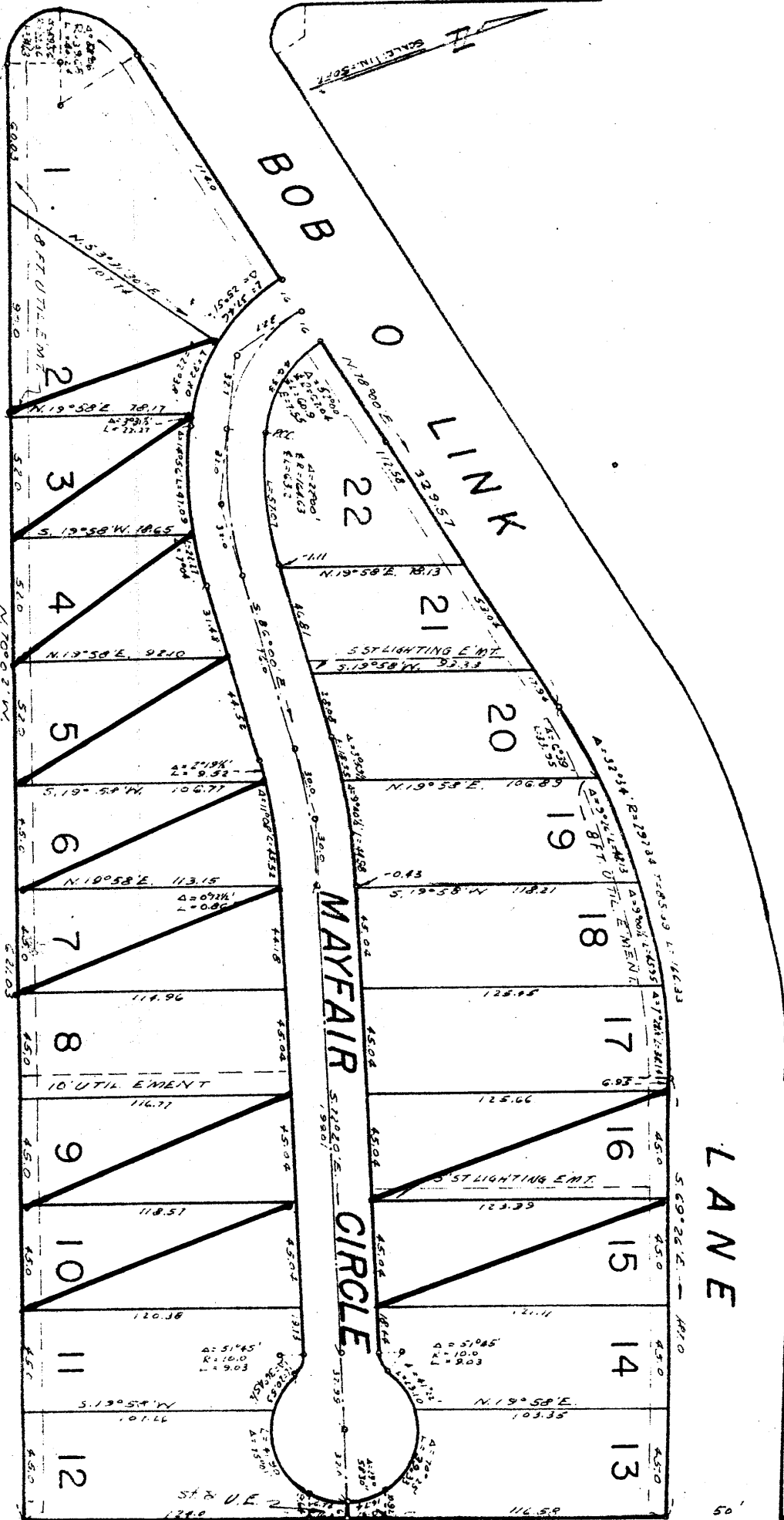


N. RUSK ST.

MOCKING BIRD

LANE



PECAN ST.

Street and Utilities Easement (SEE NOTE #1)

50'

50'

11/30/78

DECLARATION OF COVENANTS AND RESTRICTIONS
FOR MAYFAIR CIRCLE ADDITION
TO THE CITY OF WHARTON, TEXAS

THE STATE OF TEXAS § 7807
COUNTY OF WHARTON §

DEED
VOL: 507 PAGE: 121

This Declaration is made this 30th day of November, 1978, by
RAYMOND C. HARRISON, SR., hereinafter called Developer.

W I T N E S S E T H :

Whereas, Developer is the owner of the following described
real property, to-wit:

MAYFAIR CIRCLE, a Subdivision of Block No. SIXTEEN (16)
of MAYFAIR, an Addition to the City of Wharton, Wharton
County, Texas, the plat of which Block No. 16 (MAYFAIR
CIRCLE) is recorded in Volume 1 on page 53 of the Plat
Records of Wharton County, Texas, the Dedication of the
said MAYFAIR ADDITION of which MAYFAIR CIRCLE ADDITION
is a part, being recorded in Volume 191 on page 248 of
the Deed Records of Wharton County, Texas; and

Whereas, Developer desires to provide for the preservation
of the values and amenities in said MAYFAIR CIRCLE ADDITION and,
to this end, desires to subject said MAYFAIR CIRCLE ADDITION to
the covenants and restrictions hereinafter set forth, each and
all of which is for the benefit of said property owner and each
future owner thereof; and,

Now, therefore, the Developer declares that said MAYFAIR
CIRCLE ADDITION is and shall be held, transferred, sold, conveyed
and occupied subject to the present covenants and restrictions
heretofore impressed upon the MAYFAIR ADDITION as above-mentioned,
and also the additional covenants and restrictions as hereinafter
set forth, to-wit:

1. None of the lots or improvements thereon shall be used
for anything other than single-family, private residential purposes.
A garage, servants' quarters or guests' quarters may also be
constructed on such lots so long as the same are connected by
covered breezeway or otherwise with, and used in conjunction
with, such single-family, private family residence.
2. No lot shall be re-subdivided without the specific
approval of the other property owners and the City of Wharton
Planning Commission.
3. If one structure is constructed on a homesite consisting
of more than one lot, the combined area shall be considered as
one lot for all purposes herein.

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4. All dwellings shall be constructed new and no dwelling structure shall be moved from other areas on to any lot.
5. All dwellings shall be constructed in accordance with the set-back lines and other terms, provisions and requirements of the Patio Home Ordinance of the City of Wharton, Texas.
6. No trailer, tent, shack, garage, barn, mobile home, camper, or other out building or structure of a temporary character shall, at any time, ever be used as a residence, temporary or permanent, nor shall any structure of a temporary character ever be used in any way or moved onto or permitted to remain on any lot, except during construction of permanent structures, or by the Developer during the development and construction phase of the Subdivision.
7. No fence or wall higher than eight feet shall be built nearer to any street than the building set-back line therefrom.
8. Exterior television antennas shall not be permitted.
9. No noxious or offensive activity shall be carried on or maintained on any lot in the Subdivision, nor shall anything be done or permitted to be done which may be or become a nuisance in the neighborhood. The use or discharge of firearms is expressly prohibited within the Subdivision.
10. No lot shall be used as a dumping ground for rubbish. Trash, garbage or other waste shall be kept in sanitary containers. Any equipment for the storage or disposal of such materials shall be kept in a clean, sanitary and sightly condition. No trash, leaves, grass or other matter shall be burned on any lot.
11. MAYFAIR CIRCLE is a patio home subdivision, and it is contemplated that one of the exterior walls of each patio home may be built on a lot line adjoining the patio area of the neighboring lot. In order to insure privacy of the neighboring patio area, there shall be no windows in any wall located less than ten (10) feet from any lot line (unless there be another wall between the window and the property line constructed as though to block any view from the window to the adjoining property). There shall be no upstairs windows along the side of any house overlooking the neighboring patio area. If a house is built on a lot line, the exterior wall and trim on the lot line facing the adjoining existing home shall be built of the same brick, color and material as said adjoining home.
12. No building material of any kind shall be placed or stored upon any lot except during the construction or development stages of the Subdivision or during subsequent repairs or improvements to existing homes.
13. No horses, cows, poultry or livestock of any kind other than house pets may be kept on any lot and then not for commercial purposes.
14. Drainage structures under private driveways shall always have a net drainage opening area of sufficient size to permit the free flow of water without backwater.
15. If open carports are used, no unsightly storage shall be permitted therein that is visible from the street. No boats, campers, motor homes, trailers, mobile homes, trucks or unsightly vehicles shall be stored or kept on any lots or drives for more than forty-eight (48) hours, except in enclosed garages or storage

DEED

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facilities protected from the view of the public or other residents of the Subdivision.

16. Both prior to and after the occupancy of a dwelling on any lot, the owner shall provide appropriate space for off-street parking for at least one vehicle plus a two-car garage or carport.

17. The owner of each lot shall keep grass, weeds and vegetation trimmed or cut so that the same shall remain in a neat and attractive condition.

18. No oil or gas drilling, oil or gas development operations, oil or gas refining or treatment, quarrying or mining operations of any kind shall be permitted upon or in any part of the lands included in the Subdivision, nor shall oil or gas wells, or tunnels, mineral excavations or shafts be permitted in or upon any part of said lands at any time while these restrictions remain in force and effect. No derricks or other structure designed for use in boring or drilling for oil or gas shall be erected, maintained or permitted upon any part of the lands included in the Subdivision at any time while these restrictions remain in force and effect.

19. These restrictions may be amended by a written instrument duly executed by the Owners of at least fifteen of the lots in the Subdivision, which amendments, if any, shall become effective upon being filed for record with the County Clerk of Wharton County, Texas. (See Paragraph 3 above.)

EXECUTED this 30th day of November, 1978.

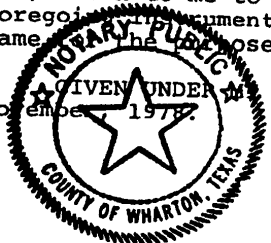
Raymond C. Harrison, Sr.
RAYMOND C. HARRISON, SR.

THE STATE OF TEXAS §

COUNTY OF WHARTON §

BEFORE ME, the undersigned authority in and for said County and State, on this day personally appeared RAYMOND C. HARRISON, SR., 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 30th day of November, 1978.



Wm A. Chief
Notary Public in and for Wharton County, Texas

STATE OF TEXAS COUNTY OF WHARTON

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of Wharton County, Texas as stamped hereon by me on



DEC 6 1978

Delfin Marek
COUNTY CLERK, Wharton County, Texas
BY _____ Deputy

FILED FOR RECORD
at 11:15 o'clock A.M.

NOV 30 1978

DELFIN MAREK
COUNTY CLERK, WHARTON CO., TEXAS
James J. ...