

Henderson County
Mary Margaret Wright
County Clerk
Athens, TX 75751

Instrument Number: 2015-00005086

As

Recorded On: 04/17/2015 08:24 AM Recordings - Land

Parties: PARADISE BAY POA

To: PUBLIC

Number of Pages: 5 Pages

Comment:

(Parties listed above are for Clerks reference only)

****Examined and Charged as Follows:****

Total Recording: 38.00

File Information:

Document Number: 2015-00005086

Receipt Number: 2015-05662

Recorded Date/Time: 04/17/2015 08:24 AM

Recorded By: Alisha Harris

*****DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT*****

Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law

I hereby certify that this instrument was filed and duly recorded
in the Official Records of Henderson County, Texas



Mary Margaret Wright

County Clerk
Henderson County, Texas

Record and Return To:

PARADISE BAY POA
PO BOX 43207

SEVEN POINTS, TX 75143



Paradise Bay Property Owners Association Restrictions

STATE OF TEXAS

COUNTY OF HENDERSON

Paradise Bay Property Owners Association, known to the state of Texas as Paradise Bay Property Owners Inc, a non-profit organization, being the administrators of Paradise Bay, a Subdivision of Henderson County, Texas, shown by PLAT of said Subdivision recorded in VOL 3, Page 40, VOL 4, Pages 8, 21, 46, 47, 48, 52, 55 and 56 of the PLAT records of Henderson County, Texas, does hereby acknowledge, declare and adopt these restrictions hereinafter set forth for all lots contained in said subdivision. Said restrictions shall be commensurate with the current

1. Laws of the State of Texas
2. Laws and ordinances of Henderson County.
3. Laws and ordinances of the City of Tool.

The restrictions hereinafter set forth shall be binding upon the purchaser or purchasers of said subdivision and his and their heirs, assigns, successors, and administrators, and said restrictions do supercede any and all other restrictions which have heretofore been filed on the Paradise Bay Addition.

SAID RESTRICTIONS BEING AS FOLLOWS:

1. a. All lots will be used solely for residential purposes except lots designated for business purposes, (commercially zoned); however, no business will be conducted on any of these lots which is noxious or harmful by reason of the emission of odor, dust, smoke, gas fumes, noise or vibrations..
- b. Positively no business or service will be conducted from or within a private residence and/or garage or outbuildings that solicit or invites, implied or direct, the general public to the residence, garage or outbuilding, for a service or a product for sale.

(Tool Code of Ordinances Appendix (2) 1-d)

EXCEPTIONS:

- (1) Offices within residence, qualified as such with IRS,
 - (2) Where business is conducted principally by phone or mail;
 - (3) Seasonal sale of garden produce, and
 - (4) Those businesses already established in the addition as of the date of the original restriction regarding businesses and services previously filed in the County Clerk's office of Henderson County, Athens, Texas. However, these businesses may not be sold to continue in the same location and they may not be enlarged.
- c. Designated residential lots shall not be used as storage or parking area for vehicles, tractors, trailers, and/or any type of equipment utilized for business purposes.

2. All dwellings shall be constructed completely on site from the ground up on a pier and beam or slab foundation in accordance with the Building and Zoning Codes of the City of Tool. All dwellings must contain at least the minimum square feet required by the City of Tool.
(Article 3 page 5

Appendix 3A 3-1)

3. All exterior construction must be completed within six (6) months. No building or wooden structure shall be occupied until the exterior thereof is completely finished with not less than two (2) coats of paint or stain. A ninety (90) day extension will be permitted due to bad weather conditions.

(Ord. no. 2006 -0921)

4. No outside toilets may be installed or maintained on any lot other than during times of construction.
5. All plumbing must be connected with a sanitary sewer system approved by the state or local authority and as recommended by the State Health Department.
6. Simultaneously or subsequent to the erection of said dwelling, permission is granted for the erection of a storage building and/or buildings
7. No structures shall be erected or constructed on any lot nearer than thirty (30) feet to the front property lines nor nearer than five (5) feet to the side of the property line. On lots of one hundred (100) feet or less in depth, the thirty (30) foot setback line may be twenty (20) feet.
(Appendix 3A 3-1)
8. No trailers, single wides, double wides, triple wides, mobile homes, manufactured homes or modular homes shall be permitted except in an area designated on a filed plat as "Mobile Home Section".

(Appendix 1 Table 2 P5 -3)

9. Campers, travel trailers, and RVs may be stored on owner property but may not be connected to sewer lines or in any other way be set up for permanent use. Property owners and authorized guests of owners shall be permitted the use of camping type devices on their own property, for weekends, holidays, vacations and other short term periods providing that such use complies with all local and state codes, ordinances, regulations and laws. Use of these devices within the common areas of Paradise Bay subdivision is expressly prohibited.
10. All properties in Paradise Bay subdivision must be kept in a neat and orderly manner at all times including during construction of dwellings or outbuildings. It shall be a violation of these restrictions for any person, firm, or corporation who shall own or occupy any lot or lots in Paradise Bay Subdivision to allow weeds exceeding twelve (12) inches in height, rubbish,

brush or any other unsightly, objectionable or unsanitary matter to accumulate or grow on said lot or lots.

(Ord. no. 96)

11. Owners of abandoned or vacant structures shall be responsible for maintaining such structures in a condition that would be acceptable for immediate habitation, and maintain the exterior of the structure to qualify as a completed structure with no less than two (2) coats of paint.
12. No animal typically considered as livestock (minimum of 5 acres required for farm animals), exotic or dangerous as defined by local and state law may be kept on an owner's property. A dog, cat, small pet/animal, or chickens (no other fowl) may be kept on an owner's property if:
- properly contained
 - containment structures, when required, must be
 - permitted by the City of Tool,
 - unobtrusive,
 - properly maintained and
 - not unsightly
 - properly vaccinated, tagged, and maintained under sanitary conditions
 - said pet/animal/chicken is not a "nuisance" or "running at large" as defined by City code (see below)

NUISANCE: It shall be unlawful for any owner to harbor any dog, cat, or other pet or animal which by any sound or cry or other activity shall disturb the peace, comfort, or property of the inhabitants of the neighborhood, and such disturbance is hereby declared to be a public nuisance and a violation of ordinance.

RUNNING AT LARGE: shall pertain to an animal off the premises of the owner and not under the physical, visible or audible control of the owner or his authorized representative. An animal intruding upon the property of a person other than the owner shall be termed "running at large."

(Ord. no. 100 1A)

13. No sign advertising a service or political campaign may be erected at any entrance to the Paradise Bay Addition, or placed on any property owned by the Paradise Bay POA. If a sign is placed in any of these areas, it WILL be removed at once.

EXCEPTION: Garage sale signs may be placed at the entrance and on the streets but must be removed after three (3) days. The signs must contain the lot number of the sale or they will be removed.

(Ord. No. 2011 - 02)

14. Invalidation of any one or more of these covenants and restrictions by judgment of any court shall in no wise affect any of the other covenants, restrictions and provisions herein contained, which shall remain in full force and effect.
15. The Paradise Bay Property Owners Association does hereby reserve unto itself, in perpetuity, the right and power to vary, delete or add restrictions in this agreement. An owner is permitted to vote in elections and any other matter concerning the rights and responsibilities of the owner. Owners that are delinquent in assessments and/or are in violation of the restrictive covenants are statutorily allowed to cast their vote. Such changes shall be made by the majority vote of those Members present at a regular or special general membership meeting, or vote by proxy. These changes will be reduced to writing and filed for record in the County Clerks Office of Henderson County, Athens, Texas.

Attest: Steven W. Keck,
Secretary

9/17/15

Pres. A.D.H.

Deborah K. Carter
Deborah K. Carter

