

Hood County Clerk  
201 W Bridge Street  
PO BOX 339  
Granbury Texas, 76048  
Phone: 817-579-3222

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Filed and Recorded - Real Records

RESTRICTION

Grantor: ARROWHEAD SHORES SUBDIVISION

Pages: 9

Recorded On: 03/28/2012 11:14 AM

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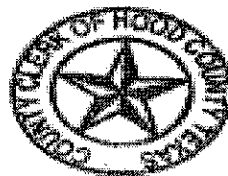
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Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

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

*Mary Burnett*

Mary Burnett  
County Clerk  
Hood County, Texas



**Return To: In Office**

ARROWHEAD SHORES POA  
5707 PARKSIDE CT  
GRANBURY, TX 76048



**Subdivision Deed Restrictions  
Arrowhead Shores Subdivision**

Arrowhead Shores Subdivision, Revised December 2011 for compliance with new law.

**COMPLIANCE WITH STATE AND FEDERAL LAW**

The association is committed to complying with all provisions of federal and state laws applicable to it as a Texas Non Profit Corporation (501C4) and a property owners association, as that term is defined in Texas Property Code Section 209.002 (7). In the event any provision of the Associations governing documents (including but not limited to Deed Restrictions, Bylaws or Rules and Regulations) conflict with applicable law, the association shall follow applicable law.

ASOA recognizes that Owners On Active Military Duty may have special rights or relief related to the enforcement action under federal law, including the Service members Civil Relief Act (50 U.S.C.app. Section 501 et seq.)

1. There shall be established an Architectural Control Committee composed of at least three (3) members appointed by the Board of Directors (BOD) to protect the owners of lots hereunder against such improper use of lots as will depreciate the value of their property; to preserve, so far as practicable, the natural beauty of said property; to guard against the erection thereon of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to obtain harmonious architectural schemes; to insure the highest and best development of said property; to encourage and secure the erection of attractive homes and placement of attractive mobile homes thereon, with appropriate locations thereof on lots; to secure and maintain proper setbacks from streets and adequate free spaces between structures; and, in general, to provide adequately for a high type of quality of improvements in said property; and thereby to enhance the value of investments made by purchasers of lots therein.

Neither the Architectural Control Committee, nor the members of said Committee, nor the Directors nor officers of Arrowhead Shores Owners Association/ shall have any liability nor responsibility at law nor in equity on account of the enforcement of, nor on account of the failure to enforce, these restrictions.

2. All lots are designated as "Residential", with the exception of lots 28-112, Block 1 Section A and Lots 1-39 Block 2, Section A, Designates as "Fishing Lots" no building shall be erected or maintained on any residential lot, other than a private residence, a private boathouse and a private garage for the sole use of the owner or occupant.

3. Subject to the remaining provisions of this paragraph/ no outbuilding or garage, other than a boathouse, shall be erected on any lot before a residence is constructed hereon, and no outbuilding, boathouse, basement or garage erected on any lot shall at any time be used as a dwelling, temporarily or permanently/ nor shall any shack be placed on any lot, nor shall any residence of a temporary character be permitted. No Camping will be allowed.

Mobile homes and structures or buildings adjacent or supplemental thereto may be placed and used upon any lot only if same have been inspected by, and prior written approval of same has been granted by, the Architectural Control Committee, and said Committee may, as condition to its said approval, make any requirement which in its judgment is deemed proper, including the following requirements:

a) That the mobile home be less than 5 years old; at least 800 square feet in good repair, and of attractive design and appearance and under skirted (and securely anchored in accordance with the minimum requirements of the State of Texas)

b) That any mobile home not built by a commercial manufacturer be of design, appearance and quality comparable to those built by a commercial manufacturer

c) That an approved septic tank must be installed prior to occupancy and proof that the septic system is approved by Hood County. No mobile home shall be on any lot on which a residence has been constructed, for the purpose of additional habitation. There may be parked one camper or travel trailer of not more than 25 feet in length, and such temporary trailer may be used as a residence while parked during construction of a dwelling thereon. Permission to park a recreational trailer or other recreational vehicle, for outside recreational purposes, may be granted after written request and approval by the Architectural Control Committee

d) Nothing in this paragraph prohibits the construction of a residence on lots referred to herein provided other paragraphs hereof are complied with-  
Not more than one residence or mobile home may be constructed and/or placed on any two (2) lots. No camping is allowed on any residential lot.

e) No used existing building or structure of any kind and no part of a used existing building or structure may be moved onto, placed on, or permitted to remain on any lot.

f) All construction must be of new material, except stone, brick, inside structural material, or other materials used for antique decorative effect. Roofing materials must be fire safe, impact resistant (including asphalt shingles, storm shingles that resemble shingles already in use, fiber shingles, high impact metal shingles or metal sheeting made of nationally approved material). No tarpaper, siding material, or recycled corrugated tin roofing is allowed. All exceptions must be approved in writing, by the Architectural Control Committee prior to the commencement of construction or remodeling of any structure.

g) All buildings, other than boat houses shall be completely under skirted, with no piers or pilings exposed to view, except as approved in writing by the Architectural Control Committee.

h) No natural drainage shall be altered, nor shall any drainage ditch, culvert, nor drainage structure of any kind be installed nor altered, without prior written consent of the Architectural Control Committee and Hood County Environmental Health.

4. No building exceeding two stories in height shall be erected on any lot with-out the written approval of the Architectural Control Committee, and each residence, subject to paragraphs 10 hereof, shall have a minimum floor area as shown below, exclusive of porches, stoops, open or closed carports, patios or garages: 800 square feet on **ALL LOTS** with the exception of lots 28-112, Block 1 Section A and Lots 1-39 Block 2, Section A.

On lots 28-112, Block 1 Section A and Lots 1-39 Block 2, Section A (designated as fishing lots), only commercially manufactured storage type buildings will be permitted to be placed on these lots after written approval of the Architectural Control Committee. Storage buildings must be securely anchored and have a minimum floor space of 40 square feet up to a maximum of 100 square feet, and shall not be used as a dwelling, temporarily or permanently. No overnight or extended camping is allowed on these lots.

5. No building, fence, or other structure or improvements shall be erected, placed or altered on any lot until two copies of the construction plans and specifications, including specification of all exterior materials and a plan showing the proposed location of the structure, have been submitted to and approved in writing by the Architectural Control Committee as to harmony of external design with existing structures and as to location with respect to topography and finish grade elevation and otherwise. If such construction, placement or alteration is not commenced within

eight (8) months of such approval, the approval shall be null and void unless an extension is granted in writing.

6. Fences shall be permitted to extend to the side and front lot lines (except no less than 5 feet of the front lot line of all lots and only to not less than 5 feet of the rear lot lines except fences are permitted to extend to the rear lot line where the rear lot line coincides with the Brazos River Authority boundary line for Lake Granbury), but without impairment of the easements reserved and granted in these restrictions. Fencing on lots 28-112, Block 1 Section A and Lots 1-39 Block 2, Section A (fishing lots), is limited to the side boundaries and no less than 5 feet from the front line. Only chain link or picket fencing is allowed on these lots.

7. No building shall be located nearer to the side street line than 10 feet or nearer to the side lot line or rear lot line than 5 feet, except that where the rear lot line coincides with the Brazos River Authority boundary line for Lake Granbury, no minimum setback is imposed on the rear lot line. "Side lot line" as used in this paragraph, in respect to any two or more contiguous whole and/or fractional lots owned by (and/or under a contract to be conveyed by the undersigned to) the same person or persons and used as a single building site, shall thereafter mean each and/or either of the two outermost side lot lines considering said contiguous whole and/or fractional lots as one lot, but no other use may be made of any lot or fractional lot to the extent it has been grouped to alter these minimum setback requirements. No building shall be located nearer to the front lot line than 10 feet.

8. Rainwater collection systems- a property owner may install a rainwater (non potable water) collection system provided that it not be located between the front of the property owner's home and an adjoining or adjacent street, and the barrel or system is of a color consistent with the color scheme of the property owner's home; or displays any language or other content that is not typically displayed by such a barrel or system as it is manufactured.

There must be reasonably sufficient space to install a water collection system and be approved by the Architectural Committee prior to installation. The system must be a commercially available and all safety precautions must be followed regarding the installation thereof. The system should be installed preferably at the side of the house, where space permits or to the rear where it is not visible to any street or association property. No used or recycled drums may be used as water collection systems. Collection systems may not be connected to any municipally provided water system without written permission from the provider to do so. The municipality is not responsible for any problems, health or otherwise which may result from such a connection. The purpose of the water system is primarily intended for agricultural or lawn watering purpose.

9. Display of Flags: Property owners may display the following types of flags. The flag of the United States of America, as long as it is displayed in accordance with 4 U.S.C. Sections 5-10. A flag of the state of Texas or other state as desired as long as it is displayed in accordance with Chapter 3100, government Code. A replica flag from any branch of the United States of America may be displayed provided it is displayed consistent with the rules for flying the United States Flag or the state flag when displayed together. The Architectural Committee may approve other types of flags, such as school flags. No flags determined to be offensive may be displayed. Flags may be displayed on freestanding flagpoles or a flagpole attached to a dwelling or other structure on the property. Flagpoles weather free standing or dwelling attached may not be higher than the rooftop of the residence. Flagpoles must be of commercial manufacture, kept and maintained in good condition to remain. Flagpoles must be installed in a safe and secure manner able to withstand severe weather conditions. Flagpoles must be located in accordance with easement and building placement restrictions. The Architectural Control Committee will make the final decision regarding the allowance relating to flag size, lighting and noise abatement. The property owner must submit a flag display request form for approval by the Architectural Control Committee.

10. Religious displays: Law allows owners to place religious items the display, which is motivated by the owners or residents sincere religious belief. The law allows the display to be placed on the owners or residents door, which cannot be of a size greater than 25 square inches. No display will be allowed which threatens public health or safety, violates any law, and contains language, graphics or any display that is patently offensive to a passerby. Any display mounted on an entry door must not alter the doorframe or cause the entry to be modified in any way that is in violation of existing deed restrictions. The association may request an owner /resident to remove any display which is in violation of the restrictions.

11. Installation and use of Solar Energy Devices: A new law allows the installation and use of solar energy devices (solar panels). These devices may be installed either rooftop or in a fenced yard or patio. Owners wishing to install such devices must apply to the Architectural Committee for approval and provide all information about the system that the owner plans to use. No system will be approved which as adjudicated by the court, threatens public health or safety, violates any law, is located in an area on the owners property other than, on the roof of the home or other property structure or in a fenced yard or patio owned and maintained by the owner. The roof structure must be designed to carry the additional weight of the solar energy device. It may require a professional inspection prior to any procurement, approval or installation. If mounted on the roof it may not extend higher than or beyond the roofline and conform to the slope of the roof. The device must be parallel to the roofline and must have a frame, support bracket and any wiring or visible piping must be commonly available in the marketplace with acceptable colors, silver, bronze and black. The device may not be installed in an unapproved location unless the alternate location will increase the annual energy production of the device, as determined by the National Renewable Energy Laboratory, by more than 10 percent above the energy production of the device if located in an area designated by the Architectural Committee. If located in a yard or patio it cannot be taller than the fence line. Any installation that voids the manufacturer's warranties or that does not have prior Architectural Committee approval will be cause for removal of the device.

12. No animals or birds, other than household pets, shall be kept on any lot. Dogs must be kept on leash at all times or confined to their property in accordance with Hood County Animal Control Ordinances.

13. Easements are reserved along and within 5 feet of the rear lines of all lots here under except "0" feet on lots whose rear lines coincide with the Brazos River Authority boundary line, including channel lots. Easements are reserved along and within 5 feet of the front lines and the sidelines of all lots hereunder. A 10-foot utility easement is reserved along the southerly side of Lots 1 and 27, Block 6. A 10-foot utility and drainage easement is reserved along the westerly side of Lot 40, Block 2. Said easements in the next sentences are for the construction, operation and perpetual maintenance of conduits/ poles, wires and fixtures for electric lines, gas lines, telephone lines, water lines, sanitary and storm sewers, road drains and other public and quasi-public utilities and to trim any trees which at any time may interfere or threaten to interfere with the maintenance of such lines, with right of ingress to and egress from across said premises to employees of said utilities. To the extent neither said construction, operation nor maintenance of any of the items mentioned in the next preceding sentence has commenced along any respective lot, "side lines of all lots" as used in this paragraph, in respect to any two or more contiguous whole and/or fractional lots owned by (and/or under a contract fro be conveyed by the undersigned to) the same person or persons and used as a single building site, shall thereafter mean each and/or either of the two outermost side lot lines considering said contiguous whole and/or fractional lots as one lot. If the combined width of said contiguous whole and/or fractional lot is at least 50 feet at the widest portion thereof, provided that the herein above mentioned easements along the southerly side of Lots 1 and 27, Block 6. And the westerly side of Lot 40, Block 2 shall not be impaired.

It is understood and agreed that it shall not be considered a violation of the provisions of the easement if wires or cables carried by such pole lines pass over some portion of said lot not

within the easement as long as such lines do not hinder the construction of buildings on any lots hereunder.

Drainage easements are reserved within the areas so designated on the plat(s) of Arrowhead Shores Subdivision recorded in the office of the County Clerk of Hood County/Texas. Lots affected by one or more of such drainage easements are: Lots 134 and 135 of Block 1, Section A; Lots 58 thru 80, 85 thru 87, 89, 90, 95 thru 110/ 115 thru 117, 126 of Block 2, Lots 18 thru 24, 39 thru 42 of Block 3, Lots 1 thru 14, 21, 22, 34, 35, 50 of Block 4, Section B. A Lone Star Gas Co. easement, shown on said plat(s), affects Lot 39 of Block 1, Lot 90 thru 92, 95 thru 101, 126 thru 129, 132 thru 135, 153 thru 159 of Block 2, Section B. A Texas Highway Department easement (for drainage channels) shown on said plat(s), affects Lots 142 thru 144 of Block 1, Section A.

The BOD and/or their designees may, on any lot and/or lots then owned by them, construct, maintain, use and allow to be used by others, parks, swimming pools/playgrounds, community center buildings, water wells and related pumping, storage, operation and maintenance facilities and the like, and numbered paragraphs 2 through 12 hereof shall not apply thereto.

Lots 1 thru 4 and lots 24-27, Block 6, Section A, are under an oil, gas, sulfur and other minerals drilling and mining easement as set forth in the General Warranty Deed from Obie P. Leonard, Jr, et al to hood County Land Company dated May 23, 1972, and recorded in volume 183, Page 149, Records, Hood County, Texas. No mineral rights are conveyed to property owners of Arrowhead Shores per the original property offering.

An easement is retained on the northwesterly  $\frac{1}{4}$  of Lot 1, Block 6, Section A, and on the southwesterly  $\frac{1}{4}$  of Lot 37, Block 7, Section B, for the construction of a subdivision identification structure, signs and/or other ornamental and advertising structures by the undersigned, its successors and assigns.

**14. SANITATION EASEMENTS AND RESTRICTIONS.** Those areas designated as being subject to sanitation easements on the plat(s) of Arrowhead Shores Subdivision recorded in the office of the County Clerk, Hood County, Texas, including Lots 26-37, Block 4 and 15 feet of Lots 31 thru 33 Block 5 Section A and Lots 30 thru 34 and 92, Block 2, Section B and portions of Lots 1A, 2 thru 5, 29, 35, 90, 91, 95, 149, Block 2, Lot 15 thru 17, Block 3, Section B, are subject to the following restrictions:

The construction, fabrication, installation, or placement of a human or household waste disposal facility, animal or poultry shelter and/or any other source of possible pollution on any part of the area described by said sanitation easement is prohibited so long as the water well located at the center of the easement are on Lot 34, Block 4, Section A is used for a public water supply. Pollution means such contamination of other alteration of the physical, chemical or biological properties of water as to render such water harmful, detrimental or injurious to public health, safety or welfare, or to legitimate beneficial use.

**15.** No outside toilet or privy shall be erected or maintained on any lot hereunder. The materials installed in, and the means and methods of assembly of all sanitary plumbing shall conform with the requirements of the Hood County Environmental Health the State of Texas and the Texas Water Quality Board.

**16.** All Arrowhead Shores property owners are members of the Arrowhead Shores Owners Association and as such subject to an annual assessment for each lot owned. There is no initiation fee to join the Arrowhead Shores Owners Association (ASOA). From time to time, as determined by the Board of Directors and a majority vote of the Arrowhead Shores Owners Association members, fees and assessments may be added or increased. Assessments may be used for the construction, reconstruction, improvement of, swimming pools, parks and other improvements in Arrowhead Shores Subdivision, and for the purchase and rental of land and other property and facilities for use by Arrowhead Shores Owners Association, and

for any other uses as approved by the Board of Directors of Arrowhead Shores Owners Association, it being understood that said swimming pools, parks and recreational areas are for the sole use and benefit of members of said Association, their families and authorized guests. Said assessment shall accrue from the earlier of the date of the agreement for deed from the undersigned as seller to a purchaser or of the conveyance by the undersigned as grantor. Such assessment shall be and is hereby secured by a lien on each lot hereunder, respectively, and shall be payable to Arrowhead Shores Owners Association (a Texas non-profit corporation), its successors and assigns, the owner of said assessment- funds, on November 30 of each year commencing in 1974, at which date in the year 1974 and in successive years said assessment lien shall conclusively be deemed to have attached and there shall be no lien securing said assessment until November 30 of each such year. Said assessment lien shall be junior and subordinate to any lien which may be placed on any lot or any portion of any lot as security for any interim construction loan and/or any permanent loan for financing improvements on said lot, and/or any purchase money loan for any lot on which a dwelling or building complying with these restrictions has theretofore been constructed. Commencing on the last Sunday in April, 1979 / the undersigned shall not be eligible for membership in said Arrowhead Shores Owners Association. Assessments against lots owned by the undersigned shall accrue, and liens securing same may attach, only during such times as not covered contract to purchase said lots is then in force; no assessment shall be made against the undersigned nor against the unsold lots owned by it at any time (whether or not such lots have been previously sold and the contract cancelled or otherwise terminated), and as to any lot then owned by the undersigned not covered by a contract with the undersigned then in force to sell or reserve for sale such lot, any then accrued but unpaid assessments under this paragraph against such lot shall thereupon be automatically cancelled.

17. Any building, structure or improvement commenced upon any lot shall be completed as to exterior finish and appearance, within six (6) months from the commencement date.

18. No lot or portion of any lot shall be used as a dumping ground for rubbish or trash, nor for storage of items or materials (except during construction of a building), and all lots shall be kept clean and free of tall grass and weeds, any boxes, rubbish, trash, inoperative cars, or other debris. The BOD or any Architectural Control Committee member shall have the right to enter the property where a violation exists under this paragraph and remove the incomplete structure or other items at the expense of the offending party.

19. No lot shall be further subdivided except that fractions of lots may be separated to add to space of whole lots if the combination of whole and fractional lots is used as a single building site and if all other provisions of these subdivision restrictions are complied with. No lot or any part of a lot shall be used for a street, access road or public thoroughfare without the prior written consent of the undersigned, its successors or assigns.

20. Subject to the provisions of the last sentence of this paragraph, if any person or entity, as defined hereinafter, whether or not lawfully in possession of any real property hereunder, shall either (i) violate or attempt to violate any restriction or provision herein, or (ii) suffer to be violated (with respect to the real property in which such person or entity has rights other than the rights granted by this sentence) any restriction or provision herein, it shall be lawful for ASOA and/or any person or entity, as defined hereinafter, possessing rights with respect to any real property hereunder, to prosecute any proceedings at law or in equity against any such person or entity violating, attempting to violate and/or suffering to be violated any restriction or provision herein to (i) prevent such violation, (ii) recover damages or other dues for such violation, and (iii) recover court costs and reasonable attorney's fees in-cured in such proceedings. "Person or entity", as used in the next preceding sentence hereof, shall include, but shall not be limited to, all owners and purchasers of any real property hereunder, as well as all heirs, devisees, assignees, legal representatives and other persons or entities who acquire any of the rights (with respect to the real property hereunder) of the owner or purchaser of any real property hereunder.

Notwithstanding any other provisions hereof, ASOA shall neither be liable nor be subject to any proceeding at law or in equity on account of any violation or attempted violation of any restriction

or provision herein which occurs during such time as there is in force a contract to purchase the property where such violation or attempted violation takes place.

21. On waterfront lots where the rear lot line coincides with the Brazos River Authority boundary line of Lake Granbury, any construction of boat docks, piers or other structures below elevation 693 feet mean sea level shall not be commenced until written permission has been received from the Brazos River Authority, Waco/ Texas.

22. Invalidation of any one or more of these covenants and restrictions by Judgment of any court shall in no way affect any of the other covenants, restrictions, and provisions herein contained, which shall remain in full force and effect.

23. Applicable Fees: A fee schedule is maintained at the ASOA office and posted on the ASOA web page containing the following:

Transfer Fees: Payable upon sale or transfer of property, paid by Purchaser to cover administrative costs to set up a new owner account.

Annual Dues: per lot/per year annually

Renters, Tenants and Lessees: paid by the property owners on behalf of tenants where rental property is involved.

Swimming Pool Pass: Seasonal pass for owners and Renters, tenants and Lessees who are in arrears with dues and for non-residents wishing to use the pool.

Daily Pool Pass for members, guests and anyone wishing to swim for the day.

Community Room Rental Fees

Mowing Fees for unimproved Lots

These fees may from time to time be increased. Fees for dues or other assessments to members will be cause to increase by a majority vote of the ASOA membership plus unanimous approval by the Board of Directors. Other fees can be increased by a majority vote of the BOD.

24. The Restrictions heretofore recorded in Volume 233, Page 540-546, Records, Hood County, Texas, are hereby cancelled and superceded by the restrictions herein.



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To: All Arrowhead Shores Property Owners and Prospective Buyers,

This document has been revised to include provisions that comply with the following state of Texas laws HB 8, HB362, SB 472, HB 1127, HB1228, HB1278, HB1821, HB2761, and HB3391, enacted in 2011 and 2012 and to comply with the mandatory filing of this document in Hood County, TX. This revision cancels and supercedes any previously filed dedicatory documents relating to Arrowhead Shores Development, 5707 Parkside Court, Granbury, Texas 76048.

Approved by the Board of Directors ASOA, December,2011.

Signed on behalf of the Board of Directors for Arrowhead Shores Owners Association (ASOA) and sealed with the official seal of the Arrowhead Shores Owners Association, a Texas non-profit corporation.

Samuel Taylor, Secretary, Treasurer ASOA

Samuel Taylor Date: March 23, 2012

Notary Statement:

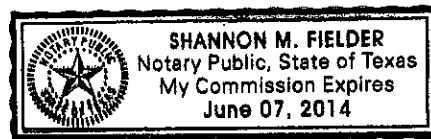
State of Texas County of Hood

Before me, Samuel Taylor, on this day personally appeared, known to me (or proved to me through (description of identity card or other document) 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 23 day of March 2012

Notary Publics Signature

Shannon M. Fielder



Unofficial Copy