

9230498

VOL. 1374 PAGE 727

ABANDONMENT OF EASEMENTS AND BUILDING SET BACK LINES

STATE OF TEXAS § 10859
COUNTY OF HOOD §

This Abandonment of Easement & Building Set Back Lines is executed by Republic Land Company d/b/a Pecan Plantation, a Texas Corporation hereinafter called Developer and Pecan Plantation Owner's Association, Inc., a Texas Non-Profit Corporation hereinafter called Association. Previously, the Developer, by virtue of the Declaration of Covenant and Restrictions for Pecan Plantation, Unit IV, a subdivision in Hood County, Texas recorded in Volume 205, Page 140, of the Deed Records of Hood County, Texas, reserved to itself easements, the nature and extent of which are described in Article II, C. in the above referenced restrictions as follows:

"Dedicator reserves to itself an easement and right to construct and maintain in, over and across the easements and private ways shown on said plat, utilities of every kind including but not limited to sewers, water mains, gas mains, irrigation and drainage systems, power and communication lines and all pipes, lines, culverts and other appurtenances in connection therewith. An easement 10 feet in width is hereby reserved along the front and an easement of 5 feet in width is hereby reserved along each side and back boundary line of each lot as may be necessary for the installation and maintenance of said utilities and lines, except as to river front lots and no utility easement is reserved along the property line adjacent to the river. Dedicator, its successors and assigns, may, in its sole discretion and by written instruments duly recorded, abandon to the owner of a lot all or any part of a utility easement on said owner's lot if such easement is not being used for one or more of the above mentioned purposes at the time of such abandonment."

and further established building set back lines in Article III. Restrictions, Covenants and Reservations. B. 4. of the restrictions recorded in Volume 205, Page 140, Real Records, Hood County, Texas, to-wit:

"Building lines. No building, fence or structure of any kind shall be erected or maintained on any lot within 25 feet of a front line or within 15 feet of the side line of any lot. No building, fence or structure of any kind shall be erected or maintained within 20 feet of any lot boundary adjoining the golf course or within 30 feet of any lot boundary adjoining the river. For the purpose of these restrictions, eaves, steps and porches shall be considered as part of the building. Lots shall be deemed to front on all adjoining private ways. Dedicator may, in its discretion, grant exceptions in writing to any or all of the requirements of this paragraph."

WHEREAS, Republic Land Company d/b/a Pecan Plantation, a Texas Corporation and Pecan Plantation Owner's Association, Inc. desire to abandon the above described easements and building set back lines in this entirety as they apply to Lots 1C, 2C, 3C, 4C, 5C, 6C, 7C, 8C, 9C, 10C, 11C, and 12C of Pecan Plantation, Unit Four, a subdivision in Hood County, according to the second-revised resubdivision of Lot C & C, Pecan Plantation, Unit Four recorded in Volume 1, Page 166, Plat Records, Hood County, Texas.

WHEREAS, a replat of Lot C and CC of Pecan Plantation, Unit Four, caused the following easements and set back lines to be established upon the said lots shown in the herein reference platting as follows:

"A five foot utility easement along the side lot lines and a portion of Lots 6C is with in a ten foot utility easement and a ten foot golf cart access easement as per plat recorded in Volume 1, Page 166, Plat Records, Hood County, Texas."

NOW THEREFORE, for and in consideration of the sum of \$10.00, the sufficiency of which is hereby acknowledged, the Association and the Developer agree that the above described easements and building set back line restrictions and all rights in connection therewith, as it applies to the property described below, are now hereby abandoned, waived, discontinued and of no further force or effect.

Lots 1C, 2C, 3C, 4C, 5C, 6C, 7C, 8C, 9C, 10C, 11C, and 12C of Pecan Plantation, Unit Four, a subdivision in Hood County, according to the second-revised resubdivision of Lot C & C, Pecan Plantation, Unit Four recorded in Volume 1, Page 166, Plat Records, Hood County, Texas.

EXECUTED this the 19th day of November, 1992.

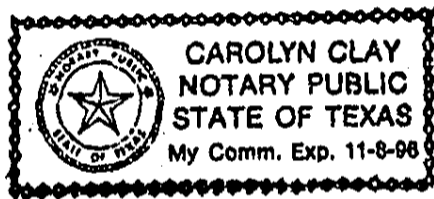
Republic Land Company, A Texas Corporation
d/b/a Pecan Plantation

By: James E. Anthony
Pecan Plantation Owner's Association, Inc., a
Texas Non-Profit Corporation

By: [Signature]

STATE OF TEXAS §
COUNTY OF Tarrant §

This instrument was acknowledged before me this the 19th day of November, 1992, by James E. Anthony of Republic Land Company, A Texas Corporation on behalf of said corporation.



Carolyn Clay
Notary Public, State of Texas
Notary's printed name:
Notary's commission expires:

STATE OF TEXAS §
COUNTY OF HOOD §

This instrument was acknowledged before me this the ___ day of November, 1992, by J. J. Allen, General Manager of Pecan Plantation Owner's Association, Inc., a Texas Non-Profit Corporation on behalf of said corporation.



Ann Emmsley
Notary Public, State of Texas
Notary's printed name: ANN EMMSELEY
Notary's commission expires: 8/17/93

Chs. CTT-Ccton 8.00
Return to:
CTT-Ccton

Any provision herein which restricts the sale, rental, or use of the premises on the basis of race, color, or sex is hereby rejected and unenforceable under federal law.
STATE OF TEXAS COUNTY OF HOOD
I hereby certify that this instrument was filed on the date and at the time and place indicated by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF HOOD COUNTY, TEXAS in the Volume and Page as shown hereon.



Anjanette Ables
ANJANETTE ABLES, County Clerk
Hood County, Texas

FILED FOR RECORD
AT 400 M.

NOV 25 1992

Anjanette Ables
County Clerk, Hood County, TX