

RESTRICTIONS
PIRATES COVE NO. 1
PIRATES COVE NO. 2

THE STATE OF TEXAS)
COUNTY OF ORANGE)

WHEREAS, DAVID BREWER AND wife, DEANNA BREWER are owners of that certain tract of parcel of land lying and situated in Orange County, Texas, and more fully described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the said DAVID BREWER AND DEANNA BREWER has caused the above described property to be subdivided and platted into an Addition to the City of Vidor, Orange County, Texas, to be known and designated as PIRATES COVE NO. 1, and PIRATES COVE NO. 2, as shown and reflected upon the plats of PIRATES COVE NO. 1 and PIRATES COVE NO. 2, (consisting of Lots 1 through 3, 5 through 9, 15 through 16, and 19 through 25), prepared by Soutex Surveyors, Inc., Port Arthur, Texas, herein after referred to as the "Addition".

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that DAVID BREWER and wife DEANNA BREWER, of Orange, County, Texas, does hereby and herewith adopt the basic restrictions, conditions and limitations shown thereon.

For the purpose of establishing and maintaining a general plan and building scheme, uniform over the entire Addition, which shall be for the protection and benefit of all owners of any Lot or Lots in Said Addition hereafter, the said DAVID BREWER and DEANNA BREWER do hereby and herewith subject and encumber said Addition and each and every Lot therein with the following protective covenants, to-wit:

-1-

All Lots and property therein shall be used for residential purposes only.

-2-

Buildings erected on all Lots in this Addition shall be single family dwellings. No structure shall be erected, altered, placed or permitted to remain on any residential Lot other than one (1) detached single-family dwelling, not to exceed two (2) stories in height and a private garage for not more than three (3) cars, and such other outbuildings incidental to the residential use of such Lot and not inconsistent with other covenants herein, (4) brick on three sides of house, on slab, (5) brick surround on mailboxes.

-3-

No one-story or split level dwelling shall be permitted on any Lot or building plot therein, in which the living floor area of the main structure, including enclosed utility and storage rooms, but exclusive of open porches, carports and garages, shall be less than one thousand one hundred (1100) square feet, nor shall the first floor of any two-story or story and one-half dwelling on any Lot or building plot have such living area of less than eight hundred (800) square feet, with a total of such living area of not less than one thousand one hundred (1100) square feet.

-4-

Building setback lines: No building shall be located nearer to the front lot line than 25' or nearer to the side street line than 15' if on a corner lot. No building shall be located nearer to an interior lot line than 5'.

-5-

In no event shall any building be constructed in such a manner as to allow direct drainage from the roof or any part capable of collecting precipitation onto any property in the Addition (including but not limited to streets dedicated herein) other than the Lot on which said building is located.

-6-

No fence shall be erected, placed or altered on any Lot nearer to any street than the building setback line as stated above, except on corner Lots where fences shall be permitted to follow the property line on the side street line of said Lot from the rear thereof to the front setback line. No front yard fencing, walls or storage structures are permitted.

-7-

No livestock or poultry. No animals, livestock, or poultry of any kind shall be raised, bred on any lot, except that dogs, cats, or other household pets may be kept but not bred, not exceeding two in number, provided that they are not kept, bred, or maintained for any commercial purpose on any residential lot. All pets are to be kept in back yards or in homes except while playing with or walking such animals in your yard or on the street. Pets will not be allowed to run loose in the neighborhood. No wild or exotic animals or any kind, even if raised or trained as a household pet, shall be allowed on any lot at any time.

-8-

No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary condition. Trash, garbage or other waste shall be kept screened by adequate planting or fencing so as to conceal them from the public view.

-9-

No sewage treatment system shall be permitted on any Lot.

-10-

No signs of any kind shall be displayed to the public view on any Lot except one (1) sign of not more than five (5) square feet advertising the property for sale or rent, or signs used by a builder, developer or lender to advertise the property during the construction and sales period.

-11-

No oil drilling, oil development operations, oil refining, quarrying, or mining operations of any kind shall be permitted on any Lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon any Lot; no derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any Lot.

-12-

No noxious or offensive activity shall be carried on upon any Lots nor shall anything be done thereon which may be or become an annoyance or a nuisance to the neighborhood. Decent yard maintenance shall be maintained.

-13-

No trailer, tent, shack, garage, barn or other outbuilding erected in the Addition shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence. During the construction and sales period of the initial dwelling units, the Builder may erect and maintain such structures as are customary in connection with such construction and sale of such property, including, but not limited to, business offices, storage areas, construction yards, signs, model units and sales offices.

-14-

No trucks (except for pickup trucks having a manufacturer's rated carrying capacity of one-half (½) ton or less) boats, trailers, camping trailers, mobile homes, recreational vehicles, or similar vehicles shall be parked, placed or stored upon any Lot in the Addition on a permanent basis (as hereinafter defined) in such manner as to extend beyond the front setback line shown on the recorded Plat, or if upon a corner Lot, in such a manner as to extend beyond the side setback line as shown on the recorded Plat; nor shall any such trucks, boats trailer, camping trailers, mobile homes, recreational vehicles, or similar vehicles be parked, placed or stored in the street or streets abutting or adjoining any Lot in the Addition on a permanent basis (as hereinafter defined). A "Permanent basis", as that term is used above, shall mean any period or periods in excess of seventy-two (72) hours or any periods in excess of twelve (12) consecutive hours on any three (3) consecutive days.

-15-

No existing or used dwellings shall be moved and placed on any of the above mentioned Lots from another location, and all dwellings must be new construction.

-16-

Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the Final Plats of PIRATES COVE NO. 1 and PIRATES COVE NO.2, filed herewith. No building of a permanent nature may be erected over and above said easements, and no structure, plant, or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or which may damage, interfere with, or change the direction of flow of drainage facilities in the easements.

-17-

Each owner of a Lot in the Addition shall, at his sole cost and expense, perform such repairs and maintenance as shall be required to keep his residence in a condition comparable to the condition of such residence at the time of its initial construction excepting ordinary wear and tear.

-18-

If all or any portion of a residence is damaged or destroyed, it shall be the duty of the Owner thereof with all due diligence to, rebuild, repair or reconstruct such residence in a manner which will substantially restore it to its appearance and condition immediately prior to such casualty. Reconstruction will be undertaken within three (3) months after the damage occurs and shall be completed within twelve (12) months after the damage occurs, unless prevented by causes beyond the control of the Owner or Owners.

-19-

On-Street Parking. No automobiles, trucks, vans, trailers, campers or similar vehicles shall be allowed to be parked in the street or streets for a period exceeding twenty-four (24) hours.

-20-

Within twelve (12) months from date of transfer of title from the developer to the third-party purchaser who is not a commercial builder, construction of dwelling, structure or improvement shall be commenced. Upon commencement of such dwelling, structure or improvement on any lot, such construction shall be completed within two hundred forty (240) days after the beginning of such construction and no partially completed dwelling, structure or improvement of any type shall be permitted to remain on any lot beyond said period of time.

-21-

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty one (21) years after the date hereof, at which time said covenants shall be automatically extended for successive period of ten (10) years each unless by a vote of a majority of the then owners of the Lots or building plots it is agreed to change the said covenants in whole or in part.

-22-

If any owner violates or attempts to violate any of the covenants herein, it shall be lawful for any person or persons owning any real property situated in PIRATES COVE NO. 1, or PIRATES COVE NO.2 to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing, or to recover damages for such violations, provided, however, that

proceedings at law or in equity to prevent violations hereof or damages for a violation hereof shall be begun within one (1) year from the date such violation was first committed and not thereafter.

Definitions

In interpreting the protective covenants the following definitions will apply:

- (a) "Owner" shall mean and refer to the record owner, whether one or more person or entities, of a fee simple title to any Lot which is a part of the Addition, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.
- (b) "Addition" shall mean and refer to the subdivided real property hereinabove described.
- (c) "Lot" shall mean and refer to any plot of land shown upon the recorded Plat of the Addition with the exception of the public street easements reflected and designated as such upon the Plat of the Addition.

EXECUTED this the ____ day of _____, 20____, A.D.

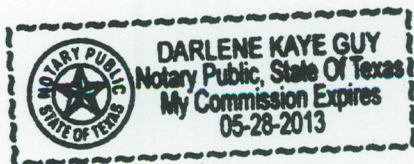
BY [Signature]
David Brewer

BY [Signature]
Deanna Brewer

THE STATE OF TEXAS:
COUNTY OF Orange

BEFORE ME, the undersigned authority, on this day personally appeared DAVID BREWER & DEANNA BREWER, 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 13th day of April, 2012, A.D.



[Signature]
Notary Public in and for

Orange County, Texas.

MY COMMISSION EXPIRES: 5-28-13

SOUTEX SURVEYORS, INC.
3737 Doctors Drive Port Arthur, Texas 77642
TELEPHONE 983.2004

ATTACHMENT "A"

PIRATES COVE NO. 1

TRACT I
LOTS 1-3, 5-9
1.979 ACRES OF LAND
OUT OF THE
T.H. BREECE LEAGUE, ABSTRACT NO. 3,
CITY OF VIDOR,
ORANGE COUNTY, TEXAS

BEING 1.979 acres of land out of and a part of the T.H. Breece League, Abstract No. 3, City of Vidor, Orange County, Texas; being part of a (Called 2.67) acre tract of land conveyed to David Brewer, recorded in File No. 364849, Official Public Records, Orange County, Texas, part of a (Called 1.386) acre tract of land conveyed to David Brewer and Deanna Brewer, recorded in File No. 364742, Official Public Records, Orange County, Texas, and part of a (Called 0.5720) acre tract of land conveyed to David Brewer and Deanna Brewer, recorded as Abandonment Of A Portion Of Filmore Street Right Of Way in Volume 11, Page, 90, Map Records, Orange County, Texas; said 1.979 acre tract being more fully described by metes and bounds as follows, to wit:

COMMENCING at a ½" steel rod found on the intersection of the South right of way line of a dedicated public roadway named Texas Street and the East right of way line of a dedicated public roadway named Pine Street; said ½" steel rod being the Northwest corner of the (Called 2.67) acre tract and having a State Plane Coordinate of N: 10069965.28, E: 4290387.50;

THENCE, North 86 deg., 19 min., 44 sec., East, on the South right of way line of said Texas Street, a distance of 187.72' to a ½" steel rod set, capped, and marked "SOUTEX" for the **POINT OF BEGINNING** of the herein described tract;

THENCE, North 86 deg., 19 min., 44 sec., East (Called South 88 deg., 30 min., 46 sec., East), continuing on the South right of way line of said Texas Street, a distance of 211.66' to a ½" steel rod found for the Northwest corner of a tract of land conveyed to Jeanine F. Naples, recorded in Volume 1025, Page 615, Official Public Records, Orange County, Texas; said ½" steel rod being the Northeast corner of the herein described tract;

THENCE, South 04 deg., 25 min., 06 sec., East (Called South 00 deg., 48 min., 21 sec., West), on the West line of said Naples tract, a distance of 162.40' (Called 162.32') to a ½" steel pipe found for the Northwest corner of the remainder of a (Called 2) acre tract of land conveyed to Larry D. Brewer, recorded in Volume 599, Page 94, Official Public Records, Orange County, Texas; said ½" steel rod being the Southwest corner of said Naples tract and an angle point on the East line of the herein described tract;

THENCE, South 86 deg., 58 min., 57 sec, West a distance of 206.23' to a ½" steel rod set, capped and marked "SOUTEX, for an interior corner of the herein described tract;

THENCE, South 23 deg., 02 min., 59 sec., East, a distance of 396.76' to a 1/2" steel rod set, capped, and marked "SOUTEX" on the North line of a tract of land conveyed to Gerald E. Collins and Wilma J. Connor, recorded in File No. 300207, Official Public Records, Orange County, Texas; said 1/2" steel rod being the most Southerly Southeast corner of the herein described tract; from which a 1/2" steel pipe found for the Northeast corner of said File No. 300207 bears North 86 deg., 01 min., 49 sec., East, a distance of 21.16';

THENCE, South 86 deg., 01 min., 49 sec., West (Called North 88 deg., 42 min., 28 sec., West), on the North line of said File No. 300207, a distance of 138.75' to a 1/2" steel pipe found on the East right of way line of said Pine Street; said 1/2" steel pipe being the Northwest corner of said File No. 300207 and the Southwest corner of the herein described tract; from which a 1/2" steel pipe found on the intersection of the North right of way line of a 50' wide dedicated public roadway named Louisiana Street and the East right of way line of said Pine Street having a State Plane Coordinate of N:10069294.25, E:4290670.77, bears South 22 deg., 18 min., 49 sec., East, a distance of 161.19';

THENCE, North 23 deg., 02 min., 59 sec., West (Called North 18 deg., 04 min., 46 sec., West), on the East right of way line of said Pine Street, a distance of 392.83' to a 1/2" steel rod set, capped, and marked "SOUTEX" for corner on a South line of a 50' wide drainage easement named Tiger Creek Lateral No. 4, recorded as Tract 1 in Volume 459, Page 948, Deed Records, Orange County, Texas;

THENCE, North 70 deg., 01 min., 39 sec., East on the south line of said Tiger Creek Lateral No. 4 a distance of 20.54' to a 1/2" steel rod set, capped, and marked "SOUTEX" for corner;

THENCE, North 86 deg., 58 min., 57 sec., East a distance of 112.24' to a 1/2" steel rod set, capped, and marked "SOUTEX" for corner;

THENCE, North 04 deg., 25 min., 06 sec., West a distance of 159.99' to the **POINT OF BEGINNING** and containing 1.979 acres of land, more or less.

TRACT II
LOTS 15 & 16
0.5397 ACRE OF LAND
OUT OF THE T.H. BREECE LEAGUE, ABSTRACT NO. 3,
CITY OF VIDOR,
ORANGE COUNTY, TEXAS

BEING 0.5397 acre of land out of and a part of the T. H. Breece League, Abstract No. 3, City of Vidor, Orange County, Texas; being part of a (Called 1.386) acre tract of land conveyed to David Brewer and Deanna Brewer, recorded in File No. 364742, Official Public Records, Orange County, Texas; said 0.5397 acre tract being more fully described by metes and bounds as follows, to wit;

COMMENCING at a ½" steel rod found on the intersection of the South right of way line of a dedicated public roadway named Texas Street and the East right of way line of a dedicated public roadway named Pine Street; said ½" steel rod being the Northwest corner of a (Called 2.67) acre tract of land conveyed to David Brewer recorded in File No. 364849, Official Public Records, Orange County, Texas, having a State Plane Coordinate of N: 10069965.28, E: 4290387.50;

THENCE, South 23 deg., 02 min., 59 sec., East, on the East right of way line of said Pine Street, a distance of 567.17' to a ½" steel pipe found for the Northwest corner of a tract of land conveyed to Gerald E. Collins and Wilma J. Connor, recorded in File No. 300207, Official Public Records, Orange County, Texas; said ½" steel pipe having a State Plane Coordinate of N: 10069443.38, E: 4290609.57;

THENCE, North 86 deg., 01 min., 09 sec., East (Called South 88 deg., 42 min., 28 sec., West), on the North line of said File No. 300207, a distance of 159.91' (Called 159.89') to a ½" steel pipe found for the **POINT OF BEGINNING**; said ½" steel pipe being the Northeast corner of said File No. 300207 and Northwest corner of the herein described tract;

THENCE, North 86 deg., 01 min., 34 sec., East, a distance of 78.64' to a ¾" steel rod found for the Southwest corner of a tract of land conveyed to Calvin Richard & Melissa Richard, recorded as Tract One in Volume 1299, Page 235, Official Public Records, Orange County, Texas; said ¾" steel rod being an angle point on the North line of the herein described tract;

THENCE, North 86 deg., 00 min., 24 sec., East (Called South 88 deg., 51 min., 27 sec., East), on the South line of said Richard tract, a distance of 79.55' (Called 79.73') to a ½" steel rod found for the Northwest corner of a (Called 0.5360) acre tract of land conveyed to David Brewer and Deanna Brewer, recorded in File No. 370642, Official Public Records, Orange County, Texas; said ½" steel rod being the Northeast corner of the herein described tract;

THENCE, South 18 deg., 41 min., 38 sec., East (Called South 13 deg., 35 min., 57 sec., East), on the West line of the (Called 0.5360) acre tract, a distance of 155.09' (Called 155.07') to a ½" steel pipe found for the Southwest corner of the (Called 0.5360) acre tract on the North right of way line of a 50' wide dedicated unimproved public roadway named Louisiana Street; said ½" steel pipe being the Southeast corner of the herein described tract;

THENCE, South 85 deg., 25 min., 17 sec., West (Called North 89 deg., 30 min., 35 sec., West) on the North right of way line of said Louisiana Street, a distance of 153.23' (Called 153.22') to a ½" steel pipe found for the Southeast corner of said File No. 300207; said ½" steel pipe being the Southwest corner of the herein described tract;

THENCE, North 20 deg., 17 min., 35 sec., West (Called North 15 deg., 10 min., 40 sec., West), on the East line of said File No. 300207, a distance of 157.95' to the **POINT OF BEGINNING** and containing 0.5397 acre of land, more or less.

Note: Coordinates, bearings, and distances are based on the State Plane Coordinate Grid System, Texas Central Zone, NAD 83, having a convergence angle of 03 deg., 15 min., 01 sec., and a combined scale factor of 0.999998.

This description is based on the Land Survey made by Anthony M. Leger, Registered Professional Land Surveyor No. 5481, on April 29, 2011.

Brewer Plat
LS-11-0225 P2

PIRATES COVE NO. 2

1.790 ACRES OF LAND
OUT OF THE
T. H. BREECE LEAGUE, ABSTRACT NO. 3,
ORANGE COUNTY, TEXAS

BEING 1.790 acres of land out of and a part of the T. H. Breece Survey, Abstract No. 3, Orange County, Texas; being a combination of two tracts of land conveyed to Audrey Frenzel, recorded in Volume 928, Page 825, Official Public Records, Orange County, Texas; said 1.790 acre tract being more fully described by metes and bounds as follows, to wit:

BEGINNING at a ¾" steel pipe found bent on the intersection of the South right of way line of a dedicated road named Louisiana Street and the East right of way line of a dedicated road named Pine Street; said ¾" steel pipe being the Northwest corner of the herein described tract;

THENCE, Ref Line = North 89 deg., 58 min., 00 sec., East, on the South right of way line of said Louisiana Street, a distance of 200.35' passing a ½" steel pipe found bent for a common corner of the two tracts of land described in said Frenzel deed; continuing for a total distance of 327.68' to a ½" steel pipe found for the Northwest corner of a tract of land conveyed to Henry Lee Tucker, recorded in Volume 899, Page

280, Official Public Records, Orange County, Texas; said ½" steel pipe being the Northeast corner of the herein described tract;

THENCE, South 14 deg., 49 min., 38 sec., East (Called South 14 deg., 57 min., 00 sec., East), on the West line of said Tucker tract, a distance of 255.49' (Called 254.60') to a ½" steel pipe found bent for the Southwest corner of said Tucker tract on the North line of a tract of land conveyed to Edward A. Harvey, et al., recorded in Volume 823, Page 441, Official Public Records, Orange County, Texas; said ½" steel pipe being the Southeast corner of the herein described tract;

THENCE, North 88 deg., 42 min., 50 sec., West (Called North 89 deg., 02 min., 00 sec., West), on the North line of said Harvey tract, a distance of 23.98' pass a 5/8" steel rod found for the Northwest corner of said Harvey tract and the Northeast corner of a (Called 1.50) acre tract of land conveyed to Charlie Alvis, recorded in File No. 321004, Official Public Records, Orange County, Texas; at 116.29' pass a ¾" steel pipe found pinched and bent for a common corner of the two tracts of land in said Frenzel deed; continuing for a total distance of 315.41' to a ½" steel pipe found bent on the East right of way line of said Pine Street; said ½" steel pipe being the Northwest corner of the (Called 1.50) acre tract and the Southwest corner of the herein described tract;

THENCE, North 17 deg., 58 min., 00 sec., West, on the East right of way line of said Pine Street, a distance of 252.00' to the **POINT OF BEGINNING** and containing 1.790 acres of land, more or less.

This description is based on the Land Title Survey made by Anthony M. Leger, Registered Professional Land Surveyor No. 5481, on March 30, 2011.

David Brewer
LS-11-0173