Covenants and Restrictions of Poetry Ranch Subdivision,

Plat Recorded in Document# 2018-0025245, Kaufman County, Texas

Part of the E. Turner Survey,

Abstract No. 529, Kaufman County, Texas

 Article I

Property Rights

1. Easements

 A) Tracts “1” and “2” have a seventy-five foot (75’) building set-back line along FM 986 as indicated on plat. Tracts “3” through “9” have a seventy foot (70’) building set-back line along County Road 324 as indicated on plat. Within these easements, no dwelling, structure, planting, or other material shall be placed or permitted to remain thereon 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. The Owner of such tract, except for maintenance of which a public utility company is responsible, therein shall continuously maintain the area of each tract and all improvements. In addition, all tracts have side building set-back lines of twenty five feet (25’) and a rear set-back line of twenty five feet (25’).

 B) Such easements, reservations, and rights of way shall at all times be open and accessible to public and quasi-public corporations, their employees and contractor, and shall also be open and accessible to Declarant, its successors and assigns, all of whom shall have the right and privilege of doing whatever may be necessary in, on, under, and above such locations to carry our any of the purposes for which such easements, reservations and rights of way are reserved.

Article II

Use Restrictions

The Property shall be occupied and used only as follows:

2-1 Each tract shall maintain a residential appearance and usage. No commercial signage may be placed on any lot except that which is being used for construction services. Upon completion of construction, all vendor signs must be removed. No structure may be placed closer than twenty feet (25) from the public or private access point without written permission of the Architectural Control Committee (also known as ACC). No residence may be placed within twenty five feet (25’) of any one side or rear line with prior ACC approval.

2-2 No obnoxious or offensive activities shall be carried on upon any Tract, nor shall anything be done thereon which may be or become an annoyance or a nuisance to the neighborhood. No portion of the property shall be used in a manner that adversely affects adjoining tracts or creates any annoyance or nuisance to other tract owners. This shall include noise pollution such as barking dogs, loud music or any other animal or fowl that creates a nuisance.

2-3 The raising or keeping of livestock on any part of a tract is prohibited. Chickens, guinea fowl, or peafowl shall be permitted provided their number is limited to three (3) per acre. Shelter for these animals shall be located in the rear one-third (1/3) of the property, not visible from the road, a minimum of thirty feet (30’) from the side property line and neatly maintained. (Any and all animals, including household pets, require appropriate fencing to confine them to their tract.) All of the above animals are allowed, providing that the land owner controls noise, refuse, and odor from said animals so that they are not a nuisance to neighboring land owners.

2-4 No rubbish, trash, garbage, or other waste material, shall be kept on any tract. No part of the Property, including any tract shall be used or maintained as dumping grounds for rubbish, trash, building materials or garbage. Equipment shall be kept in a clean and sanitary condition and shall be located on the back 1/3 of the property. No tract shall be used for open storage of any materials whatsoever. Construction materials appropriate for a new, approved structure may be stored on the property for a reasonable period of time.

2-5 No fence, hedge, wall, or other dividing barrier over six (6) feet in height measured from the ground on which it stands shall be constructed or maintained on any tract.

2-6 No tent, shack, shed, or temporary building of any kind shall be used as a temporary or permanent residence.

2-7 No repairing or restoration of motor vehicles shall be permitted on ant tract without written permission from the Architectural Control Committee, andall repairs or restoration must be performed in an enclosed garage. Motor vehicles that are not in operating condition or/or not bearing current license plates must be kept in enclosed garages.

2-8 Metal building workshops are permitted but must be located behind the residence and garage.

2-9 Each inhabited structure constructed on a tract shall be connected to a septic tank with capacity and drain field installed in accordance with the regulations of the County Health Officer and shall be inspected and approved by such Officer. This restriction is enforceable by the County Health Unit and/or the Seller of the tract of land. Prior to construction the Owner of said tract(s) shall contact said Health Officers for approval of individual septic systems. If sewage disposal is to be done by means of a private sewage facility license shall be obtained from the Kaufman County Public Works Department for each lot in the Subdivision.

2-10 One (1) single-family dwelling is allowed per tract unless written permission is given by the Architectural Control Committee for additional residences. All residences must have a separate water meter and county approved septic tank.

2-11 No re-subdivision of any tract shall be permitted.

2-12 A tract owner may dispose of timber for building sites and gardens, but must leave ample trees for shade over tract.

2-13 All driveways are to be installed and maintained by each tract Owner.

2-14 The placement of any fence must be approved in writing by the Architectural Control Committee. If a fence is installed without the Architectural Control Committee’s prior approval, the fence is subject to being removed without notice.

Article III

Architectural Control

**All structures, dwellings or housing must be approved in writing by the Architectural Control Committee prior to the placement or start of construction of said structure, dwelling or housing.**

3-1-1 No mobile homes are allowed on any tract in Poetry Ranch. No Off-site built homes are allowed on any tract in Poetry Ranch. All driveway culverts shall be sized and installed in accordance with the policies of Kaufman County.

3-1 The ground area of each site built home exclusive of porches, garages, and storage spaces shall not be less than 2,000 square feet of heated and cooled area. All approved homes must have a minimum of 2 car garage. If garage is detached, it must be constructed of the same materials and style of residence. (It is the Declarant’s opinion that size of a structure does not dictate value but quality materials as well as architectural style). All site-built homes must have exterior construction completed in its entirety within 180 days from written approval

3-2 RV’s, late model well maintained, and attractive 5th wheels or camper type trailers may be stored behind the residence provided they are kept neat in appearance and the surrounding property is well maintained. Permission may be revoked at any time, as deemed necessary by the ACC.

3-3 Small storage sheds are permitted on lots but must be behind residence or garage and out of view from road.

3-4 COMMITTEE MEMBERSHIPS. The Architectural Control Committee is composed of Kenneth Lane and S.E. Rutledge. In the event of death or resignation of any member of the Committee, the remaining member shall have full authority to designate a successor.

3-5 RIGHT OF WAIVER. The Committee shall have the right to waive any restriction if the Committee deems such waiver to be in the best interest of the tract Owner and such action will not alter the general scheme of the adjoining tract.

3-6 Seller is not responsible for any rollback taxes due to the change in use of said property from agricultural to non-agricultural or. It is the purchaser’s responsibility to individually apply for agricultural use and to pay such roll back if assessed.

3-7 The restrictions are enforceable by the Declarant or any individual Purchaser or Owner of any tract or lot as shown on Exhibit A. Declarant shall have right to (but not the obligation) to enforce any of these provision by any available remedy at law in equity. Nothing herein shall be construed as compelling the Declarant to enforce any of these provisions, nor shall failure to enforce any of these provisions be deemed a right of waiver of the enforcement of the provision. These Restrictions shall be effective for a term of twenty (20) years from the effective date, after which time said Restrictions shall be automatically extended for successive periods of ten (10) years. These Restrictions may be amended by an instrument signed by not less than seventy five percent (75%) of the tract, or lot owners, with an amendment recorded in the official records of Kaufman County, Texas. Further, Declarant reserves the right to unilaterally amend these Restrictions for five (5) years from the effective date hereof in order to make corrections of typographical or grammatical errors, oversight, ambiguity or inconsistency appearing herein, provided that any such unilateral amendment by the Declarant shall be consistent with and in furtherance of the general plan and scheme of development of the Subdivisions.

Buyer\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Buyer \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_