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## DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

151.62 acres tract of land located within the H. Cottle Survey, Abstract No. 13 of Guadalupe County, Texas as shown in the attached Exhibit A

This Declaration of Covenants, Conditions, and Restrictions is made on this the day of by Fortress Ranch Investments, LTD., ("Declarant"), whose mailing address is P.O. Box 1249 San Marcos, Texas 78667.

### Recitals

1. Declarant is the owner of all that certain real property ("the property") located in Guadalupe County, Texas described as follows:

151.62 acres tract of land located within the H. Cottle Survey, Abstract No. 13 of Guadalupe County, Texas as shown in the attached Exhibit A

2. The Declarant has devised a general plan for the entire Property as a whole, with specific provisions for particular parts and parcels of the Property. This general plan provides a common scheme of development designed to protect and safeguard the Property over a long period.
3. This general plan will benefit the Property in general, the parcels and lots that constitute the Property, the Declarant, and each successive owner of an interest in the Property.
4. Therefore, in accordance with both the doctrines of restrictive covenant and implied equitable servitude, the Declarant desires to restrict the Property according to these covenants, conditions and restrictions in furtherance of this general plan development.

NOW, THEREFORE, it is declared that all of the Property shall be held, sold, and conveyed subject to the following easements, restrictions, covenants, and conditions:

### Article 1 Definitions

1-1 "**Developer**" means Declarant and its successors and assigns who acquire or own the entirety of the development but will parcel it into undeveloped Lots from Declarant for the purpose of development.

1-2. "**Lot**" means the subdivided Lots within the Property identified above, as fully described in the attached "Exhibit A".

1-3 "**Owner**" means the record owner or owners of the fee simple title to any Lot or portion of a Lot in the Property.

1-4 "**Main Road**" means any county, state or otherwise publicly maintained road

1-5 "**Mobile Home**" also known as modular, prefab, or factory homes, means any prefabricated house assembled in a factory and then transported to site of use.

