WCND

OFFICIAL RECORDS

THE STATE OF TEXAS)

COUNTY OF WILLACY)

291793

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PROPERTY RESTRICTIONS

Willacy County Navigation District, a Political Subdivision of the State of Texas, hereinafter, called Developer, the same being the owner of the leasehold estate of the Warm Wind Drive Subdivision at Port Mansfield in Willacy County, Texas, as shown by the plat thereof which is recorded in Volume 3, Page 93, Map Records of Willacy County, Texas, does hereby approve and adopt the following restrictions on the use of lots within the Warm Winds Drive Subdivision, which restrictions shall be covenants to run with the land and shall be binding on all parties now or hereafter owning or using the leasehold estate in said lots in said subdivision and to hereby specify and provide that any person or persons now or hereafter owning any real property situated in such subdivision may enforce these restrictions, at law or in equity, against any person or persons violating or attempting to violate any such covenant or restriction.

1. **Residential Use:** No lot in Warm Wind Drive Subdivision shall be used except for residential purposes and no building shall be designed for, or erected, placed, occupied, altered, or permitted to remain on any lot or portion thereof other than residence and an attached or separate garage.

2. **Temporary Building Prohibited:** No trailer, tent, shack, barn, or out-building shall ever be erected on any lot in Warm Wind Drive Subdivision, and shall never be used as a residence temporarily or permanently. House trailers and mobile homes are strictly prohibited from ever being used on any lot of this subdivision, temporarily or permanently, by any owner of any lot in this subdivision or any guest of any such owner. No structure or any part of the property shall be occupied or used as a residence, temporarily or permanently, until the structure is completely finished and all plumbing connected. All structures placed on the property shall be constructed new and the relocation of any structure is prohibited. No building previously constructed elsewhere shall be moved to any lot or portion thereof in this subdivision. No structure shall be constructed with square footage of less than one thousand six hundred (1,600) square feet.

3. No structure shall be built on any lot without first obtaining the required permits for construction specially including, but not restricted to, the permit to be issued by the Willacy County Navigation District and the agreement by the applicant to abide by the property and setback lines as prescribed by the Willacy County Navigation District and all other covenants and restrictions which are contained in their Residential Lease Agreement, and the pertinent building and zoning ordinances of the Willacy County Navigation District.

4. **Sanitary Facilities:** No outside toilet shall be installed and maintained on any lot of this subdivision and all plumbing shall be connected with the Port Mansfield Public Utility District sanitary disposal facility in accordance with the health regulations of State and county and any other governmental authority having jurisdiction. Such installation shall be constructed and maintained by the owner in such a manner that no effluent from the same shall ever drain or flow upon the ground surface or drain in such a manner above or below the surface that it will cause any degree or pollution.

5. **Nuisance:** No noxious or offensive, unlawful or immoral activity shall be carried on upon any lot, nor shall anything be done thereon which shall become an annoyance or nuisance to any part of this subdivision.

6. **Trash and Garbage Disposal:** No lot shall be used or maintained as a dumping ground for rubbish or any other material.

7. **Signs:** No sign of any kind shall be kept or displayed to the public view, except by the Developer or its assigns, other than name and street number signs.

8. **Lot Maintenance:** The owners or occupants of all lots shall at all times keep weeds and grass cut in a sanitary, healthful and attractive manner.

9. **No Livestock and Poultry:** No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.

10. **Amendment:** These restrictions may be amended by formal consent and approval on the basis of one vote allowed for each lot and approval by the Board of Navigation and Canal Commissioners of the Willacy County Navigation District and any such changes of these restrictions will be binding on all lots and lot owners and shall apply to any buildings or structures not commenced at the time of such amendment.

11. **Enforcement of Restrictions:** It is expressly provided that each lot in the subdivision is burdened with following the provisions concerning enforcement and obligations of lot owners contained in this instrument. In the event any owner or occupant of any lot of this subdivision shall violate any of the restriction or neglect to perform any of his obligations herein contained which can be remedied by the Developer or his respective successors or assigns, either of said parties shall cause such violation to be remedied and the cost of such remedial action shall be chargeable against the owner of the offending lot and a lien against said lot is hereby created to secure payment to the party named above making the expenditure, to bring said lot into compliance with these restrictions, which indebtedness and lien securing the same shall be enforced in any manner provided by law or equity.

Dated August 1, 2002

Willacy County Navigation District

BY Raymond H. Snow
Raymond H. Snow
Chairman of the Board
Navigation and Canal Commissioners

ATTEST:
Donald P. Donaho
Secretary

Given Under My Hand and Seal of Office on this the 14TH day of August, 2002

(Seal)

MICHAEL G. WILSON
Notary Public
STATE OF TEXAS
My Comm. Exp. 10-02-2004

Michael G. Wilson
Notary Public, State of Texas