

**FOREST LAKES SUB-DIVISION DEED RESTRICTIONS**

**FILED**

To the Public

The State of Texas

County of Brazos

**437315**

Billed for Record **89 DEC -1 PH 4:27**

Date \_\_\_\_\_

At \_\_\_\_\_ o'clock \_\_\_\_\_ m

Frank Boriskic, BRAZOS COUNTY CLERK  
Brazos County, BRYAN

*Clerk*

Date Recorded \_\_\_\_\_

That Michael Mahoney, of Bryan, Texas, being the owner of Forest Lakes Sub-division, Brazos County, Texas, according to the plat of said sub-division does hereby adopt and establish the following restrictions, reservation, covenants and easements to apply uniformly to the occupancy, use and conveyance of all lots in said Forest Lakes sub-division, and the occupancy, and use of Forest Lake and certain reserved areas shown on said plat.

**1. Land Use and Building Type:**

No lot shall in any manner, temporarily or permanently, be used except for residential purposes. All buildings erected on any lot, or on Forest Lake, including but not limited to, residences, garages, decks, and storehouses, shall be new construction and no building of any kind or character including but not limited to, a residence, trailer, tent, barn, shack, garage or other shall be erected, altered or permitted to remain on any lot as long as the same are numbered on the recorded plat other than a one detached single family dwelling, not to exceed two stories in height.

**2. Architectural Control:**

- a) No pier, dock, boathouse or marina shall be erected or altered on any lot or on Forest Lake.
- b) No building shall be erected on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committees as to the quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation.

Construction of a fence or fences shall not begin until approved by the Architectural Control Committee.

The Architectural Control Committee is composed of:

- Debra Senter, Bryan
- Mike Mahoney, Bryan

Any two members of the committee will constitute a quorum, and the vote of any two members will control the action of the committee.

A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. The committee's approval or disapproval as required herein shall be in writing. If the committee, or its designated representative, disapproves submitted construction plans and specifications, failure to file or commence suit to enjoin construction until after the completion of the improvements shall not be deemed a waiver of this provision of these restrictions. If the committee, or its designated representative fails to give written approval or disapproval within thirty (30) days after plans and specifications have been submitted to it, approval will not be required and the related covenants shall be deemed to have been fully satisfied.

It is further agreed that the persons or other legal entities then owning a majority of the lots in the said sub-division will select a committee of three to act as the Architectural Control Committee fifteen (15) years after date herein lieu of the present committee.

The death, resignation, or appointment of a new member of the committee shall be evidenced in writing and such instrument filed for the record in the deed records of Brazos County, Texas. The fact that no committee exists or that such committee exists, it fails or refuses to function shall be established by a proper proceeding brought in the district court of Brazos County, Texas.

3. Additional Control:

No fence, wall, or barrier shall be erected, placed or altered on any lot, or on Forest Lake, or on any lot and Forest Lake until the construction plans and specifications and a plat showing the location of the structure have been approved by the Architectural Control Committee as to the quality of workmanship and materials, harmony of external design with existing structures, and Forest Lake, and as to location with respect to topography, water level, other structures, lot boundaries, and finish grade elevation.

4. Materials Requirement: Main Residential Structures:

The main residential structure on any of the lots shall be constructed of at least one-third (1/3) brick, stone, or rock, or glass or a combination thereof, and all such material so required shall be external and visible from the outside of each such main residential structure.

5. Subdivision of Lots: Will not be permitted.

6. Easements:

Easements for installation and maintenance of utilities and drainage are reserved as shown and provided for on the recorded plat.

7. Reserved Areas:

Forest Lake and all tracts, and unnumbered lots are marked "reserved" as the same are shown on the recorded plat are unrestricted reserve, and void of all the restrictions in the sub-division, and shall remain, the property of Forest Lake development until such time as the same might be disposed of by instrument, which instrument shall be recorded in the office of County Clerk of Brazos, County, Texas.

8. Nuisances:

No noxious or offensive activity shall be permitted upon any lot of Forest Lake sub-division, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

9. Signs:

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

10. Dwelling Size and Quality:

The heated area of the main residential structure in a one-story dwelling shall not be less than 1,300 square feet.

No dwelling shall be placed on any lot nearer than 40 feet from the front property line nor nearer than 20 feet to either sideline.

11. Livestock:

Animals, livestock, dogs and cats or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purposes. Swine and poultry shall not be permitted on any lot in said sub-division.

12. Firearms:

The firing of firearms shall not be permitted on any lot, Forest Lake, or reserved area in said sub-division.

13. Forest Lake and other Designated Places:

The owner of each lot on the recorded plat herein referred to shall be a member of the community organization of Forest Lakes sub-division, the specific purpose of which is the operation, control, maintenance, preservation, use and management of Forest Lake as shown on the recorded plat. It is further agreed that the use, operation, control, maintenance, management, and preservation, except as hereinafter

stated, of Forest Lake and such designated reserved as the same are shown on the recorded plat, shall be fully, completely, and exclusively controlled by the said organization. Each numbered lot, as the same are shown on the recorded plat, shall be represented by, and entitled to, only one (1) vote in the management of the sub-division's affairs.

14.

It is specifically understood and agreed that annual assessments for maintenance shall be made against each lot in the sub-division, which assessments shall run in the name of said sub-division and shall be considered for all purposes as a lien against the lots and that said sub-division shall have all legal and equitable remedies to enforce such lien, that such assessments shall be cumulative, and shall be used by said sub-division for the preservation, maintenance, control, management, and operation of Forest Lake and other places, marked reserved as shown on the recorded plat.

Such assessments shall be in the amount of \$25.00 for the year 1978, and such amount can be charged from year to year by appropriate action of the community organization. Currently \$65.00 per year.

15. Use of the Lake:

No floating object designed to be left un-attended shall be temporarily or permanently anchored or tied in Forest Lake.

Anything in these restrictions to the contrary notwithstanding, there shall not be permitted the use of any boat, or floating object of Forest Lake propelled by any gas engine, it will be confined to electric motors or sail boats.

No piers or floating docks or any other structures shall be permitted in the water.

Guests will not be permitted without the presence of lot owner.

No trotlines will be permitted.

Water may not be pumped from the lake for any reason.

No vehicles will be permitted on the dam.

16. Term for which these Covenants Apply:

The covenants are to run with the land and shall be binding on all parties, corporations, and other legal entities, and all persons, corporations, and other legal entities claiming under them or it for a period of twenty-five (25) years from the date these covenants are recorded, after which time said covenants, and each of them, shall be automatically extended for successive periods of ten (10) years, unless and instrument signed by the persons, corporations, or other legal entities then owning a majority of lots has been recorded agreeing to change said covenants in whole or part.

17. Enforcement:

Enforcement of these covenants shall be by proceeding at law or in equity against any person, persons, corporations, or other legal entities violating or attempting to violate any covenant herein contained, either to restrain violation or to recover damages.

18. Severability:

Invalidation of any one of these covenants by judgement of order of the court shall in no manner affect any of the other provisions which shall remain in full force and effect.

EXECUTED this 24 day of NOVEMBER, 1989.

STATE OF TEXAS  
COUNTY OF BRAZOS

The foregoing is a true and correct copy of the original on file and recorded in the appropriate records of Brazos County, Texas.

Thereby certify, on 4/6/23 Amo C. Givens



Leisa McQueen  
County Clerk,  
Brazos County, Texas

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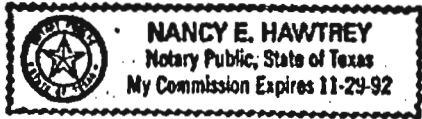
Michael Mahoney  
MICHAEL MAHONEY

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THE STATE OF TEXAS )

COUNTY OF BRAZOS )

This instrument was acknowledged before me on this the 24th day of November, 1989 by MICHAEL MAHONEY.



*Nancy E. Hawtrey*  
Notary Public State of Texas

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STATE OF TEXAS

COUNTY OF BRAZOS BRAZOS

The foregoing is a true and correct copy of the original on file and recorded in the appropriate records of Brazos County, Texas.

Thereby certify on 11/23/89 *Anna Pedersen*

