

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS (this "Declaration") is made by the City of Hill Country Village (the "City"); and

WHEREAS, the City is the owner of Lot 144, HILL COUNTRY ESTATES SUBDIVISION, in the City of Hill Country Village, Bexar County, Texas, according to plat thereof recorded in Volume 3025, Page 13, Deed and Plat Records of Bexar County, Texas and of Lots 155 and 158, HILL COUNTRY ESTATES SUBDIVISION, in the City of Hill Country Village, Bexar County, Texas, according to the plat thereof recorded in Volume 9350, Page 146 Deed and Plat Records of Bexar County, Texas (said Lots 144, 155 and 158 being the "Property"); and

WHEREAS, the Property is currently zoned "R-2" which allows for the development of single-family dwellings on a lot consisting of at least 4.5 acres of land; and

WHEREAS, the City wishes to impose restrictive covenants on the Property to perpetuate (1) the only use of the Property being for single-family dwellings and directly related residential accessory uses; and (2) the minimum lot size of 4.5 acres per lot.

NOW, THEREFORE, the City hereby imposes the following restrictive covenants on the Property:

I. **Definitions**

1. "City" shall mean the City of Hill Country Village, Bexar County, Texas.
2. "Effective Date" shall mean the date on which this Declaration is recorded in the Official Public Records of Bexar County, Texas.
3. "Property" shall mean of Lot 144, HILL COUNTRY ESTATES SUBDIVISION, in the City of Hill Country Village, Bexar County, Texas, according to plat thereof recorded in Volume 3025, Page 13, Deed and Plat Records of Bexar County, Texas and of Lots 155 and 158, HILL COUNTRY ESTATES SUBDIVISION, in the City of Hill Country Village, Bexar County, Texas, according to the plat thereof recorded in Volume 9350, Page 146 Deed and Plat Records of Bexar County, Texas.

II. **Covenants**

1. **Permitted Uses.** The Property may only be used for single-family dwelling use and uses directly related to single-family dwelling use. Except for home occupations permitted under the Zoning Ordinance of the City, no business or commercial use of the Property is permitted.

2. **Lot Size.** Each individual Lot within the Property shall be not less than 4.5 acres in size.
3. **Building Height.** The maximum height of any building or structure on the Property shall not exceed forty feet (40') in height.
4. **Applicable Law.** Development of the Property shall fully comply with all applicable provisions of the City's Code of Ordinances.

III.
General Provisions

1. **GOVERNING LAW.** This Declaration shall be governed by and construed and interpreted in accordance with the laws of the State of Texas. All acts required or permitted to be performed hereunder are performable in Bexar County, Texas.
2. **Construction & Severability.** Words or terms not specifically defined in this Declaration shall have the meaning defined by the City of Hill Country Village Code of Ordinance as of the Effective Date. If any word or term is not defined by such Code of Ordinance, or if other clauses, sentences, paragraphs or other part of this Declaration are susceptible to more than one or conflicting interpretations, then the interpretation which is more nearly in accordance with the general purposes and objectives of this Declaration shall govern. In the event one or more of the provisions contained in this Declaration shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Declaration shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
3. **Run with the Land.** This Declaration shall run with the land for thirty (30) years from the Effective Date unless amended in accordance with subpart 4 of this Section III of this Declaration. Thereafter, this Declaration shall continue to run with the land for consecutive periods of ten (10) years each unless terminated by (1) action of the City authorized by a vote of at least eighty percent (80%) of the elected or appointed members of the City Council (not counting the Mayor) or (2) action of all of the owners of the Property, but only if such termination is authorized by a vote of at least eighty percent (80%) of the elected or appointed members of the City Council (not counting the Mayor) and then joined by the City.
4. **Amendment.** This Declaration may not be amended except by a vote of at least 80% of the elected or appointed members of the City Council (not counting the Mayor). Any Amendments must be recorded in the Official Public Records of Bexar County, Texas.
5. **Enforcement.** The provisions of this Declaration may be enforced by the City or by any then owner of any part of the Property.
6. **Successors and Assigns.** This Declaration and the terms and provisions hereof and variances herein shall inure to the benefit of and be binding upon the parties hereto and

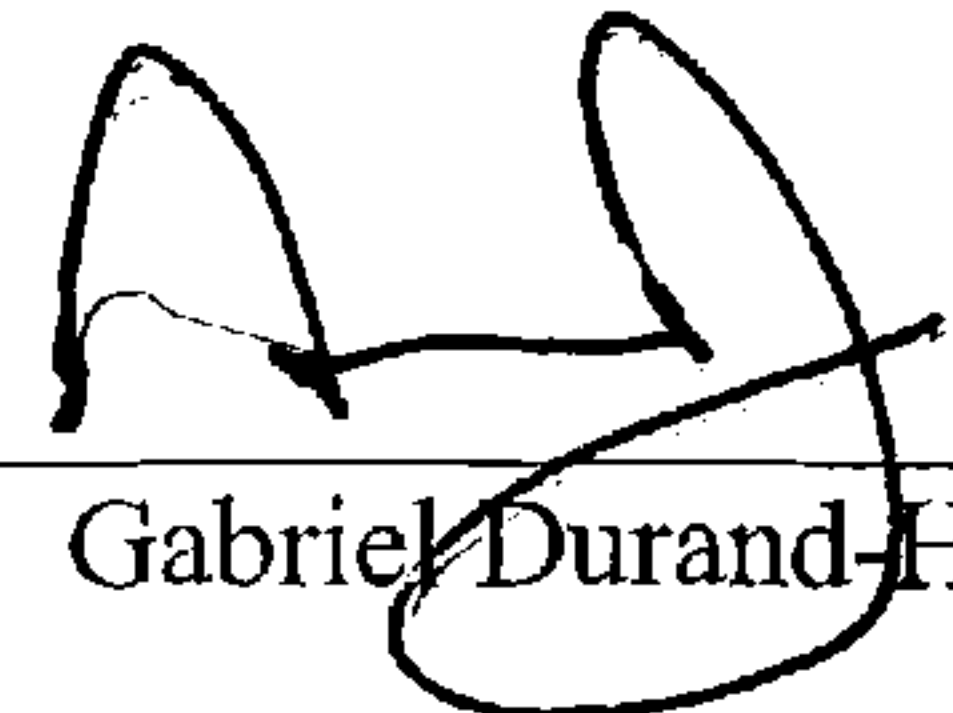
their respective successors and assigns whenever the context so requires or permits, and shall run with the land.

- 7. **Captions.** Captions, titles to sections and paragraph headings used herein are for convenience of reference and shall not be deemed to limit or alter any provision hereof.

WHEREFORE, this Declaration is executed this 1ST day of ~~February~~ ^{MARCH}, 2024.

City:

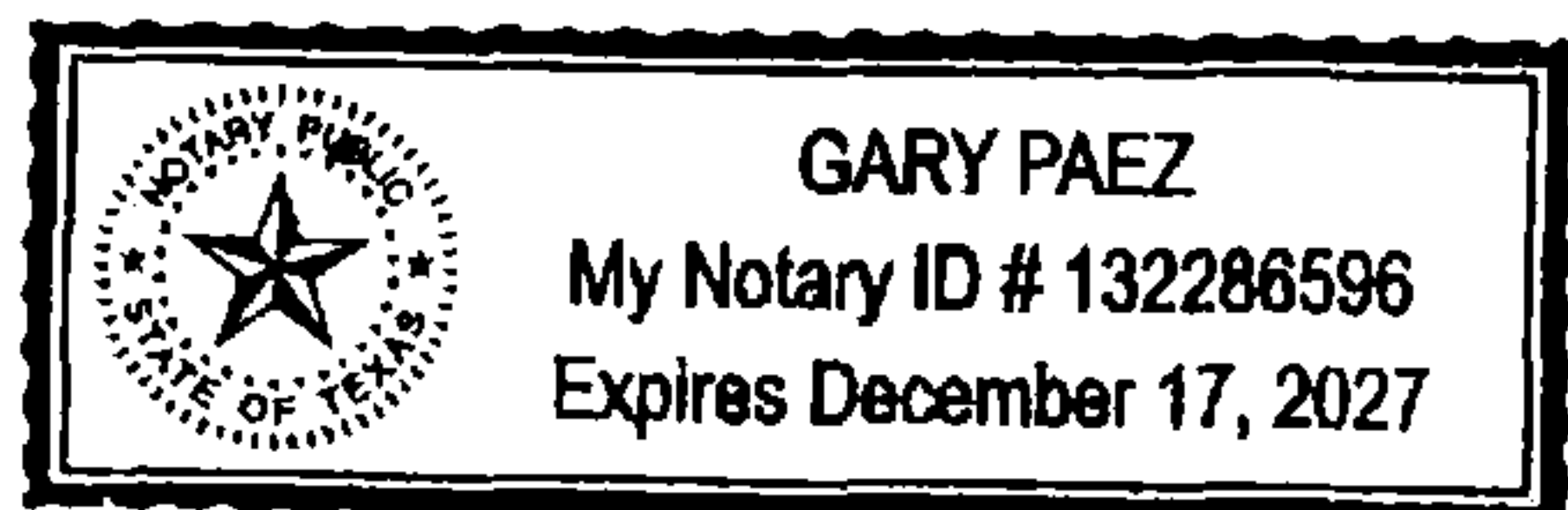
CITY OF HILL COUNTRY VILLAGE

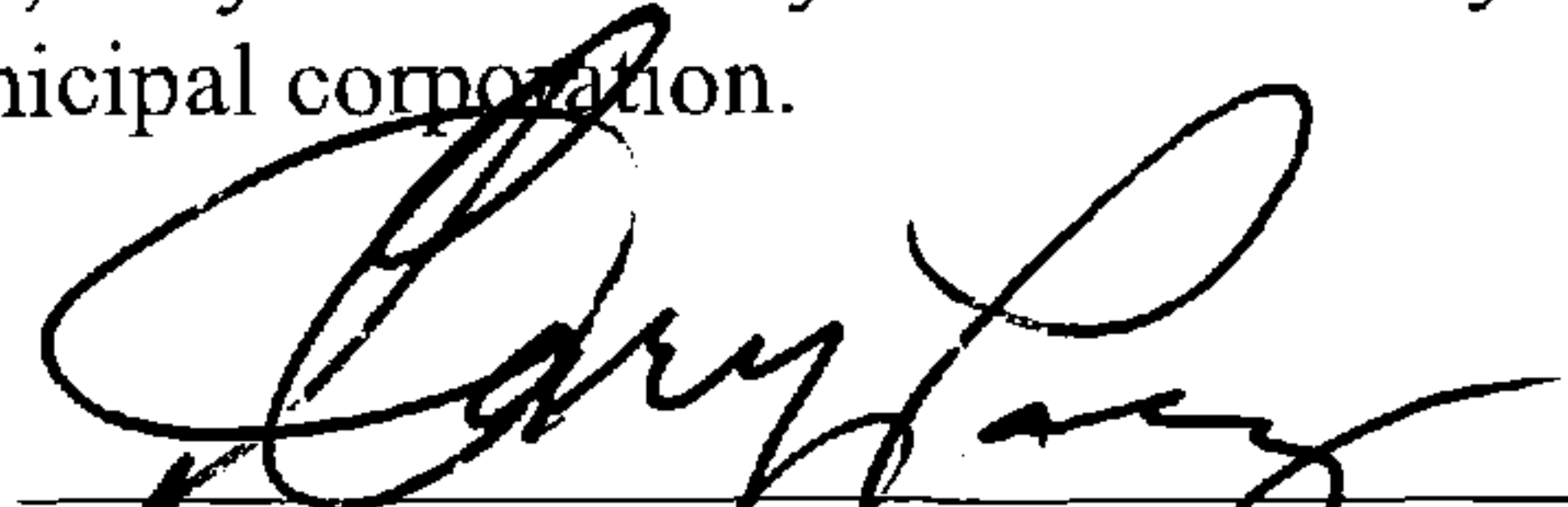
By: 
Gabriel Durand-Hollis, Mayor

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me, the undersigned authority, on the 1ST day of ~~February~~ ^{MARCH}, 2024, by Gabriel Durand-Hollis, Mayor of the City of Hill Country Village, a Texas municipal corporation, on behalf of said municipal corporation.




Notary Public, State of Texas

AFTER RECORDING, PLEASE RETURN TO:

City Administrator
City of Hill Country Village
116 Aspen Lane
Hill Country Village, TX 78232

File Information

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

Document Number: 20240037401
Recorded Date: March 01, 2024
Recorded Time: 1:50 PM
Total Pages: 4
Total Fees: \$33.00

**** THIS PAGE IS PART OF THE DOCUMENT ****

**** Do Not Remove ****

Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 3/1/2024 1:50 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk