



**CERTIFICATE OF ANNEXATION TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

BRAUN STATION, UNIT 15

8 September 1982

This document is a retyped version of the original document “CERTIFICATE OF ANNEXATION TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, BRAUN STATION, UNIT 15. This document is Recorded in Volume 2664 Pages 1302-1306 of the Official Public Records of Real Property Records of Bexar County Texas. The format has been changed slightly in this document to allow for the creation of a Table of Contents and ease of use when searching the document. The original document on file is number 482511 executed on the 8th day of September 1982.

Table of Contents

| | |
|---|----------|
| THE STATE OF TEXAS | 2 |
| COUNTY OF BEXAR | 2 |
| WHEREAS, | 2 |
| NOW, THEREFORE, | 2 |
| A. DECLARANT | 3 |
| 1. MINIMUM SQUARE FOOTAGE WITHIN IMPROVEMENTS. | 3 |
| 2. LOCATION OF THE IMPROVEMENTS UPON THE LOT. | 3 |
| 3. WAIVER BY ARCHITECTURAL CONTROL COMMITTEE. | 3 |
| B. DECLARANT | 3 |
| 1. “ZERO LOT LINE” HOMES PERMITTED. | 4 |
| 2. INGRESS-EGRESS EASEMENT. | 4 |
| 3. MINIMUM DISTANCE. | 4 |
| 4. NO DOOR OR WINDOW OPENINGS. | 4 |
| EXECUTED | 5 |

DEED

482511

**CERTIFICATE OF ANNEXATION TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

BRAUN STATION, UNIT 15

THE STATE OF TEXAS

COUNTY OF BEXAR

WHEREAS,

by Amended and Corrected Declaration of Covenants, Conditions and Restrictions dated July 8, 1975, recorded in Volume 7665, Pages 774-799, of the Deed Records of Bexar County, Texas, reference to which record is hereby made for all purposes, FIRST GENERAL REALTY CORPORATION (Declarant), subjected certain real property described in said Declaration to certain covenants, conditions and restrictions; and

WHEREAS, Declarant, as set forth In Article VI, Section 4 of the aforesaid Declaration, retained the sole right to annex and bring within the purview of said Declaration additional property as designated by Declarant out of property more particularly described by the general plan approved by the Veterans Administration and the Federal Housing Authority; and

WHEREAS, JOHN T. SAUNDERS has heretofore become the Declarant, having been assigned such rights by First General Realty Corporation; and

WHEREAS, Declarant now desires to annex certain portions of such additional property, and the Veterans Administration and/or the Federal Housing Administration desire to approve said annexation, as required in Article VI, Section 4 of the aforesaid Declaration;

NOW, THEREFORE,

Declarant hereby declares that the following described property is hereby annexed and shall be held, sold and conveyed, subject to all easements, restrictions, covenants, terms and conditions which are set forth in the aforesaid Declaration and any amendments thereto, to-wit:

Lots 1 through 13, inclusive, Block 27; and Lots 141 through 174, inclusive, Block 7, BRAUN STATION, UNIT 15, recorded in Volume 9400, Pages 110 - 111. Deed and Plat Records of Bexar County, Texas; and

and the veterans Administration and/or Federal Housing Administration do hereby approve such annexation for all purposes.

A. Declarant

hereby imposes the following restrictions which shall apply to Lots 1 through 13, inclusive, Block 27; and Lots 141 through 174, inclusive, Block 7, Braun Station Unit 15, and such restrictions shall control whenever inconsistent with those restrictions set forth in Volume 7665, Pages 774-799 of the Deed Records of Bexar County, Texas.

1. Minimum Square Footage Within Improvements.

The living area on the ground floor of the main structure, exclusive of open porches and garages, shall not be less than one thousand six hundred (1,600) square feet for one-story dwellings. The total square feet for a multi-story dwelling shall be not less than one thousand eight hundred (1,800) square feet.

2. Location of the Improvements Upon the Lot.

No building shall be located on any lot nearer to the front line or nearer to the side street line than the minimum building setback line shown on the recorded plat. In any event, no building shall be located on any lot nearer than twenty five-feet (25') to the front property line, or nearer than five feet (5') to any side property line, except that on corner lots, no building shall be located nearer than ten feet (10') to that side property line abutting the side street (as hereinafter defined). No buildings designed for occupancy or garages attached thereto by a common wall, shall be located nearer than five feet (5') to an interior lot line, and no detached garage or other permitted accessory building not designed for occupancy shall be located nearer than three feet (3') to an interior lot line. Notwithstanding the foregoing, on corner lots where a garage faces a side street (a "side Street" being a street other than the street to which the dwelling fronts or faces), such garage may be situated no closer than twenty feet (20') from that side property line abutting such side street.

3. Waiver by Architectural Control Committee.

The front setback line requirements herein specified may be waived by the Architectural Control Committee if in its sole discretion, such waiver is advisable in order to accommodate a unique or advanced building concept or design, to accommodate the saving of a tree or trees, or to accommodate some unique topographical characteristic of the lot, and provided further that same, in the Committee's sole opinion, will not have an adverse detrimental affect on the subdivision. Under no circumstances, however, shall any building be located any nearer than twenty feet (20') to the front property line.

B. Declarant

hereby imposes the following restrictions which shall apply to Lots 144 through 174, inclusive, Block 7, of Braun Station, Unit 15, and such restrictions shall control whenever inconsistent with those restrictions set forth in Volume 7665, Pages 774-799, of the Deed Records of Bexar County, Texas:

1. “Zero Lot Line” Homes Permitted.

No structure shall be located on any lot between the building setback line shown on the plat for Braun Station, Unit 12 and the street. No residential, garage or other permitted accessory buildings may be located nearer to the rear lot line than the interior line of the utility easement across the back of the lot. Zero (0) lot line dwellings may be constructed on or near side lot lines provided that such construction does not violate any rules and regulations of governmental authorities having jurisdiction of the same and does not violate any setback lines contained in the recorded plat for Unit 15. In the event a dwelling is constructed within ten feet (10’) of a side lot line, then for the purpose of this instrument, such lot shall be deemed a “dominant lot” and the abutting lot located within ten feet (10’) of the exterior side wall of such residence shall be deemed a “servient lot.” The owner of a dominant lot shall possess an easement covering that portion of the servient lot situated within ten feet (10’) of the residence upon the dominant lot for the following purposes:

- a. To maintain roof overhangs and foundation and building encroachments within the easement area to the extent existing at time of the completion of the initial construction of the dwelling upon the dominant lot; and
- b. To enter upon the easement area for the purpose of constructing, maintaining, repairing and restoring the dwelling situated upon the dominant lot; and
- c. For the continued use of any swale or similar drainage facility, if any, situated within the easement area for the purpose of carrying storm waters.

2. Ingress-Egress Easement.

In addition to the foregoing easement, the owner of the dominant lot shall possess the further easement for ingress and egress over any remaining portions of the servient lot as may be reasonably necessary for the purpose of exercising the foregoing rights. The owner of the servient lot shall be obligated to trim any shrubs, plants, trees, vines or the like and to remove any improvements or other obstructions which will in any way interfere with the rights above granted to the owner of the dominant lot.

3. Minimum Distance.

On any lot determined above to be a servient lot, the minimum distance from the structure located on the servient lot to the common lot line of the dominant lot to which it is servient shall be no less than ten feet (10’).

4. No Door or Window Openings.

There shall be no door or window openings on the zero (0) lot line side of the dwelling unless the owner of the servient lot abutting same consents to the same in writing.

Executed

EXECUTED this the 8th day of September, 1982.

DECLARANT:

[Signature]
JOHN T. SAUNDERS

VETERANS ADMINISTRATION

By: _____
Authorized Agent

THE STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was acknowledged before me on 9/9, 1982, by JOHN T. SAUNDERS.

My Commission Expires: 8/3/84

[Signature]
Notary Public, The State of Texas

THE STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was acknowledged before me on _____, 1982, by _____ of the VETERANS ADMINISTRATION.

My Commission Expires: _____

Notary Public, The State of Texas

PLEASE RETURN TO:

Mr. Richard L. Kerr
Foster, Lewis, Langley, Gardner
& Banack, Incorporated
1655 Frost Bank Tower
San Antonio, Texas 78205

VOL 2664 PAGE 1306