

Please Note:

The first part of the deed restrictions cover some guidelines related to a few lots in the neighborhood that are considered commercial lots. The applicable deed restrictions for 597 Waterway Lane and the other residential lots in the neighborhood can be found starting at item (E) (1) at the bottom of page 4 and end at item (K) on page 6. The main restrictions are as follows.

- Only single family residences
- Residences must be at least 700 sq ft
- No mobile or manufactured homes are allowed

Please scroll down to review the deed restrictions.

Swiss Village Property Owner's Association  
c/o Doug Kraus, Treasurer  
17922 Autumn Knoll, San Antonio, Texas 78258

DECLARATION OF THE ADOPTION OF DEED RESTRICTIONS BY THE SWISS VILLAGE PROPERTY OWNER'S ASSOCIATION ON PROPERTY LOCATED WITHIN SWISS VILLAGE SUBDIVISION LOCATED IN BURNET COUNTY, TEXAS

STATE OF TEXAS

COUNTY OF BURNET

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, all of the following property comprises Swiss Village Subdivision:

Tracts 1 through 6, Tract 11, and Lots 16 through 46, Unit 1, Swiss Village, a subdivision in Burnet County, Texas, recorded in Cabinet 1, Slide 65D of the Plat Records of Burnet County, Texas, and as replatted in Cabinet 2, Slide 79C of the Plat Records of Burnet County, Texas.

Tracts 7 through 10, Unit 1, Swiss Village, as replatted in Cabinet 1, Slide 79A of the Plat Records of Burnet County, Texas, and replatted in Cabinet 2, Slide 79D of the Plat Records of Burnet County, Texas, being Tracts/Lots Fifty (50) through One Hundred Twenty Two (122).

AND THAT WHEREAS, in accordance with requirements of Title 11, Chapter 211 of the Texas Property Code, the owners of the above listed properties, comprising Swiss Village Subdivision, approved a procedure, on December 2, 2005, by which covenants or restrictions relating to property within Swiss Village Subdivision may be created, modified or added-to.

AND THAT WHEREAS, the property owners within Swiss Village Subdivision desire and seek to maintain as fully as possible the natural beauty of the land encompassed the subdivision, protect the quality of its land and water, preserve its wild animals, birds, trees and plants, and its star-lit nights, and to maintain a non-intrusive, safe, residential community that is in harmony with its special environment.

AND THAT FURTHER WHEREAS, on October 27, 2006, sixty (60) percent of voting property owners of Swiss Village Subdivision, in accordance with the procedures adopted on December 2, 2005, and which are duly recorded in Volume 1391, Page 1737, Official Public Records of Burnet County, Texas, approved by ballot the adoption of covenants and use-restrictions on all property within Swiss Village Subdivision.

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS  
14 11 0 30 9

NOW, THEREFORE, IT IS HEREBY DECLARED that all property within the Swiss Village Subdivision shall be subject to the following restrictions, covenants and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and shall be binding on all parties having right, title or interest in the above described property, or any part thereof, as well as their heirs, successors, and assigns, and which restrictions, covenants and conditions shall inure to the benefit of each owner thereof.

ARTICLE I.  
DEFINITIONS

(A) "Association" shall mean and refer to the Swiss Village Property Owners Association, Inc., and its successors and assigns.

(B) (1) "Conditionally Exempted Lots" shall refer to lots 68, 69, 70, 71, 72, 73, 74, 75, 107 (part), 108, 109 110, 114, 115, 116, 117 and 118, inclusive, that are platted as residential, but which are herein granted a conditional exemption to the requirements in this declaration that residential lots shall be used only for development of single-family residential dwellings and use and occupancy only by residential property owners, their family and guests. This conditional exemption permits only the following commercial uses on these exempted lots: overnight lodging to members of the general public and provision to such overnight lodging guests of meals, massages, aromatherapy, SPA therapies, yoga, stretching and exercise classes, relaxation and nutrition instruction and similar personal and professional-growth training and workshops.

(2) This conditional exemption is limited to a term of twenty (20) years from the date this declaration is recorded, after which time the same shall be automatically extended for successive periods of ten (10) years. However, at any time prior to the end of the initial term or any extension, this conditional exemption may be changed or terminated through an amendment to this declaration in accordance with Article V (B), or it shall automatically terminate, and the provision of all commercial services on the above referenced lots shall immediately cease, and use of all such lots will automatically revert to "residential" use as described in this declaration, if any of the following conditions, situations or events occur:

(a) the total square footage of all habitable structures on all of these lots together exceeds a total of 6,000 square feet, including, but not limited to, bedrooms, bathrooms, living, dining, kitchen areas, meeting rooms, and spa and massage rooms, and regardless of whether such areas are intended for, utilized or accessed by lodging guests, property owners or employees;

(b) the total square footage of all space used for lodging and sleeping accommodations by overnight lodging guests (whether individual bedrooms or multi-room suites) on all lots together exceeds 2,995 square feet;

(c) any structure or improvement on any lot, except for any structure or improvement that exists on lot 107 on the date this declaration is recorded is less than twenty (20) feet from any adjoining residential lot that is not included in exemption;

1477 0303  
OFFICIAL PUBLIC RECORD  
SHERIFF COUNTY OF TEXAS



- (d) the total occupancy on all lots exceeds twenty-five (25) guests, owners, employees and any other person(s), or the number of overnight lodging guests on all lots exceeds eighteen (18);
- (e) occupancy by a lodging guest exceeds twenty-one (21) consecutive days/nights;
- (f) an application or approval request is submitted to, or authorization is otherwise sought from, the Lower Colorado River Authority (LCRA) for any new septic or sewage treatment system, or for any addition, expansion, adjustment, reconfiguration or change to an existing septic or sewage treatment system, or for the operation of any such system, or to the structures or facilities that are or may be served by such system, or there is otherwise any construction of a new septic, sewage or water treatment system, or addition, expansion, adjustment or reconfiguration of any existing septic, sewage or water treatment system, or to the structures or facilities that are or may be served by such system, except for any regular and routine maintenance or repairs necessary to maintain the existing operation of such systems;
- (g) any other commercial, business, retail or professional activity of any kind occurs on any lot, including but not limited to: (i) diagnosis, treatment, rehabilitation, incarceration, confinement or housing of any person for any medical, psychiatric, or psychological disorder or condition, or as part of any juvenile or adult criminal justice system or program; or (ii) rental or sale of any recreational goods or items, including boats, skis, fishing equipment or supplies;
- (h) there is construction of any new structure or improvement, or there are any additions to, or remodeling (except for repainting, re-carpeting and repairing or replacing appliances, fixtures, or making other similar updates or redecorating, as needed) of any existing structure or improvement, including buildings, roads, septic systems, water systems or other development, or improvements, without approval by the board and the property owners in accordance with the procedures in Article V (B) for making changes to this declaration.
- (i) limited commercial use authorized by this conditional exemption ceases for any eighteen (18) consecutive month period;
- (j) any of the above listed lots is subdivided, sold, traded or any interest in any one of these lots is otherwise fully or partly conveyed to any other person or entity without at least ninety (90) days written notice to the association prior to closing; or
- (k) any commercial activity listed in Article I (B) that is conducted on any lot to meet or comply with all applicable federal, state and local laws and regulations.

(C) "Board" shall refer to the board of directors of the association.

(D)(1) "Commercial" shall refer to any of lots 16-24, inclusive, if developed improved for commercial use.

(2) None of lots 16-24 inclusive, if developed or improved for commercial use, may be subdivided or partitioned, without approval by the association as provided by Article V (C), however no such lot may be subdivided or partitioned to less than one-half (1/2) acre.

OFFICIAL PUBLIC RECORD  
 BUREAU OF COUNTY CLERK  
 BURNETT COUNTY, TEXAS  
 14-17-0384

(3) Prior to any commercial development, improvement, use or activity on any commercial lot, the property owner shall submit a proposed commercial development and use plan to the association for its approval, as provided in Article V (C) of this declaration.

- (a) The commercial development and use plan shall include the type of commercial activity planned for the lot, a floor plan of any proposed structure on the lot, total square footage of any proposed structure, the location on the lot of any proposed structure and the location of any other improvements, including septic systems and parking.
- (b) The commercial development and use plan shall also identify the source of water to be used on the property and shall include copies of all permits required and approved by a political subdivision or other governmental agency, including, the Lower Colorado River Authority relating to the provision of sewage treatment.
- (c) Development of a commercial lot shall only include a retail establishment or professional office that offers goods or services intended primarily for subdivision property owners and their guests.
- (d) The size, number, appearance and types of retail establishments or professional offices that are built on a commercial lot, and the goods and services offered, should be consistent with the needs and desires of a sparsely populated, predominately rural residential subdivision, comprised of owner-occupied, single-family residential dwellings. Commercial use should not significantly increase traffic, noise or lighting within the subdivision.
- (e) Commercial use deemed inconsistent with the needs and desires of the subdivision includes any wholesale or manufacturing, or any commercial use other than general retail or professional offices. The retail sale of alcoholic beverages for on-premises consumption, or the sale, leasing or repair of major products, appliances or consumer goods, such as automobiles and parts, boats and marine parts, furniture and household appliances, does not constitute acceptable retail or professional business activities and shall not be permitted on any commercial lot.
- (f) No commercial activity on a commercial lot shall be allowed except between the hours of 6:00 a.m. and 10:00 p.m.
- (g) No building on a commercial lot may exceed four thousand (4,000) square feet and thirty-five (35) feet in height. Impervious coverage (including buildings, driveways, roads, parking lots and sidewalks) on a commercial lot may not exceed forty (40) percent of the total area of the lot. Setbacks for any building on a commercial lot shall be at least twenty (20) feet from the property line of the lot, except that it may be (10) feet from any adjoining lot that is in commercial use at the time.

(E) (1) "Home Business" or "Home Office" shall mean a small business or professional activity in which the residential property-owner is personally engaged and that occurs on a residential lot, or within a residential dwelling, that is owned and occupied full-time by the residential property owner engaged in the small business or professional activity.

OFFICIAL PUBLIC RECORD  
JOURNAL COUNTY, TEXAS  
1477 305



(2) A residential property owner may use his/her residential dwelling or property for a home business or home office for his/her own profession or business, provided it does not:

- (a) occupy more than two rooms in the dwelling, or more than a workshop, garage or similar size storage building on the residential lot;
- (b) require the presence of any more than two (2) on-site employees;
- (c) involve the building or manufacturing of any product, except for small-scale arts and crafts or hobby-related household articles;
- (d) involve the regular delivery, to or from the property, of any products, supplies or materials by commercial delivery vehicles;
- (e) involve on-premises lodging for a fee, except for a temporary rental for a minimum period of ninety (90) or more consecutive days and to the same lessee for the entire rental period;
- (f) include on-premises preparation and sale or serving of food or beverages for a fee, or on-premises sale or leasing of any other product or service, except for marketing from the home office of a product or service, but only by using a telephone or the Internet,
- (g) involve routine and regular public access to the property, provided, however, that occasional public access to the home business or office is permitted, but only by the specific invitation of the property-owner to a specific client or customer and only at a specified appointment time.

(F) "Lot" shall mean any platted lot or tract as shown in the plat of Swiss Village as recorded in the Plat Records of Burnet County, Texas, as listed above, known as Swiss Village or Swiss Village Subdivision, or any platted lot or tract as shown in the plat of any subdivision hereinafter created from any platted lot within Swiss Village as listed above.

(G) "Member" shall refer to every person who holds membership in the association by virtue of being a property owner within Swiss Village.

(H) "Officers" shall refer to the officers of the association.

(I) "Property Owner" shall mean and refer to the record owner, whether one or more persons, or entities, of a fee simple title to any lot in the subdivision, but excluding those having such interest merely as security for the performance of an obligation.

(J)(1) "Residential" shall mean all lots and tracts within the subdivision, except for (a) any of lots 16-24, when developed or improved as "Commercial," and, (b) also the lots listed in Article I (B), which are "Residential," but are "Conditionally Exempted" for the purposes and under the conditions described in Article I (B). Other than these commercial or conditionally exempted lots, residential lots and tracts only be developed and improved for residential use and enjoyment of a lot and improvements to the lot by the residential property owner, the owner's immediate family, and periodically and temporarily by other invited family, friends or bona-fide guests.

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS  
2009

(2) Except as otherwise provided in the declaration, development of any lot within the subdivision is limited to single-family, owner-occupied, residential dwellings and related residential improvements, such as septic and water systems, driveways, sidewalks, boat docks and landscaping.

(3) A residential dwelling in which the owner is a permanent, full-time resident, must include a minimum of 700 square feet, an interior bathroom that includes a sink and toilet, and cooking/kitchen facilities.

(4) A residential dwelling or other development on a lot shall not include any type of multi-family residential dwelling or structure, including apartments, duplexes condominiums or non-site built housing, such as mobile homes, manufactured housing or similar structures.

(5) Residential use shall not include any type or form of business or commercial activity, including retail or professional services, or leasing, for a fee, the residential dwelling or any part of or improvement to a residential property (including a boat dock), other than as permitted for a home business or home office as described in Article I (E).

(K) "Subdivision" shall mean Swiss Village Subdivision as described above and shown in the plat records of Burnet County, Texas.

## ARTICLE II. MEMBERSHIP

(A) Every property owner of a lot within Swiss Village is a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any lot. Ownership of a lot shall be the sole qualification for membership.

(B) Every property-owner is entitled to all rights and benefits of membership, including voting rights as described in Article III, provided that all association dues and assessments for the member's lot have been paid in full and are current and that the property-owner is in compliance with all provisions of this declaration, including its restrictions, covenants and conditions.

(C) All present and future property owners are subject to the terms of this declaration and the mere acquisition of any lot will signify that the property owner has accepted and ratified this declaration and agreed to comply with it and all of its restrictions, covenants and conditions.

## ARTICLE III VOTING RIGHTS

Each member of the association shall be entitled to one vote for each lot or group of lots in which the member holds the interest required for membership by Article II. A group of lots includes multiple platted lots, regardless of whether they are contiguous or non-

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS  
APR 17 03 07



contiguous, owned by a member in common ownership with other persons, or by an organization in which the member is an owner, officer, director, or employee or has more than a ten (10) percent financial interest in the organization. If more than one person owns an interest in a lot, the owners may cast only one vote for that lot. A person may not vote if the person has an interest in a lot only by virtue of being a lien-holder.

#### ARTICLE IV ASSESSMENTS

Each association fee or assessment shall be based on a per lot basis and shall be paid by the owner of that lot. The fee or assessment for each lot shall be equal, except the property-owner of any of lots 16-24 inclusive, that is in use as a commercial lot as described in Article I (D), shall pay association fees and assessments for each lot in an amount that is twice the fee or assessment required on a residential lot. Except for the property-owner of any of lots 16-24 inclusive, that is in use as a commercial lot as described in Article I (D), and the property-owner of any of the lots listed in Article I (B) inclusive, and to which is granted a conditional exemption to the requirement in this declaration that the lot shall be residential and only used or developed for residential purposes, a property owner who owns more than one lot shall only be required to pay a fee or assessment for one lot. In cases where one property owner co-owns a lot with another property owner, no additional fee may be charged if the co-owner has been assessed and has paid the fee on the co-owned lot. If the co-owner has not been assessed or has not paid the fee, then the other co-owner will be assessed and must pay the fee for the co-owned lot.

#### ARTICLE V POWERS AND DUTIES OF THE ASSOCIATION

(A) When requested in writing by any property-owner, or upon its own motion, the board may interpret any provision of this declaration, including restrictions, covenants and conditions. By a vote of two-thirds (2/3rds), the board may grant individual exceptions on a case by case basis to any of the provisions included in Article VI, provided the board gives prior written notification to all property owners of its intention to grant an exception and provides opportunity for comment by any property owner prior to granting an exception. A record of any board interpretation regarding this declaration, or any exception to Article VI, will be created and become part of the official records of the association that are maintained by the association's Secretary. At least annually, the Secretary will distribute a copy of any board interpretations, and any board exceptions to Article VI, to all association members. The Secretary will also provide, upon request at any other time, a copy to any association member of any board interpretations, and any board exceptions to Article VI. Association members may reasonably rely on board interpretations as authority when it relates to the development, use and enjoyment of their own property and any exceptions granted involving matters relating to Article VI.

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS  
14 11 2008



(B) Any property owner, or the board on its own motion, may propose, in writing, a recommendation for a new provision to this declaration, including restrictions, covenants and conditions, or a change, or exception, to an existing provision. Except as provided in Article V (A), relating to the authority by the board to grant exceptions to Article VI, any proposed new provision, change or exception to this declaration, may occur only upon the approval by vote of two-thirds (2/3rds) of the board, and approval by a ballot vote of not less than sixty (60) percent of the voting property owners of the subdivision. During a vote on a proposed new provision, or change, or exception to an existing provision of this declaration, a property owner may not cast more than one vote, regardless of the number of lots the person owns. If more than one person owns an interest in a lot, the owners may cast only one vote for that lot. A person may not vote if the person has an interest in a lot only by virtue of being a lien-holder. If a proposed new provision, or change, or exception to an existing provision is approved, then it shall become part of this declaration and be filed for recording in the official public records of Burnet County, Texas. Every property owner in the subdivision shall be bound by the new provision, change, or exception to an existing provision.

(C) The board is responsible for maintaining a copy in the association's records of any commercial development and use plan, as provided in Article I (D)(3), and any request to subdivide or partition any of lots 16-24, as provided in Article I (D)(2), submitted by a property owner as required by Article I (D), and making such plan available for inspection by any property owner, upon request and at a time that is reasonable and mutually convenient. Following receipt by the association of a commercial development and use plan, or request to subdivide, pertaining to any of lots 16-24, the board, by majority vote, shall submit such plan or request to a vote by ballot of the property owners. A majority of voting property owners must approve of the commercial development and use plan, or any request to subdivide, pertaining to lots 16-24, prior to any advancement of commercial development or use. During a vote, a property owner may not cast more than one vote, regardless of the number of lots the person owns. If more than one person owns an interest in a lot, the owners may cast only one vote for that lot. A person may not vote if the person has an interest in a lot only by virtue of being a lien-holder.

ARTICLE VI  
RESTRICTIONS AND RESERVATIONS

Notwithstanding any other provision to the contrary included in this declaration, the following restrictions and reservations apply to all lots within the subdivision.

(A) Clear Cutting and Erosion Control. Clearing and development on any lot should be done only as required for buildings, gardens, landscaping, septic systems, parking, driveways and fire protection within thirty feet of structures, and in a manner that prevents unnecessary erosion and unsightly scarring of the land.

OFFICIAL PUBLIC RECORD  
BURNET COUNTY TEXAS  
1477 0109

Landscaping, including stones, grasses, shrubs, and trees, should be used to prevent erosion.

- (B) Lighting. All exterior lighting on any lot and structures on the lot, including garages, storage sheds, guesthouses, boat docks, parking areas, and for landscaping, shall be designed to prevent unnecessary light or glare. Exterior lighting, if used, should be the lowest necessary lighting and shielded appropriately so as not to permit light to shine upwards or sideways. Lighting used on boat docks or piers should be located no higher above the water than ten (10) feet, shielded appropriately to prevent light from shining upwards or sideways, and, unless needed for boating safety, be turned off when not in use. The temporary use of lighting that does not conform to this section may occur when required for temporary emergencies.
- (C) Noise. The activities of residents shall not emit sounds or noise that are incessant or disturbing to their neighbors, except for normal outside activities (property maintenance and construction) at reasonable hours. Other household sounds (such as animals, radio, TV, etc.) shall be controlled to prevent excessive noise.
- (D) Quality Improvements. The overall appearance of the subdivision is important to all property-owners for aesthetic reasons as well as for maintaining the value of properties. Accordingly, development and construction of any improvement on a lot, including new dwellings, remodeling, additions, garages, storage sheds, boat docks, fencing and exterior landscape lighting shall minimally meet any and all required codes and building or subdivision standards that may be in effect and required by any political subdivision with jurisdiction over the subdivision. Any plans by a property owner for significant development on any property, including construction of a residence, or remodeling of an existing residence, should be provided, in advance, by the property owner to the Association's secretary and to adjoining property owners and those within 50 feet of the property line.
- (E) Appearance. Property owners should regularly and appropriately eliminate trash, debris and junk from their lots. Any unsightly items shall not be visible to neighbors or from the main roads in the subdivision. The accumulation of debris for incineration is permitted as long as the debris is incinerated as soon as it is reasonably possible and when it can be done safely. In addition, each property owner is responsible for regularly inspecting and trimming back trees, shrubbery and grasses on their property so that it does not grow over or onto any association owned road. Failure by the property owner to cut back trees, shrubbery and grasses that grow over or onto any association road could result in the property owner being assessed by the association for its costs to perform such work, after reasonable notice has been provided to the property owner of the need to perform such work. Use of standard residential TV antennas or satellite dishes is permitted but should be blocked from the view of adjoining property owners as much as possible. Commercial satellite dishes or towers are prohibited.

OFFICIAL PUBLIC RECORD  
BURNING WOODS TEXAS  
NOV 17 2011



(F) Fencing. If a property owner believes that fencing is necessary on a lot, then the property owner should make every effort to use a type of fencing that does not block views or sight lines. Fencing should blend in as naturally with the environment as possible and should not be excessively high or cover more area of a lot than is necessary.

(G) Signage. (1) Signs on any residential lot shall be limited to the street number, street name and personal name of the residential property owner or tenant, and/or the name given to the property by the property owner. No business names or advertising may be listed on a sign on any residential lot within the subdivision. (2) Signage on lots in commercial use should be located no higher than eye level, be no larger than necessary to identify the business from 25 feet, and illuminated only in accordance with (B) of this article.

(H) Property Condition. (1) Improvements on any lot shall be maintained and in appropriate repair at all times. (2) Inoperable and "junk" vehicles, including cars, boats, trailers, recreational vehicles and other such vehicles, unless owned by a property owner, shall not be parked, stored or repaired on any property within the subdivision. Inoperable and "junk" vehicles, including cars, boats, trailers, recreational vehicles and other such vehicles, owned by a property owner, shall not be parked outside on any lot, unless completely out of view from any road or adjoining property or while the property owner is actively repairing or restoring the vehicle to operating condition and appropriate appearance. (3) No more than two (2) inoperable vehicles owned by a property owner may be under repair on a lot at any time. (4) Except for emergency repairs, such as changing a tire, or jump-starting a stalled vehicle, no other vehicle repairs shall occur on any roads located on an easement that has been granted to the association. (5) A mobile recreational vehicle, such as a motor home or travel trailer, that is owned by a property owner, may be parked or stored on the owner's property, provided the vehicle is in good repair and operation and has current registration and licensing. In addition, a bona-fide motor home or travel trailer owned by a property owner may be used by the owner on the owner's property for temporary or periodic recreational use and lodging, provided the vehicle is in good repair and operation, has current registration and licensing, and is self-contained, including cooking and sanitary facilities. No recreational vehicles may be stored or used on any commercial lot or on any residential lot that is conditionally exempted from residential use as listed in Article I (B).

(I) Nuisances.

(1) Access To and Use Of Property. (a) No property-owner may authorize use of, or permit access to, any residential lot or any improvement on that lot, by any member of the general public. Only a person authorized or invited by a property owner of a residential lot, including one that has been granted a conditional exemption from residential use as listed in Article I (B), shall be permitted within the subdivision and the

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS  
MAY 17 03 11 PM

authorized person may only access the lot of the property owner who extended such authorization or invitation. (b) It shall be the responsibility of the property-owner of any lot to ensure that any individual who lawfully enters onto such lot: (i) acts in a legal, orderly and responsible manner; (ii) is respectful of the real and personal property of all other property owners, including the private roads owned and maintained by the association; and (iii) abides by all provisions established by this declaration and any other rules that may be promulgated by the association.

- (2) Odors. Ongoing activities on any lot shall not produce dangerous odors or fumes. Property owners should make a reasonable effort to prevent or minimize any unpleasant odors from reaching any surrounding property, including odors emitted from the temporary use of paints, cleaning chemicals, insecticides or similar types of products
- (3) Animals. Only domestic animals, such as dogs, cats, birds, and similar household pets, shall be permitted on any lot. No raising or housing of animals shall be permitted on any lot where the purpose is for breeding, boarding, resale, veterinary care or other commercial or business purpose. No lot may be used as a haven for stray or abandoned animals. Any permitted animal must be under the direct control and supervision of a property owner. As provided by Article V (B) of this declaration, exceptions may be granted by the board, in writing, to permit certain other types of animals, such as a horse, to be kept by a property owner on the owner's lot, provided that the lot is of a size and topography that the board believes could reasonably accommodate such animal without creating a nuisance or a health or safety problem.
- (4) Fireworks. Limited use of fireworks shall be permitted on a lot only when the property-owner is present and the use of fireworks is by the property-owner and the owner's family and guests. No fireworks are permitted anywhere in the subdivision when there is a "burn ban" or "fireworks ban" in effect in Burnet County or other conditions exist that create a high degree of risk. If a property-owner discharges fireworks, the owner shall assume full responsibility and liability for any injury or damage that may result.
- (5) Hunting and Firearms. No hunting or target practice shall be allowed anywhere in the subdivision. The discharge of a firearm within the subdivision is strictly prohibited, except when a property owner believes it necessary to protect the owner, or the owner's family or guest, from imminent and serious injury from a dangerous animal or poisonous reptile and there is no other reasonable form of protection available. If a property-owner discharges a firearm, the owner shall

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS  
1977  
0318



assume full responsibility and liability for any injury or damage that may result.

- (6) Parking. Because of the limited width of the roads within the subdivision, and in order to ensure safe passage by vehicles using these roads, no private vehicles owned by property-owners, their families or guests, may be parked or encroach on the paved portion of a road for which an easement has been granted to the association. Under no circumstances should parking on any paved road or easement leave less than a minimum of 12 feet of unobstructed access in order to allow safe and clear passage of normal vehicle traffic and of emergency vehicles, such as fire engines and ambulances. All parking for personal vehicles of property-owners, their families and guests, shall be provided by the property owner and shall be wholly on a lot owned by the property-owner. No parking shall occur on a lot owned by another property owner without the other property owner's express permission.
- (7) Road Use. Use of roads that are located on easements which have been granted to the association is limited solely to residential property owners, including the owner of a lot that been granted a conditional exemption from residential use as listed in Article I (B), their families and invited guests and shall be used only for authorized passage by foot, bicycle or motorized vehicle. Any motorized vehicle operated on an association-owned road must be legally approved for operation on a public street, operated only by a licensed driver, or otherwise occur under the direct and immediate supervision of an adult property owner. Property owners shall ensure that any use of the association's roads by themselves, family members or invited guests, is done in a manner that ensures the safety of all property owners and other authorized road users. The speed of any vehicle shall not exceed that which is posted or, if no speed limit is posted, a reasonable speed otherwise safe for the existing road conditions. Users should be prepared to yield or share the road when meeting oncoming traffic. In addition, no individual property owner may obstruct, block, prevent or deny the use of, or passage by, any other property owner on any road located on an easement that has been granted to the association, without authorization by the association. Any property owner, and member of their family and guests, who uses any road on which an easement has been granted to the association does so at their own risk and shall assume full responsibility and liability for any injury or harm that may result.

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS  
11 17 03 13

VII  
APPLICABILITY

All lots and tracts within the subdivision are subject to the provisions, restrictions, limitations and covenants set forth in this declaration.

ARTICLE VIII  
SEVERABILITY

Invalidation of any one of the provisions of this declaration, including covenants, conditions or restrictions, by judgment or court order shall in no way effect any other provision, and all other provisions shall remain in full force and effect.

ARTICLE IX  
DURATION AND AMENDMENTS

The provisions of this declaration, including covenants, conditions and restrictions, shall run with and bind the land and shall inure to the benefit of and be enforceable by each owner of a lot within the subdivision and their heirs and successors and assigns, and shall additionally inure to the benefit of and be enforceable by the Swiss Village Property Owners Association, Inc., which has approved this declaration, for a term of twenty (20) years from the date this declaration is recorded, after which time the same shall be automatically extended for successive periods of ten (10) years. This declaration may be amended in accordance with the provisions contained in Article V (B) of this declaration, and as described in separate declaration previously approved by the association under requirements of Title 11, Chapter 211 of the Texas Property Code, and recorded on December 29, 2005 in the Official Public Records of Burnet County, Texas, and which is entitled "A DECLARATION OF THE ADOPTION BY THE SWISS VILLAGE PROPERTY OWNERS ASSOCIATION OF A PROCEDURE FOR ADOPTING OR MODIFYING COVENANTS AND USE-RESTRICTIONS ON PROPERTY WITHIN SWISS VILLAGE SUBDIVISION LOCATED IN BURNET COUNTY, TEXAS."

ARTICLE X.  
PRIOR IMPROVEMENTS AND CONDITIONS

Unless otherwise provided in this declaration, improvements that were located on a lot or tract prior to the effective date hereof are hereby approved as if approved by the association. If such improvements are removed or added to, such improvements must comply with this declaration, including all restrictions, covenants and conditions herein.

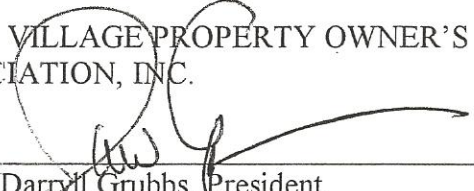
147704  
OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS



EXECUTED this the 8<sup>th</sup> day of November, 2006.

SWISS VILLAGE PROPERTY OWNER'S  
ASSOCIATION, INC.

BY:

  
Darryll Grubbs, President

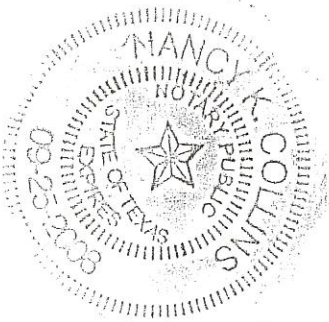
THE STATE OF TEXAS

COUNTY OF BURNET

BEFORE ME, the undersigned authority, on this day personally appeared, DARRYLL GRUBBS, PRESIDENT OF SWISS VILLAGE PROPERTY OWNER'S ASSOCIATION, INC., known to be to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes therein expressed, and in the capacity therein stated, and as the act of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 8<sup>th</sup> day of November, 2006.

  
Notary Public, Burnet County, Texas



OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS  
1477 0315

014586

FILED

2006 NOV -8 PM 1:18

JANET PARKER  
COUNTY CLERK  
BURNET COUNTY, TEXAS

SCANNED

STATE OF TEXAS  
COUNTY OF BURNET

I hereby certify that this instrument was FILED on this date  
and at the time stamped hereon by me and was duly  
RECORDED in the OFFICIAL PUBLIC RECORDS  
OF BURNET COUNTY, TEXAS in the volume  
and Page as shown.



Janet Parker  
County Clerk  
Burnet County, Texas  
By *[Signature]*  
DEPUTY

Any provision herein which restricts the sale, rental or use  
of the described real property because of color or race is  
invalid and unenforceable under federal law.

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS  
1477 0316