KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF MONTGOMERY &

land so dedicated."

"We, Charlie Patterson, and J. Harry Morris, Regional Vice Presidents of Patten Corporation Southwest, owner of the property subdivided in the above and foregoing map of Point Aquarius, Section Seven, do hereby make subdivision of said property for and on behalf of said Patten Corporation Southwest according to the lines, lots, building lines, streets, alleys, parks and easements thereon shown, and designate said subdivision as Point Aquarius Section Seven, located in the Timothy Cude Survey, Abstract 12, in Montgomery County, Texas, and on behalf of said Patten Corporation Southwest do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys or occasioned by the alteration of the surface of any portion of streets or alleys to conform to such grades and do hereby bind ourselves, our successors and assigns to warrant and forever defend the title to the

"There is hereby dedicated a ten (10) foot utility easement lying on the front of all lots and/or parallel to all streets, and there is also hereby dedicated a ten (10) foot utility easement lying five (5) feet on either side of all side lot lines."

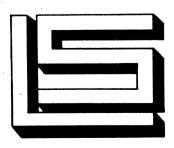
Further, we do hereby dedicate to the use of the property owners therein such property as and in the manner hereinafter set forth:

- 1. All streets, easements, reserve areas, courts, or any other parcels, tracts, or areas designated as a "general common area" on such plat are hereby reserved and dedicated to the use and benefit in common of all the property owners in this Section Seven of Point Aquarius Subdivision, and all the property owners in any and all Sections of Point Aquarius Subdivision now of record or to be placed of record in the future of said Patten Corporation Southwest, its successors and assigns.
- 2. All streets, easements, reserve areas, courts, or any other parcels, tracts, or areas designated as a "specific common area" on said plat are hereby reserved and dedicated to the use and benefit in common of all the property owners in this Section Seven of Point Aquarius Subdivision to the exclusion of all others.
- 3. The dedications as set forth in 1 and 2 above are made more explicit, and subject to those certain restrictions, covenants and conditions of even date herewith covering this Subdivision, which instrument is hereby made a part of this plat.
- 4. All utility easements, lift station easements and general common areas shown hereon are dedicated to the use of the Point Aquarius Municipal Utility District and/or other suppliers for the purpose of access and/or distribution of necessary utilities and conveniences for the enjoyment of the property owners of the Subdivision Point Aquarius, Section Seven. It is further stated herein that all common areas shown in this plat or by separate instrument as streets or general common area may also be used for utilities for the above stated purpose.

"This is to certify that we, Charlie Patterson and J. Harry Morris. Regional Vice Presidents of Patten Corporation Southwest, owner of the property subdivision in the above and foregoing map of Point Aquarius, Section Seven, have complied or will comply with the existing regulations heretofore on file with the County Engineer and adopted by the Commissioners' Court of Montgomery County."

"There is also dedicated for utilities an unobstructed aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward, located adjacent to all easements shown hereon."

"Further, we do hereby dedicate forever to the public a strip of land a minimum of fifteen (15) feet wide on each side of the centerline of any and all gullies, ravines, draws, sloughs or other natural drainage courses located in said subdivision, as easements for drainage purposes, giving Montgomery County and/or any other public agency the right to enter upon said easement at any and all times for the purpose of construction and/or maintaining drainage work and/or structures."



LEONARD W. SHOEMAKER & ASSOCIATES

HOUSTON, TEXAS

CONSULTING ENGINEERS AND PLANNERS

## POINT AQUARIUS

## SECTION SEVEN

A SUBDIVISION OF 61.6048 ACRES OF LAND OUT OF THE TIMOTHY CUDE SURVEY, ABSTRACT 12 MONTGOMERY COUNTY, TEXAS

> 3 BLOCKS 135 LOTS 4 RESERVES

"Further, all of the property subdivided in the above and foregoing map shall be restricted in its use, which restrictions shall run with the title of the property, and shall be enforceable, at the option of Montgomery County, by Montgomery County, or any citizen thereof, by injunction, as follows:"

- 1. "The drainage of septic tanks into road, street, alley, or other public ditches, either directly or indirectly, is strictly prohibited.
- 2. Drainage structures under private driveways, shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater, and shall be a minimum of one and three quarters (1-3/4) square feet (18"diameter pipe culvert)."

"Further, we do hereby covenant and agree that those streets located within 'the boundaries of this plat specifically noted as private streets, shall be hereby established and maintained as private streets by the owner, heirs, and assigns to property located within the boundaries of this plat and always available for the general use of said owners and to the public for firemen, firefighting equipment, police and other emergency vehicles of whatever nature at all times and do hereby bind ourselves, our heirs, and assigns to warrant and forever defend the title to land so designated and established as private streets."

"Further, we do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of residential dwelling units thereon and shall be restricted for same under the terms and conditions of such restrictions filed separately, unless otherwise noted."

IN TESTIMONY WHEREOF, Patten Corporation Southwest has caused these presents to be signed by Charlie Patterson, its Regional Vice President, thereunto authorized, attested by its Regional Vice President, J. Harry Morris, and its common seal hereunto affixed this day of March

PATTEN CORPORATION SOUTHWEST

Charlie Patterson, Regional Vice President

ATTEST:

Harry Morris. Regional Vice President

STATE OF TEXAS

COUNTY OF MONTGOMERY

FILED FOR RECORD 89 JUL 26 PM 1:55 Roy Harris

COUNTY CLERK
MONTGOMERY COUNTY. TEXAS

BEFORE ME, the undersigned authority, on this day personally appeared Charlie Patterson and J. Harry Morris, Regional Vice Presidents of Patten Corporation Southwest, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 35



Notary Public, State of Texas Notary Public in and for the State of Texas y Commission expires

"This is to certify that the City Planning Commission of the City of Conroe, Texas, has approved this plat and subdivision of Point Aquarius, Section Seven as shown

"IN TESTIMONY WHEREOF, witness the official signature of the Chairman and Secretary of the City Planning Commission of the City of Conroe, Texas, this day of **Joly**, 1989.

Secretary

"This is to certify that I, Burton W. Buffamante, a registered public surveyor of the State of Texas. have platted the above subdivision from an actual survey on the ground, and that all block corners, angle points and points of curve are properly marked with iron rods, 3/4" in diameter and 3 feet long; and that this plat correctly represents that survey made by me."

Texas Registration No. 2063

B. W. BUFFAMANT

"I. J.D. Blanton, County Engineer of Montgomery County, Texas, do hereby certify that the plat of this subdivision complies with all existing rules and regulations of this office as adopted by the Montgomery County Commissioners' Court."

"I further certify that the plat of this subdivision complies with the requirements for internal subdivision drainage as adopted by the Commissioners' Court; however, no certification is hereby given as to the effects of drainage from this subdivision on the intercepting drainage artery or parent system or on any other area of subdivision within the watershed."

APPROVED and ACCEPTED by the Commissioners! Court of Montgomery County, Texas, this 247k day of

STATE OF TEXAS COUNTY OF MONTGOMERY

I, Roy Harris, Clerk of the County Court of Montgomery County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on 1989, at 1.55 o'clock p.M., in sheet 0758,0768,8, of record of Montagenery for said County.

WITNESS MY HAND AND SEAL OF OFFICE, at Conroe, Montgomery County, Texas, the day and date last above written.

Roy Harris, Clerk, County Court Montgomery County Rry Harris

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Sheet I of 4

