THERE

STATE OF TEXAS

COUNTY OF TRAVIS

COVENANT WITH REGARD TO ACCESS DRIVEWAY AND PRIVATE DRIVEWAY

The undersigned, being the owner of certain real property in Travis County, Texas, to-wit:

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Lots, 12, 13, 14, 15, 16 and 17, of The Meadow, a subdivision in Travis County, Texas, more particularly described in plat of record in Volume 77, Page 65 of the Plat Records of Travis County, Texas. (Hereinafter referred to as the Lots).

intending to provide certain benefits and impose certain obligations on the aforesaid Lots, and for the general benefit of the aforesaid Lots, does hereby imposes a covenant on said Lots, said covenant to run with the land and to be applicable to said Lots and to bind all future owners of said Lots on the terms and conditions hereinafter set out.

- The Texas Highway Department of the State of Texas has heretofore granted a certain permit to construct an access driveway on highway right-of-way, said highway more particularly described as Loop 360 in Travis County, Texas. Said access driveway shall begin at a point adjacent to Lot 17, run adjacent to Lots 17, 16, 15, 14 and 13 and enter on Lot 13 and Lot 12 as a private driveway and exit on Mountain Ridge Drive, as shown on the plat of The Meadow.
- 2. The permit and the access driveway constructed pursuant to the permit shall be for the sole use and benefit of the owners, guests, invitees, licensees and tenants of the Lots. The right to use the said access driveway shall be shared jointly and severally by said owners, guests, invitees, licensees and tenants of the Lots.
- The owners of the Lots shall be jointly responsible for all maintenance changes required by governmental directive, repairs or other costs or expenses in connection with the said access driveway and private driveway. The owner of each Lot shall be liable for one-sixth (1/6) of all maintenance charges, repairs or other costs or expenses in connection with said access driveway and private driveway. Any due and unpaid maintenance charges, repairs or other costs or expenses shall constitute a lien against the Lots, which lien may be evidenced by the party properly incurring the maintenance charges, repairs or other costs or expenses executing and filing for record in the records of Travis County, Texas, a notice setting out a description and amount of the maintenance charges, repairs or other costs or expenses incurred in connection with the access driveway and private driveway.
- 4. The owners of the Lots, by the acceptance of a deed to one or more of the Lots, hereby jointly and severally indemnify and agree to hold harmless the State Highway Commission and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of the aforesaid permit by either the grantee of the permit, any assignee of the grantee or the owners of the Lots, and further, by the acceptance of a deed to one or more of the Lots, hereby jointly and severally assume all liability imposed by reason of the granting of said permit and all liability that may be imposed in the future on permit and all liability that may be imposed in the future on the current owner of the Lots, Lewis-Bechtol Co., and agree to indemnify and hold harmless Lewis-Bechtol Co., the stockholders

of Lewis-Bechtol Co, their successors, heirs and assigns from any and all liability for damages, costs, expenses and attorney's fees.

EXECUTED this the 23rd day of

LEWIS-BECHTOL CO.

(NO BEAL!

John C. L President

STATE OF TEXAS

COUNTY OF TRAVIS

Before me, the undersigned authority, on this day personally appeared John C. Lewis, President of Lewis-Bechtol Co., a corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this the 23.4.6 day of <u>lugust</u>, 1978.

NOTABY SEAT

Notary Public in and for Travis County, Texas

COUNTY OF TRAVES STATE OF TEXAS I hereby certify that this instrument was FRED on the dete and at the time stamped herson by me; and was duty RECORDED, in the Volume and Page of the named RECORDS of Travis County, Texas, as Stamped hereon by me, on

AUG 29 1918

COUNTY GLERKS TENNIS COUNTY, TEXNS