

CAUSE NO. 2009-2837-DC

FRIO CIELO RANCH)	IN THE 38 TH JUDICIAL
HOMEOWNER'S ASSOCIATION)	DISTRICT COURT
)	
VS.)	OF
)	
GARY L. BUTTS, JOHN HUTCHINGS,)	REAL COUNTY, TEXAS
JANICE BUTTS, AND DEBRA LEE)	
TROCH)	

AGREED PERMANENT INJUNCTION

On this 15 day of ~~September~~ ^{October}, 2009, came on to be heard the above-numbered and styled matter, and **FRIO CIELO RANCH HOMEOWNER'S ASSOCIATION**, Plaintiff herein, and **JOHN HUTCHINGS, GARY L. BUTTS, JANICE BUTTS,** and **DEBRA LEE TROCH**, Defendants herein, and submitted this **AGREED PERMANENT INJUNCTION** individually or by and through their respective attorneys of record.

The parties agree that the Court should grant a permanent injunction, a Temporary Injunction having been previously granted in this matter. Specifically, the parties agree that the Modified Declaration of Restrictions for Frio Cielo Ranch Subdivision duly recorded in Volume 49, Page 655 of the Deed Records of Real County, Texas, is valid and enforceable, and specifically within the Modified Declarations of Restrictions, paragraph 7, which states in part, "No firearms, pellet guns or B.B. guns will be permitted to be discharged on any of the Tracts or on the Reserved Area..." of Frio Cielo Ranch Subdivision is and should be valid and enforceable for all tracts and Reserved Areas, as defined therein, within the Frio Cielo Ranch subdivision and as to all owners, residents, guests, invitees and any other person or persons of or within the Frio Cielo Ranch Subdivision.

The parties further agree that Defendants have not changed the nature of any road or cul-de-sac adjacent to Lot 19, Frio Cielo Ranch Subdivision or any other road or Reserved Area within the Frio Cielo Ranch Subdivision or usurped or used in any manner to the exclusion of any other person any cul-de-sac, road, Reserved Area or any other area, save Lot 19, Frio Cielo Ranch Subdivision.

Filed 19th day of Oct, 2009 at 4:30 P. M.
Bella A. Bullock
 District Court, Real County, Texas Clerk

By: _____ Deputy

A Certified Copy

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Bella A. Bullock
 Attest: District Clerk

Real County, Texas

By: Sally Spurr Deputy

The Court now finds that the parties have reached an agreement to settle the matters in controversy in this cause, as evidenced by their respective signatures below, and, after considering the evidence and agreements, the Court is of the opinion that a Permanent Injunctions should be GRANTED.

IT IS THEREFORE ORDERED, ADJUGED and DECREED that FRIO CIELO RANCH HOMEOWNER'S ASSOCIATION have a PERMANENT INJUNCTION and that Defendants, all owners, residents, guests, invitees and any and all other persons of or within the Frio Cielo Ranch Subdivision shall immediately and permanently cease and desist from hunting or discharging any firearms, pellet guns or B.B. guns on or within the Frio Cielo Ranch Subdivision and that the Modified Declaration of Restrictions of Frio Cielo Ranch Subdivision duly recorded in Vol. 49, Page 655 of the Deed Records of Real County, Texas is valid and binding upon all persons subject to this Injunction.

IT IS FURTHER ORDERED that this Injunction is Permanent and shall be in full force and effect and binding on Plaintiffs, Defendants, or Plaintiffs' and Defendants' agents, servants, and employees, owners, residents, guests, invitees and any and all other persons of or within Frio Cielo Ranch Subdivision.

IT IS FURTHER ORDERED, ADJUGED AND DECREED that all costs of court incurred herein are adjudged against the party by whom incurred. All Relief not expressly granted herein is DENIED.

Signed this 15 day of ~~September~~ ^{October}, 2009.



Camile G. DuBose
District Judge, 38th Judicial District
Judge Presiding

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Bella A. Puellos
Attest: District Clerk

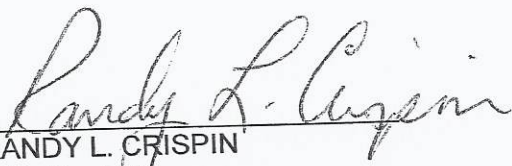
Real County, Texas

By: Sally Spence Deputy

APPROVED AS TO FORM AND SUBSTANCE:



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Homeowner's Association, Plaintiff

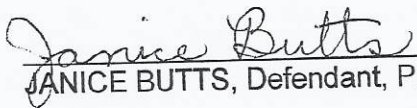


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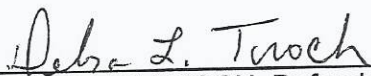


John Hutchings, Defendant

GARY L. BUTTS, Defendant, Pro Se



JANICE BUTTS, Defendant, Pro Se



DEBRA LEE TROCH, Defendant, Pro Se

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Bella A. Bullock
Attest: District Clerk

Real County, Texas

By: Sally Spurr Deputy

APPROVED AS TO FORM AND SUBSTANCE

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John Hubbard, Defendant

DAVE L. BUTTS, Defendant, Pm 24

Justice Butts, Defendant, Pm 24

THE COURT OF REAL COUNTY, TEXAS

CERTIFIED COPY CERTIFICATE

STATE OF TEXAS)
COUNTY OF REAL)

The above is a full, true and correct photographic copy of the original record now in my lawful custody and possession, as the same is recorded at Vol. 14 Page Cause #

2009-2837-DC Record Real County, Texas, I hereby certify on: January 17, 2014



Bella A. Bullock
District Clerk, Real County, Texas

By: Sally Spinnia, Deputy
Deputy

