

Effie E. Palmer, et al

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Restrictions

The State of Texas, County of Harris Whereas, the undersigned, W. H. Martin, Trustee, is the owner of all of the lots in Brantwood Addition to the City of Houston, in Harris County, Texas, with the exception of lots twenty-six (26) and twenty-seven (27) in block three (3) and Lots twenty-three (23) and twenty-four (24) in block three (3), all according to a resubdivision of said Brantwood Addition which is recorded in vol. 15, page 44, of the Map Records of Harris County, Texas, to which reference is here made for all purposes; and

Whereas, said Lots twenty-six (26) and twenty-seven (27) in block three (3) are owned by the undersigned, Effie E. Palmer and husband, R.O. Palmer, and said Lots twenty-three (23) and twenty-four (24) in block three (3) are owned by Lilly K. Anderson, a feme sole, and M. Laura Anderson, a feme sole; and

Whereas, the owners of said Addition are desirous of placing certain covenants, conditions, and restrictions upon said property and in order to carry in effect such covenants, conditions, and restrictions, said owners do hereby adopt, promulgate and put into effect the following restrictions and have imposed upon said property the following easements, and conditions, which said restrictions, easements, and conditions shall apply to all property in said Addition and which covenants, conditions, restrictions, and easements shall apply with respect to each and every lot and tract of land sold in said Addition for a period of twenty-five (25) years from and after January 1st, 1939; provided that at the expiration of said twenty-five (25) years period, said restrictions may be continued in force and effect for a like period of twenty-five (25) years or for a lesser period of time as to all of said Addition or as to that portion of said Addition fronting on both sides of any particular street of said Addition, provided that on or before January 1st, 1964, a majority of the owners of lots fronting on said street shall signify their intention and desire to have such restrictions continued in force by an instrument in writing, signed and acknowledged by such property owners and recorded in the Deed Records of Harris County, Texas; by majority of lot owners fronting on such street is meant a majority of the individuals owning such lots without reference to the number of lots that may be owned by any such individual; and it is understood that the following restrictions, covenants, conditions, and easements, are to be in lieu of the restrictions heretofore placed on Brantwood Addition by instrument executed on June 10th, 1929, by the Brantwood Corporation, recorded in vol. 216, page 92, of the Deed Records of Harris County, Texas, the restrictions imposed by said instrument to be of no further force and effect.

The restrictions, conditions, and covenants hereby imposed upon said Brantwood Addition are as follows: (1) That no part of said property shall ever be used for any business purpose whatsoever, except that the developers of said addition may use any lot for the purpose of maintaining a field office thereon during the development of the addition. (2) That no part of said property shall be sold, conveyed, rented or leased in whole or in part to any person of African or Mongolian races or to any persons not of the white or Caucasian Race. (3) That unless especially permitted in writing by a majority of the whole number of lot owners in said Addition, there shall be no prospecting, mining, drilling for or producing of oil, gas, or other hydro-carbon or mineral products or substance in, on or upon any of the said property. (4) All lots in said Addition shall be known and designated as

1 residential lots and no structure shall be erected on any residential building plat other
2 than one single family dwelling not to exceed two stories in height and a one, two or three
3 car garage with or without servants quarters, said garage may be either detached or attached to
4 the main residence. Such residences must contain not less than twelve hundred (1200) square feet
5 exclusive of garage, except that on Wordsworth Road two-story residences only may be built
6 consisting of not less than fifteen hundred (1500) square feet in the residence proper,
7 exclusive of garage.

8 (5) No trailer, basement, tent, shack, garage,
9 barn or other out-building erected on any tract shall at any time be used as a residence
10 temporarily or permanently, nor shall any residence of a temporary character be permitted and
11 no structure shall be moved onto any lot unless it shall conform to and be in harmony with
12 existing structures in said Addition. (6) No residential lot shall be

13 resubdivided into building plots having less than fifty-five hundred (5500) square feet in area
14 or a width of less than fifty (50) feet each, nor shall a residence or any building be erected on
15 any residential building plat having an area of less than fifty-five hundred (5500) square feet
16 or a frontage of less than fifty (50) feet. (7) A perpetual easement is reserved
17 over the rear five (5) feet of each lot, as shown by the recorded plat of the resubdivision

18 of said Addition for utility installation and maintenance. (8) No building shall
19 be erected on any residential building plot nearer than twenty (20) feet from the front property
20 line, nor nearer than three (3) feet to any side lot line except that on all corner lots,
21 the residence shall not be constructed nearer than ten (10) feet to such side street line
22 and the garage must not be erected nearer than fifteen (15) feet to such side street line;
23 provided, however, that on any lot facing on Wordsworth Road, no residence shall be erected
24 nearer than twenty-five (25) feet to the front property line except that on Lots sixteen (16),
25 and seventeen (17) in block four (4) of said Addition, the residence may be placed within
26 twenty (20) feet of the front property line. (9) The undersigned owners of

27 Brantwood Addition, their heirs, successors and assigns, shall be under no obligation to enforce
28 these restrictions, or any modification thereof, but if they so elect, shall have the right to
29 do so and the respective lot owners shall at all times have the right to enforce said
30 restrictions and said lot owners, or either of them, shall have the right and option of bringing
31 any and all actions in law or equity that he or they may deem necessary, fit or proper
32 to properly enforce and uphold said restrictions, and to prosecute and proceedings at law
33 or in equity against the person or persons violating or attempting to violate any of these
34 restrictions and either to prevent him or them from so doing to recover damages or other costs
35 for such violation. Executed at Houston, Texas, this 28th day of December, A. D., 1938.

36 Effie E. Palmer R. G. Palmer W. H. Martin, Trustee

37 Lilly M. Anderson M. Laura Anderson

38 The State of Texas, County of Harris Before me, the undersigned authority,
39 Notary Public in and for Harris County, Texas, on this day personally appeared W. H. Martin,
40 known to me to be the person whose name is subscribed to the foregoing instrument, and
41 acknowledged to me that he executed the same for the purposes and consideration therein
42 expressed and in the capacity therein stated. Given under my hand and seal of office, this 9
43 day of January, A. D., 1939.

44 Jennie Belle Carr, Notary Public in and for Harris County, Texas. (Seal)

45 The State of Texas, County of Matagorda Before me, the undersigned authority,
46 Notary Public in and for Matagorda County, Texas, on this day personally appeared R. G. Palmer
47 and wife, Effie E. Palmer, known to me to be the persons whose names are subscribed to the
48 foregoing instrument and acknowledged to me that they executed the same for the purposes
49 and consideration therein expressed. And the said Effie E. Palmer, wife of the said R. G. Palmer,

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