

Deed Restrictions

For the protection of all property and homeowners...

Deed restrictions in Rosehill Ranches Subdivision are a part of each property owner's Deed. Deed Restrictions are one of the documents provided by the Title Company as part of the owner's closing package. Deed Restrictions are active and binding, and will be enforced. Please contact a member of the Architectural Control Committee with any questions, concerns or building plans. These Deed Restrictions are recorded at the Harris County Clerk's office as Clerk File Nos:

Original: H432737, Dated: 05/03/1982, *Film Code:* 013920154; 6 Pgs

Amended: M922617, Dated: 11/30/1990, *Film Code:* 194710706; 12 Pgs

HOW DO I GET A COPY OF MY DEED RESTRICTIONS?

Any deed restrictions filed after 1961 may be researched on The Harris County Clerk's website, using the Real Property Index by entering the subdivision name as the grantee. Under TYPE you may narrow the search to enter the abbreviation RESTR and/or AMEND. If the subdivision is older than 1961 our central location will have an Index to Restrictions on microfilm. At this location you can use the public terminals to research any other Restrictions that may be filed prior to 1961. Visit [Contact Us](#) for location information.

If you wish to search for your deed online, click [HERE](#) to open an online research portal.

Click [HERE](#) to open the order form in a new window. Complete the form and return it as follows:

Email: ccoinfoFM@cco.hctx.net

US Mail: Teneshia Hudspeth, Harris County Clerk Attn: Information Department P.O. Box 1525 Houston, TX 77251

FAX: 713-437-4868

In Person: At any of our ten (10) locations.

The fees for paper copies are as follows:

Non-Certified Paper Copy - \$1.00 per page.

Certified Paper Copy - \$5.00 certification fee per document & \$1.00 per page.

Electronic (non-certified) - \$1.00 per page.

For Questions Call (713) 274-6390

FYI, a copy of the Rosehill Ranches Subdivision deed restrictions follows, but does not supersede the official recorded documents at the Harris County Clerk's Office.

RESTRICTIONS AND RESERVATION OF ROSEHILL RANCHES, AN UNRECORDED SUBDIVISION IN HARRIS COUNTY, TEXAS

1. **Single Family Residential Construction.** All Building Sites shall be used only for single family residential purposes, and other than those existing as of the date of this Amendment, no building shall be erected, or permitted to remain on any Building Site other than one detached single family residential dwelling and a private garage for not less than two (2) cars and bona fide servants' quarters which structures shall not exceed the main dwelling in height. As used herein, the term "residential purposes" shall be construed to prohibit the use of said Building Sites for duplex houses, garage apartments or apartment houses; and no Building Site shall be used for business or professional purposes of any kind, nor for any commercial or manufacturing purposes. Each Building Site shall contain not less than one (1) acre of land and shall have not less than 100 feet of road frontage.

2. **Architectural Control.** No buildings or improvements of any character shall be erected, constructed, placed or erection begun or changes made in the design thereof after original construction, on any Building Site until the construction plans and specifications and a plot plan showing the location of the structure or improvements have been submitted to the Architectural Control Committee and approved, as hereinafter provided, as to compliance with these restrictions, as to quality of material, Harmony of external design with existing and proposed structures, and as to location with respect to the building setback lines. In the event the required documents and information are not approved or disapproved within fifteen (15) days after receipt thereof by the Architectural Control Committee, approval will not be required

and the requirements for approval shall be deemed to have been fully satisfied. Further, the approval required herein is conclusively presumed upon the substantial completion of the building and improvements. The Architectural Control Committee shall be composed of the Board of Directors of Rosehill Owners' Association as it may be constituted from time to time. The Architectural Control Committee shall review all plans and specifications and plot plans submitted to it within seven (7) days thereafter and, shall issue its approval or disapproval thereof. At any time, the then record owners of sixty percent (60%) of the Building Sites shall have the authority by a duly recorded written instrument to change the membership of the Architectural Control Committee and authorize such Committee to assume full authority hereunder and issue final approvals or disapprovals required hereunder. The Architectural Control Committee shall have the full and complete authority to approve or disapprove the construction of any improvements on any Building Site, and its judgment shall be final and conclusive.

3. **Minimum Square Footage Within Improvements** The living area on the ground floor of the main structure exclusive of one-story open porches and the garage shall not be less than sixteen hundred (1600) square feet for one-story dwellings. The total square feet for a multi-story dwelling shall not be less than nineteen hundred and fifty (1950) square feet.

4. **Location of the Improvements upon the Building Site** All residential buildings shall front on the road and no building shall be located on any Building Site nearer to said road than forty (40) feet.

5. **Utility Easements** Developer reserves a utility easement five (5) feet wide adjoining and along the lot line of each lot. No structure shall be erected upon any easement for installation and maintenance of utilities. Neither Developer nor any utility company using the easements shall be liable for any damage done by either of them or their assigns, their agents, employees or servants to shrubbery, trees, flowers or improvements of the owner located on the land covered by said easements.

6. **Annoyance or Nuisances** No noxious or offensive activity shall be permitted or carried on upon any Building Site nor shall anything be done thereon which may become an annoyance or a nuisance to the neighborhood.

7. **Temporary Structures and Site Alteration** No structures of a temporary character, trailer (with or without wheels and whether or not attached to a foundation) mobile home (with or without wheels and whether or not attached to a foundation), modular or prefabricated home, tent, shack, barn or any other temporary structure or building, shall be placed on any Building Site, either temporarily or permanently or used at any time as a residence and no resident's house, garage or structure appurtenant thereto, shall be moved upon any Building Site from another location.

8. **Roofing Material** The roofing material to be used in the construction of any improvements shall be wood shingle, composition roof with a minimum standard of 240 pounds shingle, metal, or any other comparable material which shall first be submitted and approved by the architectural Control Committee.

9. **Lot Maintenance** All Building Sites shall be kept in a neat and orderly condition; grass and weeds shall be cut regularly and trash, junk, and refuse shall not be kept or allowed on any Building Site nor shall unsightly articles, objects or things be placed thereon. Unimproved Building Sites, in addition to the above, must be mowed or cleared of weeds and grass a minimum of four (4) times each calendar year. In the event of default in the strict performance of this covenant, the Architectural Control Committee, may, thirty days after written notice to the owner thereof at the last known address of such owner, enter upon said premises (or cause same to be done) and cut grass and weeds thereon, and remove and dispose of trash, junk, and unsightly articles or objects. Upon any such work being done, the Architectural Control Committee shall render a written statement of the expense thereof to the owner of such Building Site who shall immediately pay the full amount in cash. All such obligations of the owner to pay such amounts shall be secured by a lien upon and against the Building Site upon which such work was performed. Such lien shall be subordinate to any purchase money lien secured by the Building Site. The necessity of the performance of such work shall be in the sole discretion of the Architectural Control Committee.

10. **Septic Tanks** No cesspools shall ever be dug, used or maintained on any such Building Sites and all toilets shall be connected with a septic tank, constructed in accordance with sound engineering practices and in compliance with Harris County regulations. The drainage of septic tanks into roads, streets, adjacent Building Sites, or public ditches, either directly or indirectly, is strictly prohibited. All drain lines and septic field lines shall not be closer than twenty-five (25) feet to any Building Site Line.

11. **Animal Husbandry** Livestock may be kept or permitted on the Building Site, as pets for domestic or family use only. Horses may be kept, bred, conditioned, trained, shown and sold, so long as restriction No.6, as well as all other restrictions are not violated. It is expressly understood that none of such animals shall ever be kept, bred or maintained for any commercial purposes. In this connection, it is further understood that all stables and outbuildings must be placed or so situated that no part of them are closer to the front of said Building Site than a line parallel to the front property line lying at the rear of the principal dwelling situated on said Building Site. Nothing herein contained shall ever be construed so as to permit the keeping of animals and pets to become a nuisance or obnoxious to the owners or occupants of other

Building Sites, or to become a hazard to the health, welfare and well being of the community. All such structures and shelters for animals shall conform in architectural character to the structure of the main residential dwelling and shall not be maintained in any unsightly manner. It is further understood that no hogs, or swine, shall be kept on any part of a Building Site for any purposed whatsoever. F. F. A. and 4-H Club projects shall be permitted (including swine), so long as restriction number 6 is not violated.

12. **Enforcement** Any owner shall have the right to enforce by any proceeding at law or in equity all reservations, restrictions, covenants and conditions, liens and charges now or thereafter imposed by the provisions of these deed restrictions. Failure by any owner to enforce any covenant or restriction herein shall in no event be deemed a waiver of the right to do so thereafter.

13. **Duration of and Amendment to the Above Deed Restrictions.** These Restrictions and Reservations shall run with and bind the land until January 1, 2005, and shall be automatically renewed for successive ten year periods thereafter unless a majority of the owners of the Building Sites elect to terminate them. This Declaration may be amended during its term by an instrument signed by a majority of the owners of the Building Sites. Any amendment must be recorded.

14. **Recreational Vehicle Storage.** All travel trailers, recreational vehicles, boats and campers shall be kept or stored either inside a garage or specially constructed storage area, or stored behind the main residence.