

RESTRICT

507-94-0073

R876470

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BAYWOOD OAKS, SECTION SIX A SUBDIVISION IN THE CITY OF PASADENA, HARRIS COUNTY, TEXAS

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STATE OF TEXAS)
COUNTY OF HARRIS) 04/12/96 100220008 R 876470 \$23.00

WHEREAS, Magnum Development, Inc., a Texas Corporation, subdivided Baywood Oaks Addition as shown by the map or plat recorded in Film Code Number 350003 H.C.M.R., of the Map Records of Harris County, Texas (hereinafter referred to as "Baywood Oaks, Section One");

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WHEREAS, Magnum Development, Inc. and Baywood Oaks Community Association, Inc., a Texas Corporation, recorded in the Real Property Records of Harris, County, Texas, under Clerk's File N299094, the Declaration of Covenants, Conditions and Restrictions for Baywood Oaks, Section One, governing the use, development, improvement, maintenance and sale of lots in Baywood Oaks, Section One (hereinafter referred to as "the Declaration") which is incorporated herein by reference and made a part hereof;

WHEREAS, Magnum Development, Inc. or Baywood Ventures, Inc. has also subdivided and platted or replatted the parcels of land described on Exhibit "A", which is attached hereto and made a part hereof for all purposes, as shown by the maps or plats recorded in the correlative Film Code Numbers of the Map Records of Harris County, Texas also set forth on Exhibit "A";

WHEREAS, Magnum Development, Inc. or Baywood Ventures, Inc. and Baywood Oaks Community Association, Inc. recorded in the Real

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PLANNING DEPARTMENT
City of Pasadena
P. O. Box 672
Pasadena, Texas 77501

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Property Records of Harris County, Texas, under the correlative Clerk's File Numbers, the Declaration of Covenants, Conditions and Restrictions for the parcels of land described on Exhibit "A" governing the use, development, improvement, maintenance and sale of lots in such parcels of land;

WHEREAS, Magnum Development, Inc. has also subdivided and platted 14.036 acres of land in the James Lindsey Survey, Abstract 43, Harris County, Texas as Baywood Oaks, Section Six, as shown by the map or plat recorded in Film Code Number 376071 of the Map Records of Harris County, Texas, (hereinafter referred to as "Baywood Oaks, Section Six");

WHEREAS, Magnum Development, Inc. and Baywood Oaks Community Association, Inc. desire to adopt and establish the Declaration with respect to Baywood Oaks, Section Six, in order to establish a uniform plan for the use, development, improvement and sale of such property and to insure the preservation of such uniform plan for the benefit of both the present and future owners of Lots in the respective subdivisions affected by the Declaration.

NOW THEREFORE, Magnum Development, Inc. and Baywood Oaks Community Association, Inc. hereby adopt, establish and impose upon Baywood Oaks, Section Six, and declare the following covenants, conditions and restrictions, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the land, which covenants, conditions and restrictions shall run with the land and shall be binding upon all parties having or

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acquiring any rights, title or interest therein, or any part thereof, and shall inure to the benefit of each owner thereof.

1. Declaration adopted: The Declaration heretofore adopted by Magnum Development, Inc. for and made applicable to Baywood Oaks, Section One is hereby made applicable to Baywood Oaks, Section Six, except those terms and conditions which are inconsistent and in conflict with the terms and conditions hereinafter set forth, in which case the terms and conditions hereinafter set forth shall apply to Baywood Oaks, Section Six. References in the Declaration to Baywood Oaks, Section One shall be deemed to include Baywood Oaks, Section Six. Pursuant to Article VII, Section 7 of the Declaration, Baywood Oaks, Section Six is hereby annexed to the Properties (as therein defined).

2. Maintenance assessments: Each Lot in Baywood Oaks, Section Six shall be subject to the same annual assessment as the Lots in Baywood Oaks, Section One, and such annual assessment shall be increased from time to time pursuant to Article IV, Section 3 of the Declaration. In addition to the annual assessments authorized above, each Lot shall be subject to the special assessments authorized by Article IV, Section 4 of the Declaration. Such funds shall be administered by the Board (as defined in the Declaration) for the benefit of the Lots in Baywood Oaks, Section Six together with the assessments with respect to the Lots any other subdivisions annexed to the Properties as a single fund, pursuant to the terms of the Declaration and this document. The annual assessment and special assessments shall be secured by a vendor's

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lien which is hereby expressly created and retained upon each Lot, and said vendor's lien is hereby transferred and assigned to the Board.

3. Assessment of Declarant's Lots: Section 6 of the Declaration notwithstanding, Lots owned by the Declarant shall not be subject to annual assessments or special assessments for capital improvements.

4. Architectural Control: The Architectural Control Committee, as constituted in Article V of the Declaration shall also act for and serve in Baywood Oaks, Section Six. Such Article V notwithstanding, a person or committee appointed by the Declarant shall serve in the place instead of the Architectural Control Committee with respect to new homes to be constructed upon the Lots in Baywood Oaks, Section Six, and with respect thereto shall have all of the powers, duties and responsibilities given to the Architectural Control Committee pursuant to such Article. Such powers, duties and responsibilities shall include, without limitation the approval or disapproval of design and locations described in plans and specifications. In this regard, the procedures applicable to the Architectural Control Committee shall also be applicable to the person or committee appointed by the Declarant. Wherever the term "Architectural Control Committee" is used in this document with respect to matters delegated hereby to a person or committee appointed by the Declarant, such term shall be construed to refer to such person or committee.

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5. Minimum Square Footage, Building Materials and Siting:

The following provisions are intended to replace Section 3 of Article VI of the Declaration. The living area of the main residential structure, exclusive of porches, garage and patio area, shall not be less than 1,600 square feet for a one-story dwelling or less than 1,900 square feet for a two-story structure. The front wall of the main residential structure, including the garage if attached, shall be one hundred percent (100%) masonry or masonry veneer, and no less than fifty percent (50%) of each side wall shall be masonry or masonry veneer. The term "masonry" includes stucco and all material commonly referred to in the Texas building industry as masonry. The outside walls of a detached garage may be of wood. No mail box shall be constructed except in the uniform manner approved by the Architectural Control Committee. The Architectural Control Committee, or its assignee, at its sole discretion, is hereby permitted to approve deviations in the building area, exterior materials and location in instances where, in their judgment, and subject to the City of Pasadena Building Code requirements, such deviation will result in a more common beneficial use. Such approvals must be granted in writing and when given will automatically amend these restrictions as to such structure only.

6. Location of Improvements and Driveways Upon the Lot:

The following provisions are intended to replace Section 4 of Article VI of the Declaration. No building shall be located on any Lot nearer to the front line or nearer to the street side line than the

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minimum building setback line shown on the recorded plat. No building shall be located nearer than five (5) feet to an interior lot line, except that a garage located sixty (60) feet or more from the front lot line may be a minimum distance of three (3) feet from an interior lot line. For the purposes of this covenant, eaves, steps and unroofed terraces shall not be considered a part of a building; provided, however, that this shall not be construed to permit any portion of the construction on a Lot to encroach upon another Lot. Corner lot garages that face or open toward a side street are prohibited unless specifically approved by the Architectural Control Committee. No carport shall be constructed upon a Lot, however, a portecochere may be attached to any garage which is set back from the front wall of the main residential structure no less than sixteen (16) feet and is an integral part of and attached to such main residential structure. A "portecochere" is defined as a structure appurtenant to a main residential structure used as a cover for motor vehicles, open at the front, usually having less than three enclosed sides, having a roof of the same type and constructed of the same materials as the roof of the main residential structure, usually supported at one front corner by a column of masonry construction similar to the masonry used in constructing such residential structure.

7. Athletic and Similar Equipment: The following provisions are intended to be an addition to Article VI of the Declaration. No recreational equipment, including without limitation, basketball goals or poles, volleyball net poles, or any other type of athletic

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or similar equipment, whether temporary or permanent, shall be constructed or placed on any Lot unless specifically approved by the Architectural Control Committee.

THIS DECLARATION is executed on the dates of the respective acknowledgments hereinafter set forth, but is effective this 7th day of February, 1996.

MAGNUM DEVELOPMENT, INC.

By: Mike Domec
President

MD

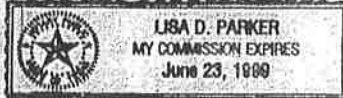
BAYWOOD OAKS COMMUNITY ASSOCIATION, INC.

By: Mike Domec
President

ACKNOWLEDGMENTS

STATE OF TEXAS)
COUNTY OF HARRIS)

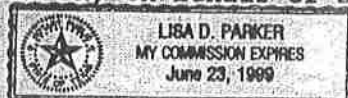
7th This instrument was acknowledged before me on this the 7th day of February, 1996, by Mike Domec, President of Magnum Development, Inc., a Texas Corporation, on behalf of said corporation.



Lisa D. Parker
Notary Public in and for the State of Texas

STATE OF TEXAS)
COUNTY OF HARRIS)

7th This instrument was acknowledged before me on this the 7th day of February, 1996, by Mike Domec, President of Baywood Oaks Community Association, Inc., a Texas Corporation, on behalf of said corporation.



Lisa D. Parker
Notary Public in and for the State of Texas

507-94-0080

Section	Acres of Land	County Map Record Film Code Number	County Clerk's File Number
Baywood Oaks, Section Two	9.3618	351103	N525001 Amended N799158
Baywood Oaks, Section Two-A	2.9912	353021	N732478 Amended N799159
Baywood Oaks, Section Two-B	4.3390	359102	P823103
Baywood Oaks, Section Three (Eliminated by Section Three-A)	15.8828	353123	N850765
Baywood Oaks, Section Three-A Replat of Blocks 1 & 2	5.4863	355104	Amended P107330
Baywood Oaks, Section Three-A Replat of Block 2	1.3889	357121	P517471
Baywood Oaks, Section Three-B	1.0470	358097	P662597
Baywood Oaks, Section Four	9.0342	356010	P180086
Baywood Oaks, Section Five	11.0460	366014	R298036
Baywood Oaks, Section Seven	3.1730	360051	P925484
Baywood Oaks, Section Eight	4.6540	373095	R697313
Baywood Oaks North	6.2066	357014	P386240
Baywood Oaks Village, Section One	9.7848	356009	P180082 Amended P431532
Baywood Oaks Village, Section Two	3.5450	360050	P925480
Baywood Oaks Village, Section Three	8.9710	370098	R531609
Baywood Oaks Village, Section Four			

EXHIBIT "A"

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CLERK
COUNTY CLERK
HARRIS COUNTY, TEXAS

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FILED

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