

FIRST AMENDMENT TO THE RESTRICTIONS  
FOR  
SPRING OAKS

This FIRST AMENDMENT TO THE RESTRICTIONS FOR SPRING OAKS ("First Amended Restrictions") shall be effective as of the date of recording; May 17, 1994

WITNESSETH:

WHEREAS, James E. Lyon, the owner of that certain addition of the City of Houston known as Spring Oaks, according to the plat thereof recorded in the Real Property Records of Harris County, Texas under Clerk's File No. 1028459, filed certain Restrictions on such property, which Restrictions are recorded under Clerk's File No. 1040782, Vol. 2495, Page 447, et seq., of the Official Records of Harris County, Texas ("Restrictions"); and

WHEREAS, pursuant to such Restrictions, a majority of the owners of lots in Spring Oaks may agree to change or amend the Restrictions in part or in whole by a signed and recorded instrument.

NOW, THEREFORE, pursuant to the power granted to a majority of the owners under the Restrictions, the undersigned owners, being a majority of the owners of the lots in Spring Oaks, desire to amend the Restrictions by replacing such Restrictions with these First Amended Restrictions, as follows. These First Amended Restrictions are intended to be mutually beneficial covenants, conditions, restrictions, and easements under a general plan of improvement for the benefit of all owners of real property within Spring Oaks. The property in Spring Oaks shall be held, sold, and conveyed subject to the following easements, restrictions, covenants, and conditions, which are for the purpose of protecting the value and desirability of and which shall run with the real property subjected to these First Amended Restrictions and which shall be binding on all parties having any right, title, or interest in Spring Oaks or any part thereof, their heirs, successors, successors-in-title, and assigns, and shall inure to the benefit of each owner thereof.

1. All lots, tracts and reserves shall be used for residential purposes and other purposes incidental to residential use only.
2. No structure shall be erected, altered, placed or permitted to remain on any lot, tract or reserve other than one (1) detached single-family dwelling not to exceed two (2) stories in height and a private garage for not more than three cars, not to exceed two (2) stories in height, and quarters for bona-fide servants domiciled with an owner or tenant. Rental of such servants quarters, however, is strictly prohibited. The height of a garage may not exceed the height of the dwelling.
3. All structures erected, altered or placed on any lot, tract or reserve must conform and harmonize with the design of existing structures and must comply with all of the provisions in these First Amended Restrictions or any amendments or supplements filed hereafter. Conformity and harmony requirements shall include, but are in no way limited by, the following: all roof lines and materials must be of the same type, all siding must be of the same material, all new masonry must match the other masonry

showing, and exterior paint color must be uniform so that remodeling will blend with the old portions of the structure.

4. No dwelling or other structure shall be located nearer to the front lot line or nearer to the side street line than the building setback lines shown on the recorded plat. In any event, no building, fence or any other form of construction shall be located on any residential building plot nearer than twenty-five (25) feet to the front lot line, nor nearer than ten (10) feet to any side street line, measured from the property line. No building, except a detached garage or other outbuilding located seventy (70) feet or more from the front line, shall be located nearer than five (5) feet to any side lot line. However, on corner lots, no building, except a detached garage or other outbuilding located seventy (70) feet or more from the front line, shall be located nearer than ten (10) feet to any side lot line abutting the street. All measurements shall be from the property lines as shown on the recorded map or plat thereof.
5. No dwelling or attached appurtenance shall be erected on any lot closer than twenty-five (25) feet from the rear lot line.
6. Any owner of one or more adjoining lots (or portions thereof) may consolidate such lots or portions of such lots into single-family residential building sites. If such lots or portions are consolidated, setback lines may be measured from the resulting side property lines. No portion of a lot smaller than the original plat size may be used alone as a building site.
7. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon that may be or become an annoyance or nuisance to the neighborhood. Offensive activity includes, but is not limited to, excessive noise, littering, storing unsightly objects within public view, and parking of heavy trucks or equipment in public view. No trade or business may be conducted in or from any lot, except that an Owner or occupant residing in a dwelling on a lot may conduct business activities within the lot so long as: (a) the existence or operation of the business activity is not apparent or detectable by sight, sound or smell from outside the lot; (b) the business activity conforms to all zoning requirements, if any; (c) the business activity does not involve persons coming into Spring Oaks who do not reside in Spring Oaks; (d) the business activity is consistent with the residential character of Spring Oaks and does not constitute a nuisance, or a hazardous or offensive use, or threaten the security or safety of other resident of Spring Oaks; and (e) the other provisions of this section are adhered to. Advertising a home in Spring Oaks as a business address is prohibited.
8. No trailer, mobile home, basement, tent, shack, garage, barn or other outbuilding, structure or improvement shall be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence. No trailer, mobile home, tent or shack shall be allowed to remain on a lot. No trailer, mobile home or structure such as an outbuilding shall be placed or left to remain as the sole improvement or structure on a vacant lot in Spring Oaks.
9. The floor area of the main structure of a residence, exclusive of open porches and garages, shall not be less than one thousand (1,000) square feet. All buildings shall have a minimum of one hundred (100) square feet of masonry made a part of the front of the structure. Masonry may consist of brick, stone or stucco. All masonry on one structure must of the same type.

10. Easements for utility installation and maintenance on all lots are reserved as shown on the original recorded plat.
11. The main dwelling shall be constructed fronting on the street upon which the lot, as originally dedicated, fronts.
12. No sign of any kind shall be displayed in the public view on any lot except one sign of not more than five (5) square feet used to advertise the property for sale or rent or a larger sign for a builder to use during construction and sale. Temporary signs promoting a political candidate during elections, advertising a garage sale or giving notice of Association business shall be permitted, provided that such signs meet the above size requirements and are only displayed for a period not to exceed two (2) weeks.
13. No oil, gas, or other mineral development, refinement, mining, transportation, or storage operations of any kind nor any equipment, machinery, tools, or other apparatus for such development, mining, transportation or storage shall be permitted on any lot.
14. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose. Local ordinances regarding pets shall apply.
15. No individual water supply system or sewage disposal system shall be permitted on any lot.
16. Protective screening areas must be established and maintained on a full foot strip of land along the rear of the lots in Block 1 and also on the north five (5) feet of Lot 62 in Block 4. Such screening must be maintained by the owner or owners of such lots for the protection of the residential area from the view and encroachment of the business area adjacent to Spring Oaks. Easement requirements for these lots, other than the protective screening, must also be followed.
17. No fence, wall, hedge or other planting or construction shall be permitted within the triangle formed by lines drawn ten (10) feet from the intersection of the street lines that would obstruct sight lines at elevations between two (2) and six (6) feet above the roadways. No trees or portions of trees shall be permitted to remain within the area outlined above that would prevent a clear view of the roadways.
18. Carports must be designed to show the same roof lines and roof covering as the dwelling constructed on the lot or building site. All carports must be constructed of the same or similar materials as the dwelling constructed on the lot or building site. Automobiles or passenger trucks may be stored under the carports; all other items or vehicles stored in the carport must be screened from view in a suitable manner.
19. These Amended Restrictions shall be, continue, and remain in effect until January 1, 2009, at which time these Amended Restrictions shall be automatically extended thereafter for successive periods of ten (10) years unless then owners of a majority of the lots in Spring Oaks vote to further amend or terminate these Amended Restrictions. Such amendment or termination must be evidenced by an instrument executed and acknowledged by the owners of a majority of the lots in Spring Oaks and filed for record in the Real Property Records of Harris County, Texas.

20. Invalidation of any provision within these Amended Restrictions shall in no way affect any of the other provisions, which shall remain in full force and effect.
21. Enforcement of these restrictions shall be at law or in equity against any owner, or his or her successors, heirs, or assigns, violating or attempting to violate any of the provisions contained herein. Any owner of a lot in Spring Oaks may enforce these restrictions, or a voluntary association of the owners of lots in Spring Oaks may be formed to enforce these restrictions. Such an association of owners may be formed upon a vote by owners of a majority of lots in Spring Oaks. When enforcing these provisions, all rights and remedies afforded by Texas law may be employed.

IN WITNESS WHEREOF, these Amended Restrictions for Spring Oaks are executed as of the date indicated following the signatures of the undersigned owners and are effective upon proper recordation of this document in the Real Property Records of Harris County, Texas.