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**FIRST AMENDED DECLARATION OF COVENANTS, CONDITIONS,
EASEMENTS AND RESTRICTIONS**

for

THE RESIDENCES OF SUNSET PLACE SUBDIVISION

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, for purposes of this First Amended Declaration of Covenants, Conditions, Easements and Restrictions for the Residences of Sunset Place Subdivision (“Declaration”), Sunset Place Subdivision is a subdivision in the City of Houston, Harris County, Texas, comprising residential Lots 1–12, Block A, and Lots 1–12, Block B, but excluding those Lots used for non-residential purposes, as defined by Section 216.003(d) of the Texas Property Code—Lots 13–22, Block B—according to the Dedication and Map, recorded at Volume 725, Page 370, of the Real Property Records of Harris County, Texas, attached hereto as Exhibit A (the “Subdivision”);

1EE

WHEREAS, the Subdivision is an “Older Subdivision” as defined in Section 216.001(3) of the Texas Property Code;

WHEREAS, the Subdivision was subject to restrictions set forth in the General Warranty Deed recorded at Volume 791, Page 205, of the Real Property Records of Harris County, Texas (“Original Restrictions”);

WHEREAS, the Original Restrictions were effective until January 1, 1979, and do not include an express procedure that provides for successive extension of the restrictions, do not have an express procedure for amending the restrictions, cannot be amended under the common law of the state without the unanimous consent of all owners of real property in the Subdivision, and may no longer be valid due to an inability to extend or amend the restrictions;

WHEREAS, Boulevard Oaks Civic Association is a nonprofit corporation organized under the laws of the State of Texas that supports the enforcement of or promotes the observance of deed restrictions applicable to all or part of the property located in the Subdivision and for which voluntary membership consists of the owners of real property in the Subdivision (the “Association”);

WHEREAS, pursuant to Section 216.007 of the Texas Property Code, owners of at least 66.6% of the total number of separately owned parcels in the Subdivision hereby amend and extend the Original Restrictions via the ballots attached hereto as Exhibit B;

NOW THEREFORE, pursuant to Sections 216.007(b) and 216.011 of the Texas Property Code, the restrictions set forth herein shall apply to all property in the Subdivision, as the Subdivision is defined above, regardless of whether the owner of any parcel in the Subdivision is

a member of the Association or whether such owner consented to these restrictions, as of the date this document is recorded in the Real Property Records of Harris County, Texas:

As reflected by the ballots attached hereto, we are owners of real property in the Subdivision, whose purpose is to create, carry out, and maintain a uniform plan of covenants, conditions, easements, and restrictions for the purpose of protecting the value and desirability of the real property in the Subdivision. These covenants, conditions, easements, and restrictions shall run with the real property comprising the Subdivision and be binding on all parties having any right, title, or interest in or to such property, and any part thereof, and their heirs, executors, successors, and assign, and which covenants, conditions, easements, and restrictions shall inure to the benefit of each owner thereof.

(1) All lots shall be used for single family dwellings and duplex residences only. Existing apartment uses may be maintained at existing densities. Existing apartment uses may be reconstructed at existing densities as multi-family structures or townhouses, and new apartments may be added to other lots as accessory uses, insofar as all requirements for parking are provided off-street.

(2) Except for duplex lots, each lot shall be used for single family residential purposes only. Duplex lots shall be used for residential purposes only.

(3) No business, professional, commercial, warehousing, or manufacturing use shall be made of any lot or any improvement thereon, and no professional, business, or commercial activity to which the general public is invited shall be conducted on any lot. A home office with use that is ancillary to primary residential use of a dwelling is permissible. Business signs visible from the street and parking for business purposes, including on adjacent streets, are specifically prohibited.

(4) After adoption of these restrictions, all new construction and reconstruction shall conform to the following:

(a) The front and the two side facades of all primary buildings shall be of eighty percent (80.0%) brick or stucco exterior construction. Accessory buildings, garages and carports may be of frame construction.

(b) No building shall be constructed closer than twenty (20.0) feet from the front property line; nor closer than a line connecting the front façade of the primary building on either side; whichever is least, except that any lot with an existing setback of less than twenty (20.0) feet at the time these restrictions are recorded in the Real Property Records of Harris County, Texas, shall be entitled to retain the existing setback.

(c) There shall be a five (5.0) foot easement at the rear of all lots sufficient to contain and maintain public utilities.

(d) Primary buildings shall maintain side yards of not less than six and one half (6 ½) feet to the side property line OR thirteen (13.0) feet horizontal separation to existing

primary buildings. For the purposes of this section, garages and carports are considered accessory (versus primary) buildings.

(e) No building shall exceed twenty-four (24.0) feet in height measured from finished grade to the line of eaves, cornice, or top of parapet, OR the line of eave, cornice, or top of parapet shall be consistent with that of the buildings on either side.

(5) Non-conforming uses and improvements destroyed or damaged by fire or other natural cause may be replaced or reconstructed within six (6) months of the occurrence.

(6) No trailers, mobile or motor homes, recreational vehicles, motorcycles, or boats shall be parked or stored on the front yard of any lot or on adjacent streets.

(7) Unless specifically permitted in writing by a majority of the whole number of lot owners in the Subdivision, there shall be no prospecting, mining, drilling, or producing of oil, gas, or other hydro-carbon or mineral products or substances in, on, or upon any of the said property.

(8) This Declaration may be enforced by the Association or any owner of real property in the Subdivision including but not limited to via mandatory or prohibitive injunction. However, failure of the Association or any owner to enforce any provision of this Declaration will in no event be deemed a waiver of the right to do so thereafter, including without limitation as to the same or similar violation whether occurring prior to subsequent thereto. Should any provision of this Declaration be deemed invalid by a court of competent jurisdiction, such invalidity shall in no way affect the validity or enforceability of any other provision and all other provisions shall remain in full force and affect.

(9) Subject to the provisions herein regarding amendment, these covenants, conditions, easements, and restrictions run with the land and are binding upon and inure to the benefit of the Association and all owners, their respective legal representative, heirs, executors and administrators, predecessors, successors, and assigns, and all persons claiming under them from the date this Declaration is recorded in the Real Property Records of Harris County, Texas, for a period of forty (40) years thereafter, after which time it shall be automatically extended for successive periods of ten (10) years each, unless amended or extinguished as set forth herein.

(10) This Declaration may be amended at any time by a vote of at least sixty percent (60%) of the total number of lots within the Subdivision as reflected by the written assent of any owner of each such lot, with each lot entitled to a single vote.

**REMAINDER OF PAGE INTENTIONALLY BLANK*

IN WITNESS WHEREOF, the undersigned has executed this Declaration of Covenants, Conditions, Easements, and Restrictions for the Residences of Sunset Place on this the 12th day of November, 2024, and confirms that this Declaration has been considered and approved by the owners of property in the Subdivision reflected on the ballots attached hereto, to become effective upon recording in the Real Property Records of Real Property of Harris County, Texas.

Boulevard Oaks Civic Association 10R

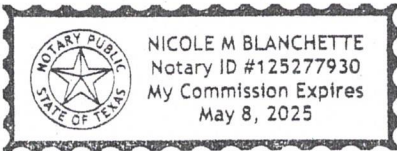
By: Heleen L. Toombs

Name: Heleen L. Toombs

Title: Secretary

SUBSCRIBED AND SWORN before me on this 12th day of November, 2024.

Nicole M Blanchette
Notary public in and for the State of Texas



Ret: ✓
Shannon A Lang
1903 VERMONT STREET
HOUSTON TX 77019

EXHIBIT A

No. 388807.

Fidelity Home Investment Co.
By President.

To
Dedication & Map.

We, E. J. Burke and John B. York, President and Secretary, respectively of The Fidelity Home Investment Company, owner of the property subdivided in the above and foregoing map of Sunset Place, do hereby make subdivision of said property for and on behalf of said Fidelity Home Investment Company, according to the lines, lots, streets and easements thereon shown and designate said subdivision as Sunset Place, being a subdivision of 231x625 feet north of and adjoining Hynesdale Addition and a re-subdivision of lots No. 1-2-3-4 and the west 67 1/2 feet of lot 7 of Hynesdale Addition, all in great lot 5, of The Obedience Smith Survey in the City of Houston, Harris County, Texas, and on behalf of said Fidelity Home Investment Company dedicate to public use the streets and easements shown thereon.
Witness our hands at Houston, Texas, this 10th day of January, 1929.

E. J. Burke, President, John B. York, Secretary. (Seal).

State of Texas, Harris County. Before me, the undersigned authority, on this day personally appeared E. J. Burke, and John B. York, President and Secretary, respectively of The Fidelity Home Investment Company, known to me to be the persons whose names are subscribed to the foregoing instrument, and each acknowledged to me that he executed the same as the act and deed of The Fidelity Home Investment Company, and as President and Secretary, respectively, thereof, and for the purposes and considerations therein expressed, and in the capacity therein set forth.
Given under my hand and seal of office this the 10th day of January, 1929.

J. S. Boyles, Notary Public, Harris County, Texas. (Seal).

This is to certify that the City Planning Commission has approved this Plat and Subdivision of Sunset Place, as shown hereon.

In testimony whereof witness the official signatures of the Vice-Chairman and Secretary under the official seal of said City Planning Commission this the 21st day of January, 1929.

City Planning Commission of Houston, Texas, By P. B. Timpson, Vice-Chairman.

Attest; L. B. Ryon, Jr, Secretary. (Seal).

Approved: J. C. McVea, City Engineer.

Approved: L. B. Ryon, Jr, City Planning Engineer.

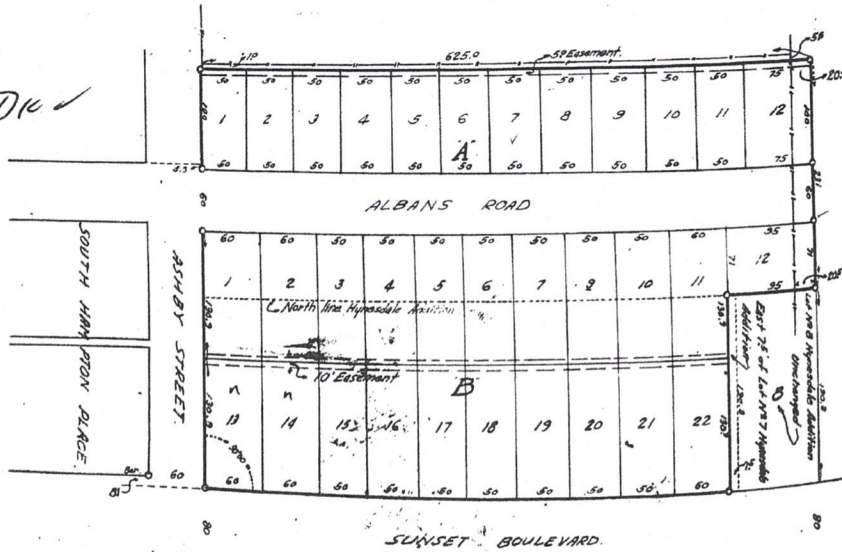


EXHIBIT B

BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:

Susan McCain Cole

Signature

Signature

SUSAN MCCAIN COLE

Printed Name

Printed Name

November 10, 2024

Date

Date

PROPERTY IN SUNSET PLACE

1700 Albans Road

Property Address

BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:

Signature

JONAS RISEN

Printed Name

11.09.2024

Date

Signature

Sarah Risen

Printed Name

11/09/2024

Date

PROPERTY IN SUNSET PLACE

1702/1704 ALIXANS RD.

Property Address

HOUSTON TX. 77005

BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("New Restrictions"), as follows:

FOR First Amendment

AGAINST First Amendment

OWNER(S) OF PROPERTY:

Signature

Signature

Printed Name

Printed Name

Date

Date

PROPERTY IN SUNSET PLACE

Property Address

1703 Albans Rd Houston, TX 77005

BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:

Pamela S. Higgins
Signature

Signature

Pamela S. Higgins
Printed Name

Printed Name

11/9/2024
Date

Date

PROPERTY IN SUNSET PLACE

1706 Albans, Houston
Property Address 77005

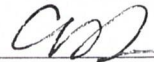
BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("New Restrictions"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:



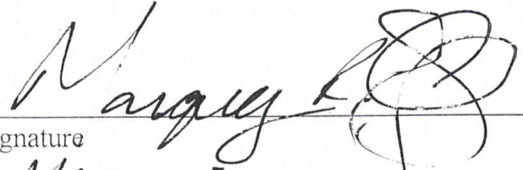
Signature

Ashley V. Tomlinson

Printed Name

Nov 9, 2024

Date



Signature

MARQUEZ R. Colby

Printed Name

Nov 9, 2024

Date

PROPERTY IN SUNSET PLACE

1710 ALBANS

Property Address

BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("New Restrictions"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:

Emily E. Moore
Signature

Emily E. Moore
Printed Name

11 / 10 / 2024
Date

Alex

Signature

Alex C. Solak
Printed Name

11/10/2024
Date

PROPERTY IN SUNSET PLACE

1714 Abans Road
Property Address

BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

FOR First Amendment

AGAINST First Amendment

OWNER(S) OF PROPERTY:

Signature

Allison Blair, Trustee of the Beekman Management Trust

Printed Name

11.13.2024

Date

Signature

Printed Name

Date

PROPERTY IN SUNSET PLACE

1721/1723 Albans Road

Property Address

BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:

Gail Viele
Signature

GAIL VIELE
Printed Name

11/10/2024
Date

Thomas Vile
Signature

Thomas Vile
Printed Name

11-10-24
Date

PROPERTY IN SUNSET PLACE

1724 Albans Rd.
Property Address

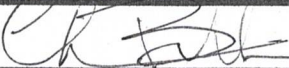
BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:



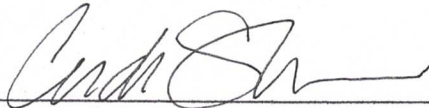
Signature

Donald Christopher Ballou

Printed Name

11/8/24

Date



Signature

CINDI STRAUSS

Printed Name

NOV 8, 2024

Date

PROPERTY IN SUNSET PLACE

1725 Albans

Property Address

BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

FOR First Amendment

AGAINST First Amendment

OWNER(S) OF PROPERTY:

Cliff E Shep, VP Blue Iris Properties LLC
Signature

Clifford E. SHEP
Printed Name

Nov. 12, 2024
Date

Signature

Printed Name

Date

PROPERTY IN SUNSET PLACE

1726/28 Albans. Rd.
Property Address

BALLOT TO VOTE
on
**NEW RESTRICTIONS FOR
SUNSET PLACE**

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:

Elizabeth Piper Turner
Signature

Signature

ELIZABETH PIPER TURNER TRUSTEE

Printed Name FOR CAROLYN SATTERWHITE Printed Name

11/11/2024 BREWER TRUST

Date AKA CAROLYN BREWER & EXECUTOR FOR THE ESTATE OF Date CAROLYN BREWER

PROPERTY IN SUNSET PLACE

1729 ALBANS ROAD, HOUSTON, TX 77005
Property Address

BALLOT TO VOTE
on
**NEW RESTRICTIONS FOR
SUNSET PLACE**

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:

Marie Lynn Ballantyne
Signature

Signature

Marie Lynn Ballantyne
Printed Name

Printed Name

11/10/24
Date

Date

PROPERTY IN SUNSET PLACE

1732 Albans Rd
Property Address

BALLOT TO VOTE
on
**NEW RESTRICTIONS FOR
SUNSET PLACE**

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:

Hassan Farid
Signature

HASSAN FARID
Printed Name

11/11/2024
Date

Signature

Printed Name

Date

PROPERTY IN SUNSET PLACE

1733 ALBANS RD, HOUSTON, TX 77005
Property Address

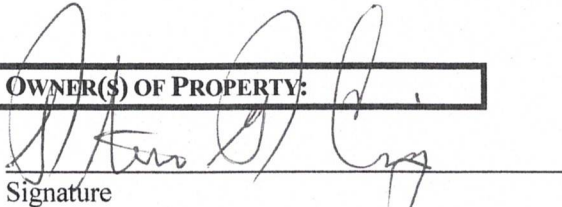
BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("New Restrictions"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:


Signature

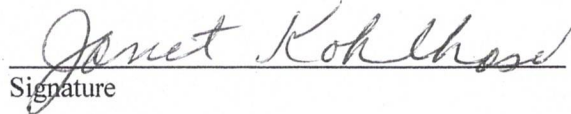
STEVEN G. CRAIG
Printed Name

11/8/24
Date

CO-TRUSTEE OF CRAIG
REVOCABLE TRUST (AKA CRAIG
REVOCABLE TRUST DECLARATION)

PROPERTY IN SUNSET PLACE

1736 ALBANS RD
Property Address


Signature

Janet Kohlbase
Printed Name

11/8/2024
Date

co-trustee of Craig
revocable TRUST
(aka Craig revocable trust
declaration)

BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:

Conor McEvily
Signature

Conor McEvily
Printed Name

11-8-24
Date

Signature

Printed Name

Date

PROPERTY IN SUNSET PLACE

1737 Albans Road
Property Address

BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("New Restrictions"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:

Signature

EMILY STEIN

Printed Name

11/09/2024

Date

Signature

Brandon A. Stein

Printed Name

11/09/2024

Date

PROPERTY IN SUNSET PLACE

1740 Albans Rd

Property Address

BALLOT TO VOTE
on
**NEW RESTRICTIONS FOR
SUNSET PLACE**

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:



Signature

JACKSON WHITE

Printed Name

11-9-24

Date



Signature

JACKSON WHITE

Printed Name

11-9-24

Date

PROPERTY IN SUNSET PLACE

1741 AIBMS RD

Property Address

BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:

Andrew Jurca
Signature

ANDREW JURCA
Printed Name

11/9/2024
Date

Ike Shimizu
Signature

IKUE SHIMIZU
Printed Name

11/9/2024
Date

PROPERTY IN SUNSET PLACE

1744 ALBANS Rd.
Property Address

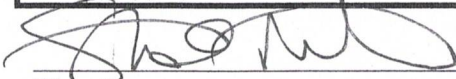
BALLOT TO VOTE
on
NEW RESTRICTIONS FOR
SUNSET PLACE

I/we, the undersigned, as representative(s) of all owners of the property identified below, do hereby cast my/our vote on the New Restrictions for Sunset Place ("*New Restrictions*"), as follows:

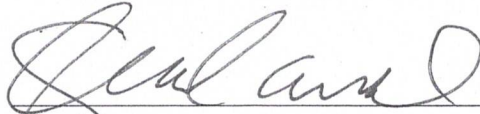
FOR New Restrictions

AGAINST New Restrictions

OWNER(S) OF PROPERTY:



Signature



Signature

STEPHEN MILANO

Printed Name

JOSEPH MILANO

Printed Name

11/8/2024

Date

11/8/24

Date

PROPERTY IN SUNSET PLACE

1750 ACBANS RD

Property Address

FILED FOR RECORD

1:25:01 PM

Wednesday, November 13, 2024



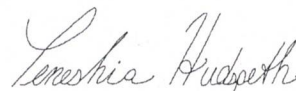
COUNTY CLERK, HARRIS COUNTY, TEXAS

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED; in the Official Public Records of Real Property of Harris County Texas

Wednesday, November 13, 2024



COUNTY CLERK
HARRIS COUNTY, TEXAS