

**ADOPTION OF RESTRICTIONS FOR WEST EDGEMONT ADDITION**  
**HARRIS COUNTY, TEXAS**

This Adoption of Restrictions for West Edgemont Addition ("**Adoption**") is by the undersided owners of lot(s) in West Edgemont Addition, based on the factual recitals and agreements below.

**Factual Recitals**

1. West Edgemont Addition ("**Addition**") was established by the map or plat dated March 4, 1924, recorded September 6, 1924 in Volume 572, Page 156 of the Real Property Records of Harris County, Texas ("**Plat**"), which establishes a subdivision of residential lots fronting on Bissonnet Avenue, South Boulevard, North Boulevard, Barteck Avenue (now Milford), Banks Avenue and Vassar Avenue, running approximately 390 feet to the west of the west right-of-way of Dunlavy Street.

2. The Plat established platted lots ("**Platted Lots**") of varying widths and depths, but none less than 50 feet in width and 100 feet in depth, except for the 4 lots on the north side of Vassar between Vassar and the adjacent utility easements / US Hwy. 59 which are each at least 70 feet in width and varying amounts of depth due to physical site constraints (the "**Vassar Lots**"). The Platted Lots and Vassar Lots are collectively referred to as the "**Lots**".

3. The Addition was subject to a common scheme of development which restricted it to use for residential purposes only by deed restrictions in each deed from the original developer.

4. In 1969-70, the owners of various Lots in the Addition along Vassar, Banks and Milford only, subjected their Lots to additional restrictive covenants for the mutual benefit of those Lots and owners set forth in Restrictions for West Edgemont Addition, recorded in Volume 8554, Page 358 of the Deed Records of Harris County, Texas (Harris County Clerk's File No. D392555), recorded August 13, 1971 (the "**New Restrictions**"). The New Restrictions were executed by the owners of approximately 22 lots in the Addition along Vassar, Banks and Milford. Pursuant to Section 9 of the New Restrictions, those owners who signed are bound, notwithstanding that less than one hundred percent (100%) of the owners in the Addition sign.

5. The New Restrictions establish a common scheme of development and mutual restrictive covenants binding upon the Lots owned by the owners which executed the New Restrictions (the "**Restricted Lots**"), as well as the owners who signed the New Restrictions, their heirs, legal representative, successors and assigns (the "**Restricted Owners**").

6. The New Restrictions provide in Section 6 that the New Restrictions continue until January 1, 1990, then automatically extend for successive periods of 10 years. The New Restrictions have not been terminated and, therefore, are currently in force and affect against the Restricted Owners and Restricted Lots.

7. Pursuant to Section 10 of the New Restrictions, the New Restrictions may be adopted by any owner of any Lot by a separate instrument filed of record executed by the owner(s) of a Lot, making reference to the New Restrictions and indicating they desire to be bound and subject to the New Restrictions.

8. Pursuant to Section 7 of the New Restrictions, the New Restrictions may be amended at any time by a vote of seventy percent (70%) of the Restricted Owners based on one vote per Restricted Lot, and such amendment shall be effective when signed by the requisite number of Restricted Owners and filed of record.

9. The undersigned owner(s) desire to be bound by the New Restrictions and to approve the amendment thereof to prohibit further subdivision of the Restricted Lots and to prevent townhouse development.

#### Agreements

The undersigned owner(s) execute this Adoption to do the following:

1. Adopt the New Restrictions, and in so doing to become bound and subject to the New Restrictions as mutual covenants for the joint benefit of all Restricted Owners(now including them) and Restricted Lots(now including their Lot).

2. Amend the New Restrictions by adding the following new paragraphs to the end of Section 1:

"No tract of land under common ownership or used at any time for a single building site, whether or not the building site is composed of a single platted lot, or a single platted lot and a portion of a platted lot, or two or more single platted lots or of a portion of Block A (whether or not platted or simply subdivided by metes and bounds description) (each a "Building Site"), may be divided, subdivided or re-subdivided or replatted, except with the written consent of the owners of at least seventy percent (70%) of the lots. Only one single-family house and related improvements as otherwise allowed under these restrictions are allowed on each separate Building Site. A platted lot may be divided among adjacent Building Sites for the purpose of increasing (but not decreasing) the size of those Building Sites, but only if the platted lot is eliminated by a replatting approved by the City of Houston. No portion of a platted lot may be subdivided and incorporated into an adjacent Building Site, with a portion of the platted lot remaining as a separate Building Site. A portion of a platted lot previously subdivided and incorporated into another Building Site may be recombined with the other portion of that platted lot to re-establish that platted lot as a new Building Site. Existence of improvements on a Building Site is not required for these limitations to apply. Non-adjacent platted lots under common ownership shall not be considered a single Building Site.

For the purposes of these restrictions, (i) a "one-family residence" is a freestanding building(not a townhouse) with no shared walls or structure, which is setback at least 3 feet from a property line, and (ii) a "lot" or "lots" refers to the platted lots as set forth on the map or plat of West Edgemont Addition dated March 4, 1924, recorded September 6, 1924 in Volume 572, Page 156 of the Real Property Records of Harris County, Texas. Townhouses are prohibited in the West Edgemont Addition.

3. We acknowledge that an Amendment to Restrictions for West Edgemont Addition is being circulated for the purpose of approving the amendment set forth above.