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RP-2026-450994
11/09/2026 RP1 $221.00

SECOND AMENDED DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS

for

THE RESIDENCES OF SUNSET PLACE SUBDIVISION

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

WHEREAS, 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");

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, 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 previously amended and extended the Original Restrictions as reflected in the First Amended Declaration of Covenants, Conditions, Easements and Restrictions for The Residences of Sunset Place Subdivision, recorded at **File No. RP-2024-423389**, in the Real Property Records of Harris County, Texas (the "First Amended 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 the amendment provisions set forth in the First Amended Restrictions, owners of at least 60% of the total number of separately owned parcels in the Subdivision now desire again to amend the Original Restrictions, as amended by the First Amended Restrictions;

NOW THEREFORE, as reflected by the ballots attached hereto, this Second Amended Declaration of Covenants, Conditions, Easements and Restrictions for The Residences of Sunset Place Subdivision is hereby ADOPTED:

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.

- Paragraph No. 1 of the First Amended Restrictions is RESCINDED and REPLACED as follows:

  All lots shall be used for single family dwellings and duplex residences only. Existing apartment uses as of November 13, 2024, may be maintained at existing densities, defined by the number of bedrooms then existing on the lot. Existing apartment uses as of November 13, 2024, may be reconstructed at existing densities as multi-family structures or new apartments as accessory units, provided one off-street parking space is provided for each bedroom on the lot.

- Paragraph No. 2 of the First Amended Restrictions is RESCINDED and REPLACED as follows:

All lots shall be used for single-family residential purposes only meaning that the residents of each permitted dwelling on the lot must be comprised of a person or persons related to one another by blood, marriage, adoption, or guardianship, and up to one person not so related, operating as a single household and economic unit, and up to one live-in domestic worker. Notwithstanding the foregoing, and subject to the Fair Housing Act or other applicable legal provision regarding occupancy limits, no more than two residents per bedroom may occupy any dwelling. For avoidance of doubt, "roommate" arrangements are not permitted and all dwellings must be leased in their entirety to a "single family" as defined herein.

Should any dwelling currently be leased under a written lease agreement to persons who do not comprise a "single family," the non-compliant use of the dwelling shall be permitted until the earlier of the expiration of the then-existing lease term or 36 months, measured from the date this document is recorded in the Real Property Records of Harris County, Texas.

- Paragraph No. 4(d) of the First Amended Restrictions is hereby RESCINDED and REPLACED as follows:

  Primary building shall maintain side Yards of not less than three (3) fee to the side property line. For the purposes of this section, garages and carports are considered accessory (versus Primary) buildings.

- Paragraph No. 4(e) of the First Amended Restrictions is hereby RESCINDED and REPLACED as follows:

  No building shall exceed twenty-eight (28.0) 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.

- Paragraph No. 10 of the First Amended Restrictions is hereby RESCINDED and REPLACED as follows:

  The Original Restrictions and any amendment thereto, including but not limited to the First Amended Restrictions and this amendment, 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 asset of any owner of each such lot, with each lot entitled to a single vote.

- Any accessory unit permitted under the Original Restrictions and/or First Amended Restrictions shall be a maximum of 500 square feet. A lot may contain both a detached garage and a separate accessory unit, either as an addition to the garage or as a detached unit. Only one accessory unit is permitted per lot.

- Consolidation of lots is prohibited. No lots may be replatted unless such replat is approved by a vote of at least 60% of the lots subject to the Original Restrictions, First Amended Restrictions, and/or this amendment to the Restrictions.

IN WITNESS WHEREOF, the undersigned has executed this Second Amended Declaration of Covenants, Conditions, Easements, and Restrictions for the Residences of Sunset Place Subdivision on this the 6th day of November, 2024 and confirms that this Second Amended 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.

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Boulevard Oaks Civic Association

By: Helen L. Toombs

Name: Helen L. Toombs

Title: Secretary

SUBSCRIBED AND SWORN before me on this 6th day of November, 2024.

LUIS VASQUEZ
Notary Public, State of Texas
Comm. Expires 05-30-2029
Notary ID 135511830