

N780565

105-57-3576

07/24/92 00620195 N780565 \$ 70.75

*Res*

THE GENERAL RESTRICTIONS OF TIMBER CREST

*(10)  
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Res*

That F. M. Corzelius, Trustee Number One, F. M. Corzelius, Trustee Number Two, F. M. Corzelius, Trustee Number Three, and F. M. Corzelius, Trustee Number Four, the Owners of Timbercrest Addition to the City of Houston, on the South Side of Buffalo Bayou, in Harris County, Texas, a plat of which is recorded in Vol. 17, Page 48 of the record of Maps and Plats of Harris County, Texas, do hereby establish THE FOLLOWING MINIMUM RESTRICTIONS AND COVENANTS upon the use of the lots and tracts, of the said Addition, and hereby declare that all conveyances of said lots or tracts in said Addition, shall be subject to the following minimum restrictions, covenants, easements, and conditions, which shall be, continue and remain in effect until January 1965, at which time said covenants and restrictions shall be automatically extended for successive periods of ten years unless by vote of the majority of the Owners of the lots in said Addition it is agreed to change the said covenant or restrictions in whole or part. Such vote shall be evidenced by written declaration, signed and acknowledged by such owners and recorded in the Deed Records of Harris County, Texas.

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(a) No business or professional house, sanatorium, hospital, saloon, place of public amusement, livery stable, factory, warehouse, duplex, apartment house, rooming house, boarding house or place of business of any kind, shall be constructed, built, kept, or maintained on the premises located on the said Addition, nor shall any house on said premises be used for any such purpose or purposes, but said premises shall be used for one family residence purpose only. No trailer, tent, or subdivision shall at any time be used as a residence either temporarily or permanently, nor shall any structure of a temporary nature be used as residence.

(b) No building shall be erected, placed, or altered on any building plot or lot in this subdivision until the building plans, specifications and plot plan showing the location of such building have been submitted to and approved in writing by a majority of a committee composed of F. M. Corzelius, H. I. Wilhelm and John W. Martin, or their authorized representatives, for conformity and harmony of external design with existing structures in the subdivision; and as to location of the building with respect to property and building setback lines. In the case of the absence, incapacity or death of any member or members of said committee, the remaining member or members shall have authority to approve or disapprove such design or location. If the aforesaid committee or their authorized representative fails to approve such design or location within fifteen days after plans have been submitted to it, or if no suit to enjoin the erection of such building, or to the making of such alterations has been commenced prior to the completion thereof, such approval will not be required. Said committee or their authorized representative shall act without compensation. Said committee shall act and serve until January 1945, and until their successors have been chosen thereafter by the then record owners of a majority of the lots in said subdivision who may designate in writing duly recorded in the Deed Records of

105-57-3577

said county their authorized representative who thereafter shall have all of the powers, subject to the same limitations, as were previously delegated herein to the aforesaid committee. None of the following restrictions shall be modified without the unanimous written consent of said committee.

(c) No residence shall be constructed or located to the front line or nearer to the side street line than the building setback lines shown on the recorded plat of this Addition, or closer to the nearest point on either side of property line of same than five feet. These restrictions, establishing building line, apply to galleries, porches, porte cocheres, steps, projections and every other part of the improvements where there is a roof or covering.

(d) Only one residence may be constructed on any lot, or lot and a fractional part of a lot, in this Addition.

(e) No servant's quarters shall be occupied as a residence either before or during the erection of the main residence building; such servant's quarters shall be occupied only by domestic servants.

(f) No spirituous, vinous, or malt liquors, or medicated bitters capable of producing intoxication shall ever be sold or offered for sale on any said premise in said addition.

(g) No trash, ashes, or other refuse may be thrown on any vacant lot, avenues, boulevards, drive or street in this addition.

(h) No nuisance or advertising sign, billboard or other advertising device shall be placed on or suffered to remain upon any premises in said addition, except that the developers may place thereon such advertising signs or devices as they may deem appropriate, having to do with the sale of property, and except that any lot owner may on a lot owned by himself, for resale, a sign so indicating having in area of not more than five square feet and a height of not more than four feet from the surface of the ground.

(i) No livestock of any kind shall be kept or harbored on the premises or any part thereof in said addition.

(j) No building material of any kind or character shall be placed in the streets, boulevards, drives, avenues, or between the curbs and property line, it being required that all building material to be used in the construction of buildings on any premises of said addition shall be placed within the property line upon delivery. Furthermore, no building material of any kind shall be placed or stored upon any such premises until the owner is ready to commence the construction of such improvements, and it is required that upon completion of said improvements, all surplus materials shall be promptly removed from said premises.

105-57-3578

(k) No fence or wall of any kind or character or for any purpose which is over six feet in height, except a hedge, shall be erected or permitted on any premises therein between the street and the projection of the residence lines, except along the North, East, and West Lines of said Addition.

(l) All of the lots in said addition are hereby subject to an annual maintenance charge at the rate of one mill per square foot for the purpose of creating a fund to be known as the "Maintenance Fund," to be paid by the owner thereof in conjunction with a like charge to be paid by the owners of all other lots in said addition, payable annually upon the first day of January of each year in advance, beginning January 1, 1941, to the said F. M. Corzelius, individually, and as trustee aforesaid, his heirs, representatives, successors and assigns, at his office in Houston, Texas. Said annual charge may be adjusted from year to year by same said F. M. Corzelius, individually, and as trustee aforesaid, his heirs, representatives, successors, and assigns, as the need of the property may, in his judgment, require, but in no event shall such charge be raised above one mill per square foot of area, except as hereinafter provided. The total fund arising from such said charge so far as it may be sufficient shall be used for the payment of the maintenance expenses incurred for any or all of the following purposes: maintenance of streets, alleys, sidewalks, paths, parks, parkways, and esplanades, including all of the grass and platted areas within the boundaries or the streets, curbs, and parks and doing any other thing necessary or desirable in the opinion of the said F. M. Corzelius, individually, and as trustee aforesaid, his heirs, representatives, successors and assigns, to keep the property neat or in good order, or which in the opinion of the said F. M. Corzelius, individually and as trustee aforesaid, his heirs, representatives, successors and assigns, may be of general benefit to the owners or occupants of the addition. Such maintenance charge shall in any event exist for a period of ten years from January 1, 1941 and the owners of the majority of the square foot area of the lots in said addition liable for such a charge, may vote to increase, decrease, or discontinue such a charge, each owner being entitled to one vote for each square foot of area owned by him, such action to be evidenced by written instrument, signed and acknowledged of the owners of a majority of the square foot area and recorded in the Deed of Records of Harris County, Texas. In like manner the said F. M. Corzelius, individually and as trustee aforesaid, his heirs, representatives, successors and assigns may designate a committee of not to exceed five of the owners or occupants of said addition to collect and disburse said maintenance charge in the same manner and for the SAME PURPOSE HEREINAFTER PROVIDED.

(m) No garage, servant's quarters or any other such building shall be constructed on any such lot in this addition that will have a roof or any portion of same to extend beyond the rear property line of said lots, and for the purpose of protecting the

105-57-3579

streets and benefiting the civic appearance of the addition, F. M. Corzelius, individually, and as trustee aforesaid, his heirs, representatives, successors and assigns reserve the right at all times to permit any lighting and power, telephone or other utility company serving or to serve the property, the successors and assigns of said companies, or either of them, at all times to enter along the interior side property line of all lots in this addition within a distance of eighteen (18) inches of said property line, and for a distance of not exceeding eighteen (18) feet from the rear property line, for the purpose of installing, maintaining, repairing, removing and replacing ground anchors.

(n) For the purpose of protecting the streets and benefiting the civic appearance of the addition, F. M. Corzelius, individually and as trustee aforesaid, his heirs, representatives, successors and assigns, reserve the right at all times to enter along the rear property lines of all lots in said addition within a distance of five feet of such lines, for the purpose of installing, maintaining, operating and repairing gas lines, water, sanitary sewer, telephone and electric light lines and other utility services, and the said F. M. Corzelius, individually, and as trustee aforesaid, his heirs, representatives, successors and assigns and or any telephone or light and power utility, or the successors or assigns of any such service, shall have the right to extend cross arms and appurtenances thereon, over a distance of five feet of the rear property lines of all lots in said addition, provided all such cross arms shall not be less than twenty-two feet above the ground, and neither the said F. M. Corzelius, individually, and as trustee aforesaid, his heirs, representatives, successors and assigns, nor the public utility company using any easement, nor their successors, or assigns, shall be liable for any damage done by them or their agents or servants to shrubbery or other property of the owner situated on the land covered by the easement, it being further expressly understood that the owner agrees not to erect fences, garages, or other improvements of any character on the easement herein reserved or those shown on said plat, and not permit the same to be done.

It is understood and agreed that the easements shown on said plat and those referred to in this and the section immediately preceding are to be reserved as perpetual easements for the purposes indicated.

(o) No drilling, developing, or exploring, for oil, gas, sulphur, or other minerals shall ever be permitted on any lot.

(p) All residences shall be constructed of brick, brick veneer, concrete and stucco, hollow tile, rock, rock veneer, or some other form of permanent building material other than frame, and no residence or residences shall be constructed of frame building material.

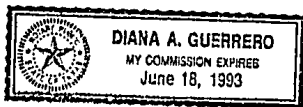
105-57-3580

It is understood and agreed that the foregoing restrictions, easements, covenants, and conditions shall be deemed to be covenants running with the land, and shall be binding upon all grantees who may purchase property in said addition, their heirs or assigns, or any other person claiming under them; and should they, or any of them at any time violate, or attempt to violate, or shall permit to perform and observe any of the foregoing restrictions or conditions, it shall be lawful for any person owning land, which is the subject to the same restrictions or conditions in respect to which default is made, or for said F. M. Corzelius, individually, and as trustee aforesaid, his heirs, representatives, successors and assigns, to institute and prosecute appropriate proceedings at law or in equity for the wrong done or attempted.

*A. Martin Wickliff, Jr.*  
A. Martin Wickliff, Jr.,  
President

SUBSCRIBED AND SWORN TO BEFORE ME, this 24<sup>th</sup> day of July 1992, to certify which witness my hand and seal of office.

*Diana A. Guerrero*  
Notary Public in and for  
The State of Texas



Diana A. Guerrero  
Notary's Name Typed or Printed

Commission Expires: 6-18-93

WP008/121090.001

*Wick* Mrs. Susan C. Wickliff  
3448 Billz St,  
Houston, Tx 77004

3405 Binz

105-57-3581

APPROVED:

NAME	ADDRESS
Gertie Mae Leonard Gertie Mae Leonard	3420 Binz St. Ho. 100
William S. Middleton Anna T. Middleton	3427 Binz St. Ho Tcr/fl
Anna R. Middleton	3427 Binz St 7704 100
Mary L. Williams	3419 Binz 100
Marion Gache, J. Gache Mary H. Williams	3419 Binz St. 200
Dr. Faith Stone	3453 Binz Street 200
Curley Williams	3453 Binz St. 100
Dr. John Stone	3410 Binz Dt. 100
Mrs. Gertrude Jane Stone	3419 Binz St. 100
Helen M. Abernathy	3402 Binz St. 100
Vera L. Perkins Sharkey	3402 Binz St. 100
Marie McCleary	3411 Binz 100
Mozelle Kiddle	3411 Binz St. 100
L. W. Garrett	3441 Binz 100
Gwendolyn C. Garrett	3441 Binz St. 100
Dr. Poindexter	3433 Binz 100
Ruby Poindexter	3442 Binz 100
Melba Baker	3442 Binz St. 100
Dr. Shelby Baker Jr.	3454 Binz 100
Green Miller, Jr.	3434 Binz Binz St. 100
R. L. Bacon M. D.	3422 Binz 100
Bernice Bacon	3422 Binz St. 100
A. Martin Wicklett, Jr.	3422 Binz 100
Willie Williams	3422 Binz St. 100
	3420 Binz 100
	3425 Binz St. 100



105-57-3583

NAME

ADDRESS

Edward C. Eugere P.O.  
Edward J. Eugere  
Yolander Eugere P.O.  
Yolander Eugere

3306 Calumet St. 10r  
3306 Calumet St.  
3306 Calumet St. 10r  
3306 Calumet St.

Joe Williams P.O.  
Joe Williams  
Claretha B. Williams P.O.  
Claretha B. Williams

3310 Calumet 10r  
3310 Calumet St.  
3310 Calumet 10r  
3310 Calumet St.

John A. Harris P.O.  
John A. Harris  
Marie Harris P.O.  
Marie Harris

3322 Calumet 10r  
3322 Calumet St.  
3322 Calumet 10r  
3322 Calumet St.

Betty E. Williams  
Betty E. Williams

3314 Calumet 10r  
3314 Calumet St.

K.P. Bryant P.O.  
K.P. Bryant  
Tommie L. Bryant P.O.  
Tommie L. Bryant

3302 Calumet pr  
3302 Calumet St.  
3302 Calumet pr  
3302 Calumet St.

Doris C. Peavy  
Doris C. Peavy  
Freddie H. Peavy  
Freddie H. Peavy  
Beulah B. Hayward  
Beulah B. Hayward

3318 Calumet 10r  
3318 Calumet St.  
3318 Calumet 10r  
3318 Calumet St.  
3328 Calumet 10r  
3328 Calumet St.





105-57-3585

APPROVED:

NAME

ADDRESS

Winstan Bradshaw  
Winstan Bradshaw  
Catherine Bradshaw  
Catherine Bradshaw  
John T. Biggers  
John Biggers  
Hazel Biggers  
Hazel Biggers  
Patsy Rhinehart

3337 PROSPECT 102  
3337 Prospect St.  
3337 PROSPECT 102  
3337 Prospect St.  
3338 PROSPECT 102  
3338 Prospect St.  
3338 PROSPECT 102  
3338 Prospect St.  
3328 PROSPECT 102  
3328 Prospect St.

Mrs. Elsie M. Wyse  
Mrs. Elsie M. Wyse  
Catherine Perkins  
Catherine Perkins  
Mella W. Harton  
Mella W. Harton  
Willa H. Norton  
Willa H. Norton  
Mabel Smith Lott  
Mabel Smith Lott  
Luise Havies  
Luise Havies  
Merey Havies  
Merey Havies  
Yvonne I. Gentry  
Yvonne I. Gentry  
VACANT  
Vacant

3322 Prospect 102  
3322 Prospect St.  
3318 PROSPECT 102  
3318 Prospect St.  
3314 PROSPECT AVE 102  
3314 Prospect St.  
3310 PROSPECT AVE 102  
3310 Prospect St.  
3306 PROSPECT 102  
3306 Prospect St.  
3306 PROSPECT 102  
3306 Prospect St.  
3302 PROSPECT 102  
3302 Prospect St.  
3332 PROSPECT  
3332 Prospect St.





APPROVED:

105-57-3588

NAME

ADDRESS

Sylvia F. Harrison

Sylvia F. Harrison

3406 Prospect - 102

3406 Prospect St.

Ellen R. Holliday

Ellen R. Holliday

3410 Prospect St.

3410 Prospect St.

Velma Allen

Velma Allen

3415 Prospect St.

3415 Prospect St.

John Patton

John Patton

3425 Prospect - 102

3425 Prospect St.

James Patton

James Patton

3425 Prospect - 102

3425 Prospect St.

Denmond P. Hill, Jr.

Denmond Hill, Jr.

3435 Prospect - 102

3435 Prospect St.

Bishop G. Davis

Bishop G. Davis

3437 Prospect - 102

3437 Prospect St.

Ruth L. Davis

Ruth L. Davis

3437 Prospect - 102

3437 Prospect St.

Tezuka

Tezuka

3401 Prospect - 102

3401 Prospect St.

Beard

Beard

3401 Prospect - 102

3401 Prospect St.

Daisy L. McCoy

Daisy L. McCoy

3407 Burkett - 102

3407 Burkett St.

Marie Adams

Marie Adams

3403 Burkett - 102

3403 Burkett St.

Rodney Ellis

Rodney Ellis

5315 Burkett - 102

5315 Burkett St.

105-57-3589

NAME

Albert D. Stephens  
Albert D. Stephens  
Novella J. Stephens  
Novella J. Stephens

ADDRESS

3405 N. MacGregor 101  
3405 N. MacGregor Way, 109  
3405 N. MacGregor Way 102  
3405 N. MacGregor Way

105-57-3590

NAME

ADDRESS

*Ava Plummer*  
Ava Plummer  
*James Plummer*  
James Plummer  
*Blanche Hollins*  
Blanche Hollins

*3423 N. MacGregor Way 101*  
3423 N. MacGregor Way  
*3423 N. MacGregor Way 101*  
3423 N. MacGregor Way  
*3303 N. MacGregor Way 101*  
3303 N. MacGregor Way

APPROVED:

105-57-3591

NAME	ADDRESS
<i>Major Love</i>	3453 N. MacGregor Way 102
<i>Clarence Lowe</i>	3453 N. MacGregor Way 102
<i>Dorlean L. D. Doughty</i>	3453 N. MacGregor Way 102
<i>Nellie M. Washington</i>	3415 N. MacGregor Way 102
<i>Cecil M. Washington</i>	3415 N. MacGregor Way 102
<i>Margie Dixon</i>	3409 N. MacGregor Way 102
<i>Edward Dixon</i>	3409 N. MacGregor Way 102
<i>Mr. B. Harris</i>	3445 N. MacGregor Way 102
<i>Offie R. Harris</i>	3445 N. MacGregor Way 102
<i>Thelma E. Harris</i>	3445 N. MacGregor Way 102
<i>Percy Ladet</i>	3461 N. MacGregor Way 102
<i>Borne Ladet</i>	3461 N. MacGregor Way 102
<i>Borne Ladet</i>	3461 N. MacGregor Way 102
<i>Mercedes R. Terry</i>	3429 N. MacGregor Way 102
<i>Dr. Stone Griner</i>	3401 N. MacGregor Way 102
<i>Dr. R. Griner</i>	3401 N. MacGregor Way 102

*Husband received*

FILED  
 92 JUL 21 PM 12:12  
 COUNTY CLERK  
 HARRIS COUNTY, TEXAS

RECORDER'S MEMORANDUM:  
 At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.



105-57-3592

ANY PROVISION HEREIN WHICH DEPENDS ON THE SALE, RENTAL, OR USE OF THE FOREGOING REAL  
PROPERTY BECAUSE OF COLOR OF 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 on

JUL 24 1992



*Quita Beckman*  
COUNTY CLERK,  
HARRIS COUNTY, TEXAS