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THE STATE OF TEXAS
COUNTY OF HARRIS

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Vest & Starkey Construction Company, Inc., hereinafter called "Owners", are the owners of certain lots hereinafter described located in and a part of WESTBURY, SECTION ONE (1), HARRIS COUNTY, TEXAS, a plat of which said subdivision has been duly filed for record under File No. 1376401 of the Plat Records of Harris County, Texas; and,

WHEREAS, the lots aforementioned are subject to certain restrictions imposed thereon by Owners' predecessor in title, as reflected by instrument executed by Chimney Rock Co., dated January 20, 1955, recorded in the Records of the County Clerk of Harris County, Texas, under File No. 1379650; and,

WHEREAS, it is deemed to be to the best interests of Owners and of all persons who may purchase any one or more of the lots hereinafter described that additional restrictions as to such lots be established and maintained as a uniform plan for the improvement and development of the lots hereinafter described:

NOW, THEREFORE, we, VEST & STARKEY CONSTRUCTION COMPANY, INC., being the owners of all of said lots, acting herein by and through its officers duly authorized so to act by its Board of Directors, do hereby ADOPT the following COVENANTS and RESTRICTIONS as to the lots hereinafter mentioned, which shall be taken and deemed as covenants to run with the land, and shall be binding on Owners and all persons acquiring title under Owners until JANUARY 20, 1980, at which time said additional COVENANTS, CONDITIONS and RESTRICTIONS shall be automatically extended for successive periods of ten (10) years each unless and until by duly recorded instrument signed by a majority of the then owners of each, every and all of the lots affected by this instrument, it is agreed to change such covenants, conditions and restrictions in whole or in part.

If Owners, or anyone holding under Owners, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any of the lots hereinafter described to prosecute any proceedings at law or in equity against any person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation.

Invalidation of any of the covenants hereof by judgment or court order shall in no wise affect any of the other provisions hereof, which shall remain

FROM THE LAW OFFICES OF
HIRSCH AND WESTHEIMER
1802 B FIELD SPRING BLVD.
HOUSTON 2, TEXAS

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

A CERTIFIED COPY

ATTEST: AUG 27 1998
BEVERLY B. KAUFMAN, County Clerk
Harris County, Texas

Sally S. Zuniga Deputy
SALLY S. ZUNIGA

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in full force and effect.

Pursuant to the above, the ADDITIONAL RESTRICTIONS herein imposed upon the lots hereinafter described are as follows:

(a) No residential structure shall be placed on any of the hereinafter enumerated lots unless, if the building is a one-story structure, its living area has a minimum of 1,600 square feet of floor area exclusive of porches and garage:

Lot 1, Block 5.
Lots 1 through 12, inclusive, and Lots 14, 16 and 17, Block 6.
Lots 1 through 14, inclusive, Block 13.

(b) No residential structure shall be placed on any of the hereinafter enumerated lots unless, if the building is a one-story structure, its living area has a minimum of 1,400 square feet of floor area exclusive of porches and garage:

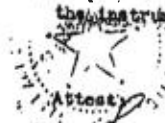
Lots 10 through 19, inclusive, Block 5.
Lots 20 through 24, inclusive, Lots 26 through 28, inclusive, and Lots 30 through 37, inclusive, Block 6.
Lots 1, 16, 17, 25 through 32, inclusive, and Lot 35, Block 7.
Lots 1, and 4 through 14, inclusive, Block 8.
Lots 1 through 3, inclusive, and Lots 6 through 22, inclusive, Block 9.
Lots 1 through 7, inclusive, and Lots 9 through 21, inclusive, Block 10.
Lots 1 through 11, inclusive, Block 11.
Lots 1 through 12, inclusive, Block 12.
Lots 15 and 16, in Block 13.

(c) No residential structure shall be placed on any of the hereinafter enumerated lots unless, if the building is a one-story structure, its living area has a minimum of 1,250 square feet of floor area exclusive of porches and garage:

Lots 23, 24 and Lots 26 through 32, inclusive, in Block 5.

(d) No residential structure shall be placed on any of the lots enumerated in Subdivisions (a), (b) and (c) above unless, if the building is a one- and one-half or two story structure, its ground floor living area has a minimum of 1,000 square feet exclusive of porches and garage; and no residential structure shall be placed on any of said lots unless not less than fifty-one (51%) per cent of the area of the exterior of such building (exclusive of roof, window and door openings) shall be finished with brick, masonry, Austin stone or comparable material.

The covenants of restriction, as to the lots hereinabove described, shall be cumulative of and in addition to those imposed by Chimney Rock Co. by the instrument of January 20, 1955 aforementioned.



EXECUTED this 14th day of February, 1956.

Attest: George Starkey
Secretary

VEST & STARKEY CONSTRUCTION COMPANY, INC.
By R. R. Vest
President

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared R. R. Vest, -- PRESIDENT of VEST & STARKEY CONSTRUCTION COMPANY, INC., a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the

purpose and consideration therein expressed, in the capacity therein stated, and as the act and deed of said Vest & Starkey Construction Company, Inc.



GIVEN UNDER MY HAND AND SEAL OF OFFICE this 14th day of February,

Benita Drapp Padon
Notary Public in and for Harris County,
Texas
(BENITA DRAPP PADON)

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

A CERTIFIED COPY

ATTEST: AUG 27 1998
BEVERLY B. KAUFMAN, County Clerk
Harris County, Texas

Sally S. Zuniga
SALLY S. ZUNIGA Deputy

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Filed for Record

Feb. 16, 1956

at 9:26 o'clock A.M.

251

Recorded

Feb. 24, 1956

at 1:57 o'clock P.M.

W. D. MILLER, Clerk County Court Harris County, Texas

By *Rubén D. Zuniga* Deputy

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AUG 27 1998

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Deputy

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