

RESTRICTIONS

APPLICABLE TO SOUTHGATE ADDITION, SECTION 2, (Single Tier of Lots Fronting on the South Side of Southgate Boulevard from Travis Street to Greenbriar)

Recorded October 10, 1941, Volume 1196, Page 214, of the Deed Records of Harris County, Texas, being Resolution University Place Realty Co., to the Public. These restrictions were renewed and extended until January 1, 2010, with automatic ten year extensions thereafter, pursuant to a Restrictions Agreement, a copy of which may be found attached to a Notice filed for record in the office of the County Clerk of Harris County, Texas, under said clerk's file sequence number J676718 and recorded in the Official Public Records of Real Property of Harris County, Texas, under said clerk's film code reference number 093-83-1909, *et. seq.*

1. The property herein conveyed shall be used for residence purposes only.

2. Only one residence, except servants' house hereinafter mentioned shall be situated on any building site herein conveyed, and said residence shall be of the single family type, except the three (3) sites herein specifically mentioned. At least 51% of the main exterior walls of the residence shall be of brick, stone, stucco or fire proof masonry. The exterior walls of the garage and servants' house, however, may be of frame. No residence and appurtenances thereto shall cost less than the sum of \$5,000.00, and the plans for same shall be approved by an officer of the University Place Realty Company, or some other duly authorized agent of the University Place Realty Company. The ground floor area of the main

structure, exclusive of one-story open porches and garages shall be not less than 1,100 square feet, in the case of a one-story structure, nor less than 750 square feet ground area in the case of a one and one-half or two story structure.

3. Lots 16, 17, 18, Block 23, in Southgate Addition, Section 2, may be used for the purpose of the erection thereon of apartments or duplexes. It is specifically understood and agreed that the purchaser of a site on which a duplex or apartment may be constructed must secure the written approval of an officer of said University Place Realty Company, or some other duly authorized agent of University Place Realty Company, of the plans and method of construction of said duplex or apartment before construction of same is started, and the main building shall cost not less than \$6,500.00.

4. No garage or servants' house situated on the property herein conveyed, shall ever be occupied as a residence except by domestic servants, and then only after the erection of the main building.

5. The property herein conveyed is subject to easements granted to the City of Houston, for the construction and maintenance thereon of sewer, gas, telephone, electric light lines and any other public utilities, all as shown by recorded instruments.

6. No wall of any building erected on the property herein conveyed shall extend beyond the building lines shown on the recorded plat of Southgate, Second Section. No main dwelling house shall be erected closer than 5 feet to the side property line, provided, however, that open porches may extend beyond said building lines not to exceed eight (8) feet on the front and in the case of corner lots not to exceed five (5) feet on the side.

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8. University Place Realty Company, its successors or any other person owning property in Southgate shall be entitled to the issuance of injunction to restrain the breach of, and to enforce the observance of, the restrictions herein set forth, in addition to action for damages and their failure to enforce any of such restrictions, or to enjoin the breach thereof, shall in no event operate as a waiver of the right to do so during the continuance of such breach or upon the occurrence of any other breach.

9. Southgate Addition, Section 2, consists only of Lots 1 to 18, Block 23, Lots 1 to 15, Block 24, Lots 1 to 15, Block 25, and the restrictions herein set out apply to no other property.

10. All of the restrictions hereinbefore named shall expire January 1, 1960, unless six (6) months prior to that date of at least seventy-five (75%) per cent of the then bona fide property owners of Southgate shall have executed an agreement and filed same for record in the office of the then recording clerk for such instruments in Harris County, extending the same for the expiration of said restrictions. That the deed to the future purchasers of said lots bought after the execution and recording of this instrument shall contain the following provisions:

(a) As a part of the consideration paid for the land herein described, the Grantee herein purchases and accepts the same subject to the covenants herein contained running with the land, and to which Grantee agrees and the Grantee, his heirs, assigns, executors and administrators, shall be bound.

(b) To all of which covenants and restrictions running with the land, the Grantee agrees to be bound for himself, his heirs, executors, and administrators forever.

*This restriction is void and unenforceable. Sec. 5.026, Texas Property Code.