

THE STATE OF TEXAS
COUNTY OF HARRIS

1776100

WHEREAS, Aldis Co., hereinafter referred to and identified as "Owner", is the owner of various lots, hereinafter described, a part of land which has been subdivided as "A Replat of Blocks 61, 62, 63, 64, 65 and Reserves F., L., N., K., and Partial Replat of Block 76, Section 3, Westbury", which said replat of said subdivision has been filed for record under File No. 1526257, Plat Records of Harris County, Texas; and,

WHEREAS, it is deemed to be to the best interests of the above described Owner and of the persons who may purchase any of the lots hereinafter mentioned that there be established and maintained a restriction, as to said lots, over, above and in addition to the restrictions as to the entirety of said subdivision evidenced by instrument dated July 17, 1956, recorded in Volume 3191, Page 309, of the Deed Records of Harris County, Texas:

NOW, THEREFORE, we, the OWNER, aforesaid, do hereby adopt the following covenant and restriction as to Lots Seventeen (17) through Thirty-two (32), inclusive, Block Sixty (60), Lots One (1) through Twelve (12), inclusive, Block Sixty-one (61) and Lots One (1) and Two (2), Block Sixty-four (64), of WESTBURY, SECTION 3, as per the plat above described, (which restriction shall be cumulative of and in addition to those certain restrictions evidenced by the instrument dated July 17, 1956, recorded as above indicated) and which shall be taken and deemed as a covenant to run with the land and shall be binding on Owner and all persons acquiring title under it to all or any of the lots specifically described above until July 17, 1981, at which time said covenant, condition and restriction 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 property owners in the addition of which such lots are a part it is agreed to change said covenant, condition and restriction, in whole or in part.

If Owner, or any of its successors or assigns, shall violate or attempt to violate the covenant hereinafter stated, it shall be lawful

FROM THE LAW OFFICE OF
HIRSCH AND WESTHEIMER
1902-B NILES ASPENSON BLDG.
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

DEED RECORDS
VOL. 3291 PAGE 395

for any other person or persons owning any of the real property situated in the above referred to subdivision to prosecute any proceedings at law or in equity against any person or persons violating or attempting to violate such covenant and either to prevent him, it or them from so doing or to recover damages or other dues for such violation.

The covenant and restriction herewith adopted is as follows:

- (a) No residential structure shall be placed on any of the lots hereinabove specifically described unless, if the building is a one-story structure, its living area has a minimum of two thousand (2,000) square feet of floor area, exclusive of porches and garages.
- (b) The restriction described in (a) above as to the lots hereinafter specifically described to which the same are made applicable hereunder shall be cumulative of, and not in lieu of, those contained in restrictions executed by the then property owners of said Section 3, Westbury under date of July 17, 1956, recorded in Volume 3191, at Page 309 of the Deed Records of Harris County, Texas.

EXECUTED this 1st day of February, 1957.

ATTEST:
Katherine Dunham
Secretary

ALDIS CO.
By *I. Mark Westheimer*
Vice-President

THE STATE OF TEXAS |
COUNTY OF HARRIS |

BEFORE ME, the undersigned authority, on this day personally appeared I. MARK WESTHEIMER, Vice-President of ALDIS CO., known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said ALDIS CO., a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 1st day of February, 1957.

Berita de Lapp Faden
Notary Public in and for
Harris County, T e x a s
(BERITA DeLapp FADEN)

FROM THE LAW OFFICES OF
HIRSCH AND WESTHEIMER
1902 N. HILL ESPERON BLDG.
HOUSTON 2, TEXAS

Filed for Record Feb 14 1957 at 1:30 o'clock PM
Recorded March 14 1957 at 2:30 o'clock PM
W. D. MILLER, Clerk County Court, Harris County, Texas
W. D. Miller Deputy

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