

445

THE STATE OF TEXAS }
COUNTY OF HARRIS }

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KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Vest and Starkey Construction Company, Inc., a Texas corporation, acting herein by and through its duly authorized officers, hereinafter called "Owner", is the owner 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 recorded in Volume 47, Page 73 of the Map Records of Harris County, Texas; and,

WHEREAS, the lots aforementioned are subject to certain restrictions imposed thereon by Owner's predecessor in title, as reflected by instrument executed by Chimney Rock Co., dated January 20th, 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 Owner 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, Vest and Starkey Construction Company, Inc., being the Owner of all of the lots hereinafter described, does 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 Owner and all persons acquiring title under Owner 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 Owner, or anyone holding under Owner, 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

AND I, COUNTY CLERK OF HARRIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT FILED IN MY OFFICE ON AUGUST 27, 1998.

A CLERK OF COURSE

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

Lucinda McElroy Deputy
COUNTY CLERK

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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 violating.

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 in full force and effect.

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

No residential structure shall be placed on any of the hereinafter enumerated lots unless, if the building is a one-store structure, its living area has a minimum of 1,500 square feet of ground floor area exclusive of porches and no residential structure shall be placed on any of said lots unless not less than fifty-one per cent (51%) 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:

- Lots 25, 26, 27, 28, in Block 13;
 - Lots 17 through 33 inclusive in Block 16;
 - Lots 1 through 11 inclusive in Block 18;
 - Lots 1, 23, 24, 25, 26, 27, 28 and 29 in Block 19;
 - Lots 2 through 17 inclusive in Block 19;
 - Lots 53 through 75 inclusive in Block 5;
 - Lots 12 through 26 in Block 18;
 - Lots 1 through 12 inclusive in Block 20;
 - Lots 29 and 30 in Block 13;
 - Lots 9 through 26 inclusive in Block 17;
- said lots being located in WESTBURY SECTION ONE (1), a Subdivision of a 191.716 acre tract of land out of the W. N. Bronaugh Survey, in Harris County, Texas, as per the plat thereof recorded in the Records of the County Clerk of Harris County, Texas, under File No. 1376401.

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 the 1st day of July, 1957.



George Starkey
Secretary

VEST AND STARKEY CONSTRUCTION COMPANY, INC.

By: *R. P. Det.*
President

ANY PROVISIONS HEREIN WHICH RESTRICT THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BY REASON OF COLOR OR RACE SHALL BE HELD UNLAWFUL AND VOID TO THE EXTENT OF SUCH RESTRICTIONS.

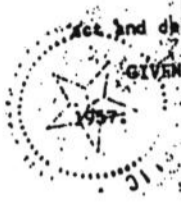
A CERTIFIED TRUE AND CORRECT COPY OF THE ORIGINAL RECORDS OF THIS INSTRUMENT IS HEREBY ATTESTED
AUG 27 1998
BEVERLY J. KAUFMAN, County Clerk
Harris County, Texas

Susan L. McLean
SUSAN L. McLEAN

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THE STATE OF TEXAS |
COUNTY OF HARRIS |

BEFORE ME, the undersigned authority on this day personally appeared
R. R. VEST, President of Vest and Starkey Construction Company, Inc., 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 purposes and
considerations therein expressed, in the capacity therein stated and as the
Act. and date of said corporation.



GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 21st day of July,

Ecceline C. Summer
Notary Public in and for Harris
County, T E X A S

Filed for Record Oct 7 1957 at 3:50 o'clock P.M.
Recorded Oct 23 1957 at 8:44 o'clock A.M.
W. D. MILLER, Clerk County Court Harris County, Texas
W. D. Miller Deputy

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
AUG 27 1998

ATTEST:
BEVERLY B. KAUFMAN, County Clerk
Harris County, Texas

Susan L. McPherson Deputy
SUSAN L. McPHERSON

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