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RP-2018-425143  
09/17/2018 SP1 \$56.00

Notice of Formation of Petition Committee  
Braes Heights Addition of the City Houston, Section Eleven (11)  
Pursuant to Section 201.005 of the Texas Property Code

This Notice of Formation of a Petition Committee of the Braes Heights Addition, Section Eleven (11) is hereby being filed with the Clerk of the Harris County Public Records pursuant to and in accordance with Section 201.005(a) of the Texas Property Code.

RP-2019-264464  
06/21/2019 RP1 \$144.00

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1. This Notice of Formation of a Petition Committee of the Braes Heights Addition, Section Eleven (11) and the creation of the Petition Committee is being and was formed for the purpose of changing, modifying and amending Section Two (2) under the Section titled "Reservations" and Sections Twenty-Three (23) and Twenty-Four (24) of the "General Restrictions", with said Reservations and General Restrictions being described as follows:

On August 14, 1945 the Braes Development Company executed and filed of record that one certain instrument under Volume 1400, Page 415, et. seq., of the Deed Records of Harris County, Texas, with said Restrictions setting forth reservations, restrictions and covenants of Section One (1) of the Braes Heights Addition. The foregoing instrument was later supplemented by that one certain instrument styled as the Reservations, Restrictions and Covenants filed of Record under Volume 2464, Page 451 of the Deed Records of Harris County, Texas, (the "Restrictions"), that imposed certain restrictions on the lots comprising of the Braes Heights Addition, Section 11, an addition to the City of Houston, Harris County, under Volume 39, Page 28, in the Map Records of Harris County, Texas; and being renewed and extended by and through Renewals and Extensions of Restrictions; being filed on November 17, 1994 under County Clerk's File Number R153460 in the Official Public Records of Real Property of Harris County, Texas; and the Renewal and Extension of Restrictions filed on November 12, 2004 under County Clerk's File Number Y058066 in the Official Public Records of Real Property of the Harris County, Texas; and the Renewal and Extension of Restrictions filed on June 23, 2014 under County Clerk's File Number 2014-0270292 in the Official Public Records of Real Property of Harris County, Texas. Certified Copies of the Restrictions are attached hereto as Exhibit "A" and made a part hereof for all purposes.

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2. As provided for in the attached certified copies of the Restrictions the current reading of Section Two (2) under the Section Titled "Reservations", and Sections Twenty-Three (23) and Twenty-Four (24) of the "General Restrictions" that are the subject of this Notice of Formation and the Petition by the Petition Committee of the Braes Heights Addition, Section Eleven (11) read in their entirety as follows:



A. Section Two (2) of the therein referenced Reservations of Volume 2464, Page 451 reads as follows:

"(2) H.R. Houck and Hill P. White, Agent and Attorney-in-fact for Perrin W. White reserves the right to make minor changes in and additions to the above easements for the purpose of most efficiently and economically installing the improvements.

#### RESTRICTIONS AS TO PARTICULAR BLOCKS AND LOTS

"All lots in South Half of Block 36, All Lots in Blocks 37 and 38, and All Lots in North half of Block 39: -

No dwelling of which the ground floor area of the main structure, exclusive of one-story open porches and garages, or garage apartments, shall be not less than 1800 square feet in the case of one-story or one and one-half story structure, nor less than 1200 square feet in the case of a two or two and one-half story structure shall be permitted. For front building lines see General Restrictions and Plat of Braes Heights Addition, Section No. 11. Also, no part or any residence may be erected or maintained nearer than five (5) feet to any East inside property line, and ten (10) feet from any West inside property line and no garage, garage apartment or other outbuilding may be erected or maintained nearer than three (3) feet to any inside property line. All driveways shall be on West side of main building, except on corner lots driveways shall be on West side of main building or along the rear of the lot from the side street, three (3) feet from the easement."

B. Section Twenty-Three (23) of the General Restrictions currently reads as follows:

"(23) No part of any residence may be erected or maintained on any of those lots, which are hereby restricted, nearer to the front street, or the side street, than is the front building line, or the side building line shown on said Plat of Braes Heights Addition, on the lot or lots on which such residence - may be erected."

C. Section Twenty-Four (24) of the General Restrictions currently reads as follows:

"(24) No outbuilding, or part or parts thereof, may be erected or maintained on any of the lots, or parts or parts thereof, herein restricted, which is not wholly within thirty-five (35) feet of the rear line of said lot, or part or parts thereof, upon which it is erected, and in addition to the above, if erected on any corner lot, no part or parts of said outbuilding may be erected or maintained thereon nearer to any side street line of said property than twenty-five (25) feet except when built as an integral part of the main residence. The front line of a

garage or outbuilding attached to a residence shall not extend beyond the front line of the main residence."

3. A full reading and marked-up version of the proposed changes, modifications and amendments to the above Section Two (2) of the Reservations and Sections Twenty-Three (23) and Twenty-Four (24) of the General Restrictions proposed by the Petition Committee of the Braes Heights Addition, Section Eleven (11) are as follows, one that provides a marked-up version that shows the deleted language marked through and the added language shown in **bold underlined type** and the other that is a final and clean amended version:

A. Section Two (2) of the therein Resolutions of Volume 2464, Page 451 shall be amended as follows:

**Marked-Up Version:**

(2) H.R. Houck and Hill P. White, Agent and Attorney-in-fact for Perrin W. White reserves the right to make minor changes in and additions to the above easements for the purpose of most efficiently and economically installing the improvements.

RESTRICTIONS AS TO PARTICULAR BLOCKS AND LOTS

All lots in South Half of Block 36, All Lots in Blocks 37 and 38, and All Lots in North half of Block 39: -

No dwelling of which the ground floor area of the main structure, exclusive of one-story open porches and garages, or garage apartments, shall be not less than 1800 square feet in the case of one-story or one and one-half story structure, nor less than 1200 square feet in the case of a two or two and one-half story structure shall be permitted. For front building lines see General Restrictions and Plat of Braes Heights Addition, Section No. 11. Also, no part or any residence may be erected or maintained nearer than five (5) feet to any East inside property line, and ten (10) feet from any West inside property line and no garage, garage apartment or other outbuilding may be erected or maintained nearer than three (3) feet to any inside property line, **except a part of the residency may be constructed and maintained for up to five (5) feet over the front building line to allow for front ingress and egress into the residency.** All driveways shall be on West side of main building, except on corner lots driveways shall be on West side of main building or along the rear of the lot from the side street, three (3) feet from the easement.



**Amended Complete and Final Version without Mark Ups:**

(2) H.R. Houck and Hill P. White, Agent and Attorney-in-fact for Perrin W. White reserves the right to make minor changes in and additions to the above easements for the purpose of most efficiently and economically installing the improvements.

**RESTRICTIONS AS TO PARTICULAR BLOCKS AND LOTS**

All lots in South Half of Block 36, All Lots in Blocks 37 and 38, and All Lots in North half of Block 39: -

No dwelling of which the ground floor area of the main structure, exclusive of one-story open porches and garages, or garage apartments, shall be not less than 1800 square feet in the case of one-story or one and one-half story structure, nor less than 1200 square feet in the case of a two or two and one-half story structure shall be permitted. For front building lines see General Restrictions and Plat of Braes Heights Addition, Section No. 11. Also, no part or any residence may be erected or maintained nearer than five (5) feet to any East inside property line, and ten (10) feet from any West inside property line and no garage, garage apartment or other outbuilding may be erected or maintained nearer than three (3) feet to any inside property line, except a part of the residency may be constructed and maintained for up to five (5) feet over the front building line to allow for front ingress and egress into the residency. All driveways shall be on West side of main building, except on corner lots driveways shall be on West side of main building or along the rear of the lot from the side street, three (3) feet from the easement.

B. Section Twenty-Three (23) of the General Restrictions shall be amended as follows:

**Marked-Up Version:**

(23) No part of any residence may be erected or maintained on any of those lots, which are hereby restricted, nearer to the front street, or the side street, than is the front building line, or the side building line shown on said Plat of Braes Heights Addition, ~~on the lot or lots on which such residence may be erected,~~ **except a part of the residency may be constructed and maintained for up to five (5) feet over the front building line to allow for front ingress and egress into the residency**".

**Amended Complete and Final Version without Mark Ups:**

(23) No part of any residence may be erected or maintained on any of those lots, which are hereby restricted, nearer to the front street, or the side street, than is the front building line, or the side building line shown on said Plat of Braes Heights Addition, except a part of the residency may be constructed and maintained for up to five (5) feet over the front building line to allow for front ingress and egress into the residency”.

C. Section Twenty-Four (24) of the General Restrictions shall be amended as follows:

**Marked-Up Version:**

“(24) No outbuilding, or part or parts thereof, may be erected or maintained on any of the lots, or parts or parts thereof, herein restricted, which is not wholly within thirty-five (35) feet of the rear line of said lot, or part or parts thereof, upon which it is erected, and in addition to the above, if erected on any corner lot, no part or parts of said outbuilding may be erected or maintained thereon nearer to any side street line of said property than twenty-five (25) feet except when built as an integral part of the main residence. The front line of a garage or outbuilding attached to a residence shall not extend beyond the front line of the main residence, **except that the front line of a garage, structure or outbuilding attached to a residence may extend beyond the front line of the main residence by up to five (5) feet for the purpose of ingress and egress.**”

**Amended Complete and Final Version without Mark Ups:**

“(24) No outbuilding, or part or parts thereof, may be erected or maintained on any of the lots, or parts or parts thereof, herein restricted, which is not wholly within thirty-five (35) feet of the rear line of said lot, or part or parts thereof, upon which it is erected, and in addition to the above, if erected on any corner lot, no part or parts of said outbuilding may be erected or maintained thereon nearer to any side street line of said property than twenty-five (25) feet except when built as an integral part of the main residence. The front line of a garage or outbuilding attached to a residence shall not extend beyond the front line of the main residence, except that the front line of a garage, structure or outbuilding attached to a residence may extend beyond the front line of the main residence by up to five (5) feet for the purpose of ingress and egress.”

4. The name and residential address of each member of the Petition Committee, who are residents of Section Eleven (11) of the Braes Heights Addition and executing parties hereof, are listed as follows:

A. Mr. Scott Singleton & Mrs. Eileen Singleton



3607 Durness Way  
Houston, Texas 77025-2517  
Lot Nine (9), Block Thirty-Nine (39)  
*Braes Heights Section Eleven (11)*

B. Mr. James Baker & Mrs. Sarah C. Baker  
3611 Grennoch Lane  
Houston, Texas 77025-1935  
Lots Seven & Eight (8), Block Thirty-Eight (38)  
*Braes Heights Section Eleven (11)*

C. Mr. James Ortiz & Mrs. Margarita Ortiz  
3606 Durness Way  
Houston, Texas 77025-2518  
Lot Twelve (12), Block Thirty-Eight (38)  
*Braes Heights Section Eleven (11)*

5. Braes Heights Addition, Section Eleven (11) is the name of the subdivision to which the above described Restrictions apply as per the plat filed for record in the Office of the Clerk of Harris County, Texas, under Volume 39, Page 28 in the Map Records of Harris County, (the "Subdivision").

6. A copy of the proposed Petition that will be submitted by and on behalf of the Petition Committee to all property owners of all the lots and/or property located in the Braes Heights Addition, Section Eleven (11) is attached hereto as "Exhibit B" and made apart hereof for all purposes. Said Petition will be provided for review and approval of all owners who own in the aggregate no less than Seventy-Five (75%) of the total number of lots in the Subdivision, as so required and in accordance with Section 201.006 of the Texas Property Code.

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THE SIGNATURES AND ACKNOWLEDGEMENTS  
OF  
THE PETITION COMMITTEE OF THE BRAES HEIGHTS ADDITION, SECTION  
ELEVEN (11)

INDIVIDUAL AND SEPARATE PAGES TO FOLLOW

Signature Page of Mr. Scott Singleton & Mrs. Eileen Singleton:

  
SCOTT SINGLETON

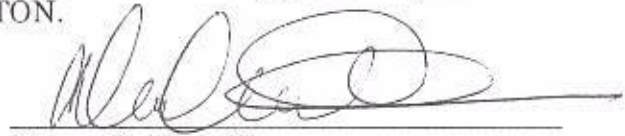
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ACKNOWLEDGEMENT

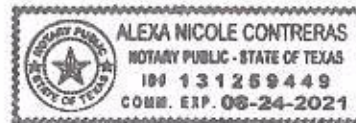
THE STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on the 28<sup>TH</sup> day of July, 2018 by SCOTT SINGLETON.

  
Notary Public of the  
State of TEXAS

  
EILEEN SINGLETON



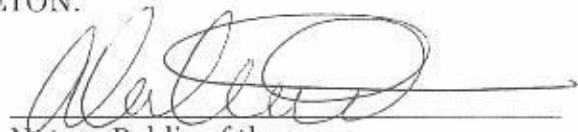
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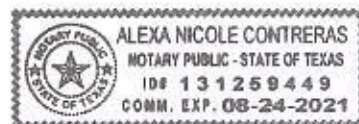
ACKNOWLEDGEMENT

THE STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on the 28<sup>TH</sup> day of July, 2018 by EILEEN SINGLETON.

  
Notary Public of the  
State of TEXAS

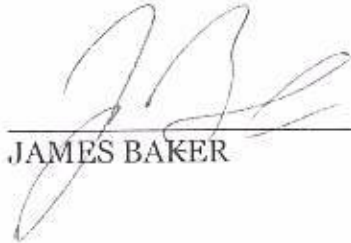


Notice of Formation of Petition Committee  
Braes Heights Addition, Section Eleven (11)  
Section 201 of Texas Property Code / Amending Restrictions

Page 7

ARKITEKTURA  
705 HARBORSIDE WAY  
KEMAH, TX  
77565

Signature Page of Mr. James Baker & Mrs. Sarah C. Baker:

  
JAMES BAKER


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ACKNOWLEDGEMENT

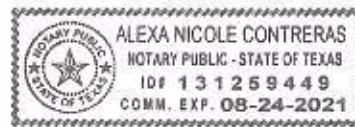
THE STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on the 30<sup>th</sup> day of August, 2018 by JAMES BAKER.

  
Notary Public of the  
State of TEXAS

  
SARAH C. BAKER




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we

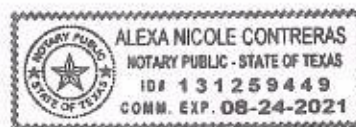
ACKNOWLEDGEMENT

THE STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on the 30<sup>TH</sup> day of August, 2018 by SARAH C. BAKER.

  
Notary Public of the  
State of TEXAS





Signature Page of Mr. <sup>Jio.</sup> ~~James~~ <sup>JAIME</sup> Ortiz & Mrs. Margarita <sup>J.G.</sup> ~~Ortiz~~

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JAMES ORTIZ  
JAIME


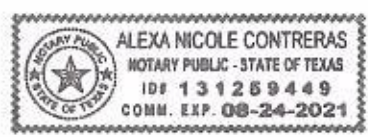


ACKNOWLEDGEMENT

THE STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on the 30<sup>th</sup> day of August, 2018, by ~~JAMES~~ <sup>JAIME</sup> ORTIZ. <sup>J.G.</sup>

  
Notary Public of the  
State of TEXAS  
MARGARITA ORTIZ <sup>J.G.</sup>

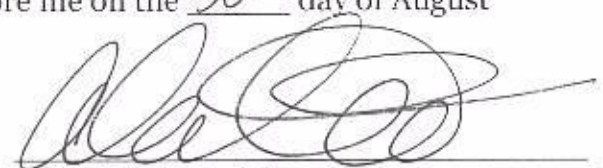
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ACKNOWLEDGEMENT

THE STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on the 30<sup>th</sup> day of August, 2018, by MARGARITA ~~ORTIZ~~ <sup>MARGARITA</sup> ORTIZ.

  
Notary Public of the  
State of TEXAS