

CERTIFICATE OF CORPORATE RESOLUTION OF NOTTINGHAM FOREST CIVIC ASSOCIATION, INC.

AMENDED AND RESTATED ARCHITECTURAL CONTROL COMMITTEE GUIDELINES

WHEREAS, the Board of Trustees (the "Board") of Nottingham Forest Civic Association, Inc., a Texas non-profit corporation (the "Association"), is the governing entity of the Nottingham Forest subdivision located in Harris County, Texas (the "Subdivision") as provided for in the Restated, Revised, and Amended Bylaws (the "Bylaws") adopted by the Association and as authorized by the Restated and Amended Covenants, Conditions and Restrictions for Nottingham Forest, Sections One (1) through Seven (7) recorded in the Office of the County Clerk of Harris County, Texas, under Clerk's File No. X771191 (as may be supplemented and amended from time to time, the "Declaration"); and

WHEREAS, Section 204.010(a)(18) of the Texas Property Code allows the board of directors of property owners' association to implement written architectural control guidelines and record the architectural control guidelines in the real property records of the county where the subdivision is located; and

WHEREAS, the Board finds it to be in the best interest of the Association to amend and restate the Association's Architectural Control Committee Guidelines for the Subdivision adopted on November 26, 2018, and recorded in the Office of the County Clerk of Harris County, Texas, under Clerk's File No. RP-2018-533160; and

WHEREAS, Article IV, Section 4.06 of the Bylaws provides that a majority of the number of trustees shall constitute a quorum for the transaction of business at a meeting of the Board; and

WHEREAS, Article IV, Section 4.07 of the Bylaws provides that the act of a majority of the trustees present at a meeting of the Board at which a quorum is present shall be the act of the Board; and

WHEREAS, the Board held a meeting on October 27, 2021 (the "Adoption Date"), at which a majority of the trustees were present and duly passed the resolution described hereinbelow.

NOW, THEREFORE, in furtherance of the duties as an officer of the Association, the undersigned, being the Treasurer of the Association, does hereby certify that at a duly constituted meeting of the Board held on the Adoption Date, at least a majority of the trustees were present and duly adopted the following resolution:

RESOLVED: That the Board, on behalf of the Association, adopts the Nottingham Forest Amended and Restated Architectural Control Committee Guidelines ("the ACC Guidelines") attached hereto and incorporated herein for all purposes, to be effective as of the date of recording of this document in the Real Property Records of Harris County, Texas. This version of the ACC Guidelines

supersedes and replaces any previously recorded ACC guidelines or amendments thereto and is the operative document.

EXECUTED on the date of the acknowledgment set forth hereinbelow.

NOTTINGHAM FOREST CIVIC ASSOCIATION, INC.,

a Texas non-profit corporation

By:

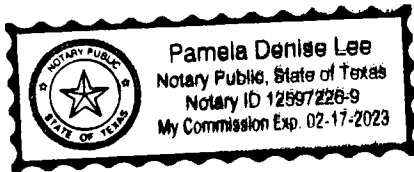
Jim Aycock, Treasurer

THE STATE OF TEXAS

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§
§

COUNTY OF HARRIS

This instrument was acknowledged before me on November 4, 2021, by Jim Aycock, Treasurer of Nottingham Forest Civic Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



Pamela Denise Lee
Notary Public, State of Texas

WHEN RECORDED, RETURN TO:

Hoover Slovacek, LLP
5051 Westheimer, Suite 1200
Houston, Texas 77056

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AMENDED AND RESTATED NOTTINGHAM FOREST ACC GUIDELINES

Item	Description of Restriction	Guideline
	<p>ARTICLE III - ARCHITECTURAL CONTROL COMMITTEE AND/OR BOARD APPROVAL</p>	
3.02	<p>No building, fence, wall, or other structure shall be commenced, erected, or maintained on any lot in the Subdivision nor shall any exterior addition to or change or alteration thereto be made or undertaken, including, without limitation, painting the exterior thereof or changing the roof and/or roofing materials, until one or more documents, specifications and/or drawings (the "Plans") adequately describing the change(s) and showing the nature, kind, shape, height, materials, color and location of the same shall have been submitted to and approved in writing by the ACC as to compliance with these Restrictions and as to harmony of design with other buildings and structures in the Subdivision. Notwithstanding the foregoing, emergency construction to repair sudden and catastrophic damage may be undertaken immediately, if necessary to avoid further damage or injury. Exterior maintenance and upkeep that does not change the appearance of buildings or structures does not need to be submitted to the ACC for approval. All new construction, renovations or additions must be consistent with similar architectural styles in the Subdivision as provided in Section 5.06.</p>	<p>All exterior improvements on all sides of a residence and property are subject to ACC review regardless if the replacements/renovation is similar in style to the original structure or property and regardless if not visible from the street.</p> <p>Homeowners must submit an application with specifications, photos, and/or architectural plans to the ACC for review and receive approval prior to commencing any exterior improvement.</p> <p>Refer to Section 5.06 for guidelines regarding new construction to be consistent with similar in architectural style and in harmony with the neighborhood.</p>
3.07	<p>The ACC may make reasonable inspections of any exterior construction during the course of the construction, but must coordinate any inspections with the Owner.</p>	<p>The ACC reserves the right to visit the site during construction to confirm compliance of all restrictions and ensure construction is equal to what has been previously approved. Any changes to the approved application must be resubmitted to the ACC for review.</p>
4.01	<p>[Abridged]</p> <p>Grass which is allowed to grow to a height in excess of six (6) inches and lawns which are not regularly edged and trimmed shall be deemed to constitute a violation of this section.</p>	<p>Grass must be natural, native turf grass and maintained alive. Large patches of dirt or dead grass will not be allowed. Preferred species are St. Augustine, Zoysia, or Bermuda. Use of artificial turf on front or side yards visible from the street is explicitly prohibited. Front yards must have at least 50% turf grass, and no full rock, gravel, or ornamental grass yards are allowed.</p>

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A.1. STRUCTURAL GUIDELINES – THE HOUSE	
<p>5.02</p>	<p>On lots smaller than fifteen thousand square feet (15,000 sq. ft.) in area, the house may not exceed thirty-six (36) feet in height measured from the unimproved average level of the surrounding finished grade of the lot to the highest point of the structure, excluding the chimney.</p>
	<p>On lots larger than fifteen thousand square feet (15,000 sq. ft.) in area, the house may not exceed thirty-eight (38) feet in height measured from the unimproved average level of the surrounding finished grade of the lot to the highest point of the structure, excluding the chimney.</p>

For homes that are pier and beam (also referred to as lifted, raise, or elevated), the ridge (peak) of the roof may not be higher than 38 feet from the ground (specifically the original grade). The location of the floor of the first floor is not relevant to this deed restriction. ACC requires submission of stamped survey with grade shots showing existing grade prior to construction, and the elevations on the floor plans clearly the height from existing grade to finish floor and to the ridge/highest peak of the roof. Total height must account for sloping lot conditions, and the average of the four corners of the footprint will determine the average foundation height assuming a minimum 12” form board. Building pads may not exceed 12” in height from original grade and pads are included in total height calculations.

All elevations must show a dimension line from original grade to the finished floor and to main ridge of the home. Total height on the architectural plan will be re-measured by the ACC for accuracy and compliance. For pier & beam homes, the ACC may request access to the site during construction (per Section 3.02) to verify the height of crawl space walls/piers and/or of the finished first floor to ensure compliance.

For homes that are pier and beam (also referred to as lifted, raise, or elevated), the ridge (peak) of the roof may not be higher than 38 feet from the ground (specifically the original grade). The location of the floor of the first floor is not relevant to this deed restriction. ACC requires submission of stamped survey with grade shots showing existing grade prior to construction, and the elevations on the floor plans clearly the height from existing grade to finish floor and to the ridge/highest peak of the roof. Total height must account for

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		<p>sloping lot conditions, and the average of the four corners of the footprint will determine the average foundation height assuming a minimum 12” form board. Building pads may not exceed 12” in height from original grade and pads are included in total height calculations.</p> <p>All elevations must show a dimension line from original grade to the finished floor and to main ridge of the home. Total height on the architectural plan will be re-measured by the ACC for accuracy and compliance. For pier & beam homes, the ACC may request access to the site during construction (per Section 3.02) to verify the height of crawl space walls/piers and/or of the finished first floor to ensure compliance.</p>
	<p>The pitch of a roof may not be less than four (4) feet vertical to twelve (12) feet horizontal.</p>	<p>In general, the minimum 4/12 roof pitch deed restriction requirement is applicable to the main roof of the home and the garage, not including small roof crickets or pitch transitions.</p> <p>All applications for additions, renovations, and new construction must provide an architectural drawing with elevations and a roof plan drawn to scale with each roof pitch clearly labeled.</p>
<p>5.03</p>	<p>“Two stories in height” is defined to mean that the livable space in the attic above the second floor may not exceed thirty-five percent (35%) of the main house’s second floor square footage.</p> <p>In calculating the 35%, the area above the garage or any porte-cochere shall not be included in the calculation of the second floor square footage. “Livable space” is defined as that area in the attic that can be enclosed by eight (8) foot walls.</p>	<p>The purpose of restriction 5.03 attic space calculation is to prevent homeowners from converting their attics into living areas thus adding third story living areas.</p> <p>The architectural plans must provide three (3) items:</p> <ol style="list-style-type: none"> 1) Two building sections drawing showing the height between second floor ceiling joists to an eight (8) foot attic ceiling line 2) An outline on the second floor plan showing where an eight (8) foot ceiling line would fall.

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		<p>3) Calculations showing the ratio of a potential area of second floor attic with eight (8) ceiling versus the second floor living area.</p>
<p>5.04</p>	<p>No windows in a two-story house’s attic space may face an adjoining side or back lot.</p>	<p>This restriction is applicable to two (2) story homes only. Windows into the attic (in dormers, reverse dormers, or in gables) are only permitted on the roof of the front elevation of a residential dwelling. Attic windows on side or rear elevations are not permitted.</p>
<p>5.05</p>	<p>The front and each side exterior wall of any residence shall consist of not less that 51% brick veneer, masonry and/or natural stone construction.</p> <p>For purposes of these Restrictions, stucco is “masonry” only when used in an addition consistent with the existing architecture of the residence. In no event, however, may the exterior of a residence consist of more than 49% stucco.</p>	<p><u>Each</u> elevation visible from the street (front, left, and right) must have at least 51% brick beginning at the finish floor elevation line of the first floor living area. If the garage is attached to the main house, then it is required to have 51% masonry. If the garage is fully detached or attached with a small breezeway only, then garage can have siding only.</p> <p>Qualifying masonry is considered to be brick or stone (full depth only, not thin cut or applied stone). Light to moderate masonry smearing on brick/stone is allowed, but heavy smearing (i.e. German smearing) that appears like stucco is not allowed.</p> <p>Skirting for elevated or pier & beam homes must be qualified masonry, with openings only for code required flood vents. Oversized flood vents or louvers not required by code will not be approved. Use of lattice will not be allowed for skirting.</p> <p>Architectural plans must show masonry calculations for each elevation. Masonry calculations on the architectural plan will be verified by the ACC for accuracy and compliance.</p>

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<p>5.06</p>	<p>New construction or renovations must be similar to the architectural style of the Subdivision and must comply with the specific requirements of these Restrictions regardless of the pre-existing presence of styles or construction that would not comply with these Restrictions.</p>	<p>The deed restrictions cannot possibly enumerate every building style or layout, exterior finish, or design that is permissible and in harmony with the subdivision. “Similar in architectural style” includes the location of garages in relation to the dwelling.</p> <p>For pier and beam (also referred to as lifted, raise, or elevated) and in addition to other guidelines provided in this document, front/side steps must be covered in full brick or stone, and mechanical equipment on platforms must be obscured from the street by shrubbery or wood fencing. Wood steps on front/side elevations and mechanical equipment placed along the front elevation are not allowed.</p> <p>The ACC has the full authority to determine what type of construction is similar and in harmony with the neighborhood. In addition, the existence of a design or construction that is in violation or not in harmony of style does not allow new construction to violate such restrictions.</p>
<p>5.07</p>	<p>Front and side windows must give the appearance of containing multiple panes of glass with separating grids (“muntins”).</p>	<p>Colonial style or traditional grids are generally the style consistent with the neighborhood; however, other grid patterns are acceptable with ACC approval. Four by four (4x4) or two by two (6x6) divided light patterns are preferred. Prairie (M1 or Craftsman), 2x2 (single bar in the middle), or partial divided light (DL on top and clear on the bottom sash) will be rejected. Note, some original homes do not have muntins on side windows, however if the side windows are to be replaced, then these new windows must give the appearance of divided light.</p> <p>Architectural plans must have consistent window pattern call outs on all elevations. Any inconsistency will result in a rejection by the ACC.</p>

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2. THE GARAGE AND PORTE-COCHERE		
5.09	No garage or porte-cochere may exceed the height of the main house.	<p>If a garage or porte-cochere has a second story living area, then the peak of the roof above the garage/living area cannot be higher than the main house. The main house is not considered to be a connection from the garage living area to the residence.</p> <p>In addition to providing architectural drawings of the garage with dimensions to the ridge (peak), elevations of the main house with dimensions to the ridge (peak) must also be provided to verify compliance.</p>
	If the garage and/or porte-cochere has a second story living area above it, the bottom edge of any window in that second floor living area on the side facing the nearest side lot or rear lot may not be lower than six feet above the floor of the room it is in.	If a garage or porte-cochere has a second story living area, then any window that faces the side or rear lot will, in general, be a small window near the top of the living area so individuals will not easily be able to look down into neighboring lots.
5.10	If any garage or porte-cochere contains a second floor living area, then it may not have more than 10% livable space in the attic. In calculating the 10%, it must be based upon the garage or porte-cochere separately. "Livable space" is defined as that area in the attic that can be enclosed by eight (8) foot walls.	The second floor of an attached or detached garage/porto-cochere cannot exceed 10% of the living area of the existing residence. For example, a 3000 SF home cannot have a second floor over the garage/porto-cochere in excess of 300 SF living.
5.11	The attic space of the garage or porte-cochere, whether one story or two stories, may not have any windows, exterior doors or balconies.	The attic space of a garage cannot feature any window, even if only for decorative purposes.
5.12	The ground floor of the garage may not be enclosed and/or converted to living area. This does not prohibit garages from being used as "workshops" or for storage or in any other manner otherwise consistent with these Restrictions.	See 5.12-A
	The concrete pad of the driveway may not exceed the width of the garage slab.	<p>Driveways and connecting flatwork (or related materials) cannot exceed the width of the garage foundation.</p> <p>1) Two (2) car wide garages will only be allowed to have a maximum eighteen (18) foot wide driveway, regardless of garage width. The same applies to homes with separate two (2)</p>

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		<p>car and one (1) car garages facing different directions.</p> <ol style="list-style-type: none"> 2) Three (3) car garages only on corner lots facing the side street will be allowed to have a twenty (24) foot wide driveway. 3) Circular driveways may only have 12’ ramps on both ends. 4) Required radiuses at the street (also referred to as the inturn or approach) by the city must be within the property boundaries of the lot and cannot encroach any neighboring lots. 5) Joining of neighboring driveways or ramps is not allowed. <p>Driveway materials must be full concrete or brick style pavers only. Acceptable alternatives for entry walks include flagstone or concrete overlays. Use of open pavers or crushed gravel within driveways or entry walks is explicitly not allowed.</p> <p>Note: The City of Houston only allows a residential driveway to be maximum of twenty four (24) feet wide, not including the required radius.</p>
<p>5.12 -A</p>	<p>Each lot on which there is a residential dwelling is required to have an attached or detached garage capable of housing not less than two (2) vehicles. If Plans for the conversion of an existing garage into living area are submitted to the ACC for approval, the Plans must include Plans for a new attached or detached garage and the new attached or detached garage must be constructed in conjunction with the conversion of the existing garage into living area.</p>	<p>Related to 5.12. Garages (both attached and detached) must remain garages with either a single 16-18’ or double 8-9’ garage doors, and able to store two (2) vehicles. Garage workshops, storage areas, or added living areas can only be added to the sides or rear of full garage.</p> <p>Oversized garage doors for RVs, large vehicles, are not allowed.</p>
<p>5.12 -B</p>	<p>If an attached or detached garage door faces the same direction as the front of the main house, then the garage must be set-back at least twenty (20’) feet from the front corner of the main house located upon the Lot measured from the nearest point of the garage.</p>	<p>Front facing garages must be set back at least 20 feet from the front corner of the first floor living area of the house, not including the front porch. Porto-cocheres (also referred to as porticos) can be set closer than twenty (20) feet, but must be recessed from the front wall of the first floor living area of the house.</p>

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		<p>This setback requirement will still allow homes on corner lots to have garages facing the side street, which is consistent with the layout of existing homes.</p> <p>Note – City of Houston setbacks on corner lots are not superseded by these restrictions and may require a variance from the city.</p>
	B. FRONT AND SIDE STREET SET BACKS	
5.13	No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building set back lines shown on the recorded plat measured from the property line as shown on the recorded plat.	<p>City code prevents the placement of structures, including porches, to encroach past the front build line of the lot.</p> <p>Steps for pier and beam homes may encroach the front building line by five feet (typically 5 steps). Homes that require additional steps will either need to be pushed back from the building line, have the additional steps incorporated into the porch, or turned at a ninety (90) degree angle from the porch.</p> <p>The Board of Trustees cannot grant any variance for building line encroachment on any side.</p>
	C. SIDE YARD BUILDING SET BACKS	
5.14 (1)	<p>Detached Structures</p> <p>A separate, detached residence or auxiliary structure otherwise permitted by these Restrictions may not be closer than five (5) feet from the side property line.</p>	Playhouses, trellises, sheds, and any other structures cannot be closer than five feet from the neighboring property lines.
	A separate, detached garage, (including any second story addition) may not be closer than three (3) feet from the side property line. A residence and garage connected by a covered walkway are “detached” structures.	This restriction only applies to original homes with detached garages with or without a breezeway. Any renovations or new construction will have to comply with 5.14(2) or 5.14(3)
5.14 (2)	<p>Single Structures following Demolition</p> <p>If the residence, porte-cochere and garage are demolished, and in the new construction the garage is incorporated into the structure of the residence, then the entire new structure may not be closer than five (5) feet from the side property line.</p>	All newly constructed homes with attached garages, newly constructed homes with detached garages, or existing homes with newly constructed garages will be required to build at least five (5) feet from the side property line.

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<p>5.14 (3)</p>	<p>Single Structures following Renovation If the separate, detached garage (including any second story addition) is connected by new construction to the second story of the residence, then that connecting construction may not be closer than five (5) feet from the side property line.</p>	<p>This deed restriction is related to 5.14(2) prohibiting homes with attached garages to be within five feet of a side property line.</p> <p>Existing garages set at three (3) feet from the property line with proposed second floor additions or proposed living area connections from the main house to the garage (i.e. converted breezeways) will not be allowed, and will be required to build at five (5) feet away.</p>
<p>5.14 (4)</p>	<p>Addition of Porte-Cochere A porte-cochere that does not have a second floor living area may be added to a separate, detached garage but may not be closer than three (3) feet from the side property line.</p>	<p>Added porte-cocheres to existing detached garages with three (3) foot setbacks must be set back three (3) feet from side property lines.</p> <p>Refer to 5.14(2) for new construction.</p>
<p align="center">D. PLAN VIEW OF LOT</p>		
<p>5.15</p>	<p>A one-story residence on a Lot shall have a ground floor living area of not less than 2,000 square feet. The garage on a Lot shall have a ground floor area of not less than 450 square feet.</p>	
<p>5.16</p>	<p>The foundation(s) of the residence, porte-cochere and garage on a Lot shall not cover more than sixty-five percent (65%) of the buildable area of a Lot.</p>	<p>“Buildable area” referred to in Deed Restriction 5.16 is NOT lot size. Buildable area is the size of the lot AFTER setbacks and easements where a homeowner is permitted to build a residential structure. Buildable area is smaller than the actual lot size and is entirely unrelated to the 65% impermeable surface area city drainage code requirement.</p> <p>For original homes with detached garages (with or without breezeways) set a three (3) feet from the building line, the buildable area will only include the section of the garage overlapping the five (5) foot setback. For new construction residences or garages, the buildable area will include the (five) 5 foot setback.</p> <p>The intent of this restriction is to limit the total footprint of the residence,</p>

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		<p>garage, and attached structures, often referred to as “total covered area”. All areas of the home under roof regardless of label or designation will be included. A proposed site plan must be submitted clearly noting the total footprint of the home (including porches, garages, box windows, cantilevered/box windows). Cantilevered second floor areas will be included in total footprint area.</p> <p>The architect must clearly display their calculations to include the entire foundation of the residence, including but not limited to first floor porches, rear patios/verandas, porto-cocheres, garages, and conditioned living area (including brick). A stamped survey (original showing existing structures will be accepted) confirming all boundaries and setbacks.</p> <p>This restriction is applicable to all additions, renovations, and new construction builds. The buildable area and footprint on the proposed site will be re-measured by the ACC for accuracy and compliance.</p>
	<p align="center">F. LANDSCAPING AND FENCING</p>	
<p>5.19</p>	<p>No fence or wall shall be erected or permitted to remain on a lot nearer to the front property line of the lot than the front wall of the residential dwelling. All fences on a lot in the Subdivision other than interior fences shall be constructed of wood or wrought iron which may include brick or stone pilasters. As used herein, an interior fence is a fence along or adjacent to the side or rear property line of two (2) adjacent lots. Except as otherwise provided in this section, no fence shall exceed a height of eight (8) feet measured from the ground upon which such fence is situated.</p> <p>The pickets on a wood fence on a lot which faces a street in the Subdivision are required to be on the side of the fencing facing the street (so that rails are not visible from the street). Likewise, the pickets on a wood gate on a lot which faces a street in the Subdivision are required to be on the side of the gate facing the street (so that no rails or</p>	<p>Fences or walls may not be installed beyond the front wall of the living area of the structure facing the front property lines. This also applies to homes on radius lots and/or cul-de-sacs.</p> <p>Fences cannot exceed eight (8) feet in height. Wood fences must be full pickets to the top, with wood caps being allowed. Open wood lattice designs on top of fences are not allowed. Wrought iron fences must be of open design, and painted black.</p> <p>The pickets on new wood fences must face towards the front property line, and also towards the side property lines for corner lots.</p>

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	<p>supports for the gate are visible from the street).</p> <p>Lots which are adjacent to commercial property may have a fence along the property line adjacent to the commercial property up to ten (10) feet in height measured from the ground and lots which have a rear property line that borders a bayou, creek, or other natural watercourse may have a chain link fence along such rear boundary lines.</p>	<p>Lots bordering commercial property, bayous, and creeks can have up to a ten (10) tall fence along the rear property line only.</p> <p>Measurements for all fences are taken from grade to the top of the fence, and will include any rot boards. Fences along sloping lots will need to follow the contour of the lot and will not be allowed to be built-up to maintain a level top.</p>
5.20	<p>If a gate is placed across the driveway, it must be wrought iron of an open design, no taller than eight (8) feet in height and may be no closer to the street than the front of a house's structure.</p>	<p>Only gates made out of wrought iron and finished in black paint are allowed. Gates constructed with wood or unrelated materials are not allowed.</p> <p>Small "pet" guards along the lower half of wrought iron gates have been deemed to be acceptable, however, in no circumstance should the gate's appearance itself appear opaque, solid blocked, of a mesh design, or covered with screen.</p>
	G. RESTRICTIONS ON USES	
5.24	<p>[abridged] No signs shall be allowed except for advertising sale or rent, political, or garage sales as permitted.</p>	<p>Contractor or construction related signs are not permitted to be displayed on lots.</p> <p>Only signs with emergency contacts, safety rules, or working hours will be allowed.</p>

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Pages 14
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e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$66.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

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