

SECOND AMENDMENT TO THE REVISED AND AMENDED DECLARATION OF RESERVATIONS, RESTRICTIONS, COVENANTS AND CONDITIONS FOR HUNTWICK CIVIC ASSOCIATION, INC.

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HARRIS §

PREAMBLE

WHEREAS, Reservations, Restrictions and Covenants applicable to the property in Huntwick Subdivision, **Sections One through Ten** inclusive, are currently recorded in the Official Public Records of Harris County, Texas, at the following locations: SECTION ONE: Volume 7519, Page 236; Clerk’s File No. D587109 Film Code Ref. No. 144-24-1601; Clerk’s File No. D591394, Film Code Ref. No. 144-29-2307; Clerk’s File No. G337750, Film Code Ref. No. 145-84-0346; Clerk’s File No. N657039, Film Code Ref. No. 021-44-1725; SECTION TWO: Volume 8264, Page 435; Clerk’s File No. N657039, Film Code Ref. No. 021-44-1725; SECTION THREE: Clerk’s File No. N657039, Film Code Ref. No. 021-44-1725; SECTION FOUR: Clerk’s File No. D527167, Film Code Ref. No. 140-33-0673; Clerk’s File No. N657039, Film Code No. 021-44-1725; SECTION FIVE: Clerk’s File No. F646295, Film Code No. 198-05-2261; Clerk’s File No. N657039, Film Code No. 021-44-1725; SECTION SIX: Clerk’s File No. H335940, Film Code Ref. No. 007-88-1108; Clerk’s File No. N657039, Film Code No. 021-44-1725; SECTION SEVEN: Clerk’s File No. D527166, Film Code Ref. No. 140-33-0663; Clerk’s File No. N657039, Film Code Ref. No. 021-44-1725; SECTION EIGHT: Clerk’s File No. D948203, Film Code Ref. No. 166-21-0558; Clerk’s File No. N657039, Film Code Ref. No. 021-44-1725; SECTION NINE: Clerk’s File No. E402487, Film Code Ref. No. 118-15-1586; Clerk’s File No. N657039, Film Code No. 021-44-1725; and SECTION TEN: E921627, Film Code Ref. No. 151-01-2337; Clerk’s File No. N657039, Film Code Ref. No. 021-44-1725; and

WHEREAS, REVISED AND AMENDED DECLARATION OF RESERVATIONS, RESTRICTIONS, COVENANTS AND CONDITIONS FOR HUNTWICK FOREST SUBDIVISION, (“Revised and Amended Declaration”) applicable to the property in Huntwick Subdivision, **Sections One through Ten** inclusive, are currently recorded in the Official Public Records of Harris County, Texas, at the following locations:

SECTION ONE: Clerk’s File No. X386593, Film Code Ref. No. 581-72-0521;
SECTION TWO & THREE: Clerk’s File No. X508971, Film Code Ref. No. 583-91-1778;
SECTION FOUR & SEVEN: Clerk’s File No. X603716, Film Code Ref. No. 585-85-0965;
SECTION SIX & EIGHT: Clerk’s File No. X635413, Film Code Ref. No. 586-45-2118;
SECTION FIVE, NINE, and TEN: Clerk’s File No. X731506, Film Code Ref. No. 588-35-0345; and

WHEREAS, FIRST SUPPLEMENT TO REVISED AND AMENDED DECLARATION OF RESERVATIONS, RESTRICTIONS, COVENANTS AND CONDITIONS FOR HUNTWICK FOREST SUBDIVISION, applicable to the property in Huntwick Subdivision,

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Sections One through Ten inclusive, is currently recorded in the Official Public Records of Harris County, Texas, under Clerk's File No. Z106083, Film Code Ref. No. RP 018-12-2910; and

WHEREAS, maps or plats of the property in Huntwick Forest Subdivision are recorded in the Harris County Map and Plat records at Vol. 155, Page 101 and Vol. 159, Page 17; Section II, Vol. 170, Page 78; Section III, Vol. 170, Page 78; Section IV, Vol. 188, Page 68; Section V, Vol. 265, Page 16; Section VI, Vol. 295, Page 63; Section VII, Vol. 188, Page 63; Section VIII, Vol. 203, Page 59; Section IX, Vol. 220, Page 59; Section X, Vol. 226, Page 32; and

WHEREAS, the Amendment to the Revised and Amended Declaration was filed of record on November 5, 2009, and is on file with the Harris County Real Property Records under Harris County Clerk File No. 20090505728; and

WHEREAS, this Second Amendment to the Revised and Amended Declaration was provided to the Owners in accordance with the By-laws of the Association and approved by a two-thirds (2/3) affirmative vote of the membership voting in person or by proxy at an annual or special meeting on February 16, 2022, duly called for such purpose; and

WHEREAS, this Amendment to the Revised and Amended Declaration has been properly executed by the President of the Association, and is hereby recorded in the Harris County Real Property Records,

NOW, THEREFORE, the Declarations for the Huntwick Civic Association, Inc., are hereby amended as follows:

1. Article Seven, Section 14 is hereby amended in its entirety as follows:

Section 14. "SIGNS, FLAGS AND YARD ORNAMENTATION"

As used in this section the term "Sign" includes but is not limited to billboards, posters, banners, pennants, displays, symbols, emblems, and advertising devices of any kind, regardless of classification as personal, business, professional, promotional, or institutional. The term "Sign" also includes flags, unless otherwise addressed in this section 14.

The Association, acting by and through the Board of Directors, shall be authorized to enter a Lot and remove any Signs or yard ornamentations or other structure displayed in violation of this section 14 and in doing so shall not be subject to any liability under the law or equity regardless of legal theory in connection with or arising from such entry and or removal. No Signs of any kind may be placed in the Common areas. No Sign of any kind is permitted on any Lot, or upon any residence, or within any residence if visible from the exterior of the residence, or within the Subdivision without written approval by the ACC unless expressly permitted as follows:

1. SIGNS

- (a)** "For Sale" or "For Lease" signs are permitted as follows (i) not more than one sign is permitted upon a Lot; (ii) the sign may be displayed only by an Owner on their Lot and not upon any other Lot or any other location within the Subdivision; (iii) the sign must be professionally prepared and printed, and must be provided by a professional real estate sales or leasing company unless otherwise approved by the ACC; (iv) the sign may not exceed five square feet in size; (v) the sign must be fastened only to one or two stake(s) in the ground in the front yard area of the applicable

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Lot, and the top of the sign may not be higher than three feet (3') above ground level; (vi) the sign may not be illuminated; and (vii) the sign may be displayed no more than one week in advance of a listing of a Lot for sale or lease and removed no more than 24 hours after the conclusion of the sale or lease.

- (b) School spirit signs not to exceed five square feet in size;
- (c) Security service signs and stickers are permitted as follows: (i) no more than one security sign is permitted at or near each entry door to the residence; (ii) no security sign may exceed 12"x12" in size; (iii) no more than one security sticker is permitted on each entry door to the residence, no more than one security sticker is permitted on one window on the front, each side and the back of the residence and no security sticker may exceed 4"x4" in size; (iv) no security signs or stickers may be illuminated, and (v) only security signs or stickers printed, prepared and provided by a commercial security, monitoring or alarm, company are permitted.
- (d) No more than one "no trespassing", "no soliciting", or "beware of dog" signs of not more than one (1) square foot are permitted within 10 feet of the dwelling front entrance or at the side or backyard entry;
- (e) Each Owner may display on their Lot one (1) ground mounted sign per candidate or measure on an election ballot for the Subdivision precinct up to 90 days prior to the subject election and 10 days after the subject election. The signs may not (i) contain roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component; (ii) be attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object; (iii) include the painting of architectural surfaces; (iv) threaten the public health or safety; (v) be larger than four feet by six feet; (vi) violate a law; (vii) contain language, graphics, or any display that would be offensive to the ordinary person; or (viii) be accompanied by music or other sounds or by streamers or be otherwise distracting to motorists.
- (f) The Association may display Signs in Common Areas in the sole discretion of the Board of Directions.

All permitted Signs must be properly installed and maintained, to avoid unsightly appearance. Unless otherwise specified in this section, the Board of Directors has final discretion related to the proper installation, size, color, construction, quantity, appearance, or construction material of any displayed Sign. Notwithstanding section 14(e)(vii), No Sign is permitted which contains language, graphics or any display that is vulgar, obscene or otherwise offensive in the sole discretion of the Board of Directors.

2. FLAGS

- (a) Owners may concurrently display on their Lot a single flag of the United States of America, flag of the state of Texas, and an official or replica flag of any branch of the United States armed forces for a maximum of three flags. The flags referenced in section 2(a) must be flown in accordance with federal and state law.
- (b) If an Owner displays two or more of the flags referenced in section 2(a) above, the Owner shall not be permitted to display any additional flags on their Lot.
- (c) Subject to sections 2(a) and 2(b) an Owner is limited to the display of no more than two of the following: school, university, or athletic spirit flag.
- (d) All permitted flags shall not exceed 3 feet by 5 feet unless otherwise permitted by the Board of Directors in writing.
- (e) A flagpole attached to a dwelling or a freestanding flagpole and its base shall be appropriately sized and constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.

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- (f) The display of a flag, or the location and construction of the supporting flagpole shall comply with applicable zoning ordinances, easements, and setbacks of record.
- (g) A displayed flag and the flagpole on which it is flown shall be maintained in excellent condition.
- (h) Owners may install or erect one flagpole per Lot that is not more than 20 feet in height and is subject to applicable zoning ordinances, easements, and setbacks of record, in the front yard of the property. The installation or erection of such a flagpole shall not expand the limitations related to the number of permissible flags per Lot as designated under sections 2(a), 2(b), and 2(c).
- (i) Owners may light any displayed flag from the base of the flagpole by a maximum of two bulbs totaling no more than 150 watts. The light must shine directly up at the flag and cannot cause any light spillover onto adjoining properties. All exterior lighting must be submitted to ACC for approval;
- (j) All non-freestanding flagpoles must be removed when no flag is displayed;
- (k) All freestanding flagpoles must be removed without consistent display of an authorized flag as determined by the discretion of the Board of Directors.
- (l) Flagpole halyards must be silent under all conditions and be securely fastened at all times;
- (m) Freestanding flagpoles must be mounted on an appropriately sized footing constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling;
- (n) All flagpoles and installation must be submitted to ACC for approval;
- (o) Owners are prohibited from locating a flag or flagpole on property owned or maintained by the Association;
- (p) Owners are prohibited from locating a flag or flagpole on property owned in common by the members of the Association;
- (q) Unless otherwise specified in this section, the Board of Directors has final discretion related to the proper installation, size, color, construction, quantity, appearance, or construction material of any displayed flags. No flag is permitted which contains language, graphics, or any display that is vulgar, obscene, or otherwise offensive in the sole discretion of the Board of Directors;
- (r) The Association may display flags in Common Areas in the sole discretion of the Board of Directors.

3. YARD ORNAMENTATION Yard ornamentation of reasonable quantity and décor is permissible subject to the discretion of the Board of Directors. The Board of Directors maintains sole discretion to distinguish between Signs and yard ornamentation.

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This Amendment to the Revised and Amended Declaration is hereby ratified and confirmed and shall have the same force and effect as if the provisions herein were set forth in the original Reservations, Restrictions and Covenants, and Revised and Amended Declaration, applicable to the Properties. This Amendment to the Revised and Amended Declaration shall become effective upon being filed in the Real Property Records of Harris County, Texas.

WITNESS WHEREOF, this instrument has been executed by the President of Huntwick Civic Association, Inc. as of the 8th day of MARCH, 2022.

HUNTWICK CIVIC ASSOCIATION, INC.

BY: GIFFORD WILKERSON

President

Signature

[Handwritten signature of Gifford Wilkerson]

THE STATE OF TEXAS

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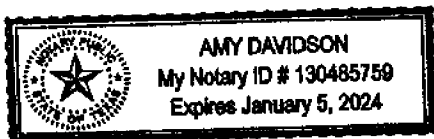
COUNTY OF HARRIS

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BEFORE ME, the undersigned authority, on this day personally appeared GIFFORD WILKERSON, President of Huntwick Civic Association, Inc., a Texas Non-Profit Corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 8th day of March, 2022.



[Handwritten signature of Amy Davidson]
Notary Public in and for the State of Texas

After recording, return to:
Daughtry & Farine, P.C.
17044 El Camino Real
Houston, TX 77058

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Pages 6
03/09/2022 01:35 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$34.00

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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