

“New construction and exterior renovation of existing structures shall be limited to single family homes (i.e., no townhomes) or garages (with or without apartments) with a height not to exceed twenty-five (25) feet measured from the natural grade level of the applicable lot to the highest point of the roof (excluding chimneys); provided, however, that the maximum height may be increased to thirty-five (35) feet if the roof is either a pitched or hipped roof with a minimum 4:12 slope as further illustrated on Exhibit “B”, attached hereto and incorporated herein by reference. All buildings constructed or renovated shall have the exterior appearance of having not more than two (2) stories; provided, however, the foregoing does not preclude the addition of dormers or windows above the second story for conversion of attic space to living space. In the event dormers are added to the roof above a second story, the total interruptions to the roof may not exceed fifty percent (50%) of the total surface area of such roof and the roof shall have a minimum 4:12 slope. Parapet walls are prohibited (i.e., walls that extend beyond the base height of twenty-five (25) feet are prohibited). Notwithstanding the foregoing, any townhouse lawfully existing as of October 10, 2014 may be renovated, replaced or rebuilt to a height and number of floors not to exceed the height and number of floors of said townhouse existing on October 10, 2014.”

2. Article II, Section 5 of the Declaration is hereby amended and replaced in its entirety by the following:

“Parking cars or other vehicles on the grass in the yard or in the yard without a curb cut is prohibited (it is the intent that vehicles shall only be parked on driveways with a curb cut in accordance with this section). No vacant Restricted Lot shall be used as a parking lot. Curb cuts are prohibited at the front setback area of any Restricted Lot that has unimpeded alley access (i.e., the only point of vehicular access to such Restricted Lot shall be via the alley). One curb cut is permitted on each Restricted Lot with no alley access and such curb cut shall not exceed a total width of thirteen (13) feet (except to the extent provided by applicable law). One curb cut is permitted on each corner Restricted Lot and such curb cut shall not exceed a total width of twenty-six (26) feet (except to the extent provided by applicable law). It is the intention of this section to prohibit circular driveways and multiple driveways.”

3. The Removed Lots are hereby entirely removed from the Declaration. The definitions of “Lot”, “Lots”, “Restricted Lots” and “Cherryhurst Subdivision” from the Declaration shall expressly exclude by reference the Removed Lots. All other references to the Removed Lots in the Declaration are hereby deleted. The effect of this Amendment is that the Removed Lots, effective as of the date of recording in the Official Public Records of Real Property of Harris County, Texas, will no longer be bound by or be subject to the Declaration. The Declaration shall have no force or effect on the Removed Lots.

4. Each owner of a Restricted Lot within the Cherryhurst Subdivision, by signing this Amendment, ratifies this Amendment as being valid and enforceable against them, their successors and their assigns, and all other owners of land in the subdivision.

5. Each owner of a Restricted Lot within the Cherryhurst Subdivision, by signing this Amendment represents that they are (i) the record owner of fee simple title to the land shown by their signature; (ii) executing this Amendment for the purpose of amending the Declaration; and (iii) authorizing the recording of this Amendment in the Official Public Records of Real Property of Harris County, Texas.

6. This Amendment may be executed in any number of counterparts, all of which taken together, shall constitute one and the same agreement, and any of the parties to this Amendment may execute the Amendment by signing any of the counterparts.

7. Except as modified herein above, the Declaration shall remain in full force and effect.

8. If any term, covenant, or condition of this Amendment or the application thereto to any person or circumstance shall to any extent be invalid or unenforceable, such term, covenant, or condition or such application shall be deemed severable, and the application of such term, covenant or condition to persons or circumstances other than those as to which it was held invalid or unenforceable, and the remainder of this Amendment, shall not be affected thereby, and the remainder of this Amendment shall be valid and enforceable to the fullest extent permitted by law.

9. This Amendment is valid upon execution by not less than seventy-five percent (75%) of the owners of the Restricted Lots as evidenced by the signatures attached to Exhibit "C" attached hereto, and effective upon recordation in the Official Public Records of Real Property of Harris County, Texas.

[Signature Pages Follow]

CERTIFICATION OF AMENDMENT OF RESTRICTIONS

The foregoing Amendment has been signed by the required number of owners pursuant to Article III, Section 2 of the Declaration, which signatures are attached as "Exhibit C".

CHERRYHURST CIVIC ASSOCIATION,
a Texas nonprofit corporation

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By: [Signature]
Name: LUCAS FRANCES
Title: President

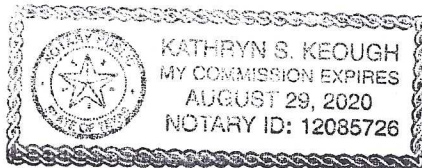
STATE OF TEXAS §
COUNTY OF HARRIS §

This instrument was sworn to and subscribed before me on MARCH 3 2020,
by LUCAS FRANCES, President of Cherryhurst Civic Association, a Texas nonprofit corporation on
behalf of said nonprofit corporation.

[Signature]
Notary Public in and for the State of Texas

My Commission Expires:

8/29/20



AFTER RECORDING RETURN TO:

Cherryhurst Civic Association
1724 CHERRYHURST ST
Houston, Texas 77006

✓✓ HOLD FOR PICK UP

EXHIBIT "A"

Legal Description of Removed Lots

LT 4 BLK 20, of CHERRYHURST, an addition to the City of Houston, Harris County, Texas according to the map or plat thereof recorded in Volume 5, Page 38 of the Map Records of Harris County, Texas (1529 Maryland St., Houston, Texas 77006).

LT 2 BLK 21, of CHERRYHURST, an addition to the City of Houston, Harris County, Texas according to the map or plat thereof recorded in Volume 5, Page 38 of the Map Records of Harris County, Texas (1532 Maryland St., Houston, Texas 77006).

LT 2 BLK 22, of CHERRYHURST, an addition to the City of Houston, Harris County, Texas according to the map or plat thereof recorded in Volume 5, Page 38 of the Map Records of Harris County, Texas (1530 Michigan St., Houston, Texas 77006).

LT 4 BLK 21, of CHERRYHURST, an addition to the City of Houston, Harris County, Texas according to the map or plat thereof recorded in Volume 5, Page 38 of the Map Records of Harris County, Texas (1531 Michigan St., Houston, Texas 77006).

LT 1 BLK 22, of CHERRYHURST, an addition to the City of Houston, Harris County, Texas according to the map or plat thereof recorded in Volume 5, Page 38 of the Map Records of Harris County, Texas (1536 Michigan St., Houston, Texas 77006).

LT 1 BLK 23, of CHERRYHURST, an addition to the City of Houston, Harris County, Texas according to the map or plat thereof recorded in Volume 5, Page 38 of the Map Records of Harris County, Texas (1536 Indiana St., Houston, Texas 77006).

LT 3A and 4A BLK 23, of CHERRYHURST, an addition to the City of Houston, Harris County, Texas according to the map or plat thereof recorded in Volume 5, Page 38 of the Map Records of Harris County, Texas (1533 Welch St., Houston, Texas 77006).

EXHIBIT "B"

