

RENEWAL AND EXTENSION  
OF  
EASTWOOD SUBDIVISION DEED RESTRICTIONS

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

WHEREAS, by that certain instrument, which was executed on January 31, 1913, by WILLIAM A. WILSON COMPANY, entitled "Dedication of Eastwood", the lots in Eastwood, an addition to the City of Houston, in Harris County, Texas, in accordance with that certain map, which was then filed for record, and was recorded in Volume 4, Page 42, et. seq., of the Harris County Map Records, and as further shown on the Supplemental Plat of Eastwood, filed with the City Council of Houston, on March 8, 1922, and approved by the then City Engineer and City Secretary, to which records reference is also made, including all of the lots shown on both the maps, in blocks Nos. 1 to 62, both inclusive, and all the "Reservations" designated on the said maps by the Capital letters, "A" to "K" both inclusive, were subjected to certain building restrictions, to-wit: that none of them should be used for other than residence purposes; that none of them should be conveyed to, owned, used, or occupied by Negroes, as owners or tenants; and that no vinous, or spirituous, or malt liquors should at any time be sold, or offered for sale on any of the said lots, which restrictions were, by said instrument, made effective for a period of twenty-five (25) years from the date thereof; provided that, it was further provided in said instrument that the said period of twenty-five (25) years, during which said restrictions should be in force, might be extended, as to any or all of said restrictions, for an additional period, not exceeding twenty-five (25) years, if the owners of a majority

of the lots in said addition, who are actual bona fide residents thereof, should, prior to January 1st, 1935, execute and acknowledge an agreement making an extension of said period of twenty-five (25) years, and should file the same of record in the office in Harris County, Texas, where conveyance of real estate may be required by law to be filed, which agreement might provide for a time not exceeding twenty-five (25) years thereafter by which a like agreement, signed by said majority, might be filed, extending for another period of not exceeding twenty-five (25) years after the filing thereof; and that each agreement thus filed might so provide, and should be binding upon the owners of all of the lots in Eastwood, in accordance with the terms thereof; and

WHEREAS, by instrument dated July 2, 1934, recorded partly in Volume 969, Page 268, and partly in Volume 974, Page 145, of the Deed Records of Harris County, Texas, the above restrictions were extended until July 2, 1959, and said restrictions hereinabove referred to might be extended for yet a further period of twenty-five (25) years if the owners of a majority of the lots in Eastwood, who are actual bona fide residents thereof, should prior to January 1, 1959, execute and acknowledge an agreement, making an extension of said period of twenty-five (25) years, which agreement, and all successive agreements, may, in like manner, provide for successive and further like and similar extensions; and

WHEREAS, by instrument dated October 30, 1958, recorded in Volume 3619, Page 222 of the Deed Records of Harris County, Texas, the above restrictions were extended until April 27, 1983, and said extension agreement provided further that said restrictions hereinabove referred to might be extended for yet a further period of twenty-five (25) years if the owners of a majority of the lots in Eastwood, who are actual bona

fide residents thereof, should prior to April 27, 1983, execute and acknowledge an agreement, making an extension of said period of twenty-five (25) years, which agreement, and all successive agreements, may, in like manner, provide for successive and further like and similar extensions; and

WHEREAS, by instrument dated November 1, 1982, recorded under County Clerk's File Number H833783 of the Deed Records of Harris County, Texas, the above restrictions were extended until April 27, 2008, and said extension agreement provided further that said restrictions hereinabove referred to might be extended for yet a further period of twenty-five (25) years if the owners of a majority of the lots in Eastwood, who are actual bona fide residents thereof, should prior to April 27, 2008, execute and acknowledge an agreement, making an extension of said period of twenty-five (25) years, which agreement, and all successive agreements, may, in like manner, provide for successive and further like similar extensions.

WHEREAS, the restriction providing that none of the lots in Eastwood should be conveyed to, owned, used, or occupied by Negroes is void and of no further force and effect pursuant to Section 5.026 of the Texas Property Code.

WHEREAS, it is deemed by the undersigned to be advantageous and proper and to their interest and to the interest of the owners of all of lots in Eastwood, that all of the restrictions hereinabove referred to be extended for an additional period of twenty-five (25) years from and after this, the 27th day of April, 2008, and that provisions be made for further and successive extensions upon the filing of a like extension agreement before the expiration of such extended period of restrictions:

NOW THEREFORE, for and in consideration of the premises, and of the advantages which it will be to us severally that all of the lots in Eastwood remain restricted, in accordance with the foregoing restrictions, we, the undersigned, each of whom is the owner of a lot or lots in Eastwood, and each of whom was on \_\_\_\_\_, \_\_\_\_\_ and is, at the actual date of the signing of these presents by him or her, an actual bona fide resident of Eastwood Addition, in accordance with the map or plat above referred to, do here and now agree and enter into an agreement that all of the restrictions hereinabove referred to shall remain effective and binding upon all of the lots in Eastwood, an addition of the City of Houston, in Harris County, Texas, in accordance with the map and plat above referred to until April 27, 2033.

And we do further agree, and here and now enter into an agreement that the restrictions hereinabove referred to may, in like and similar manner, be extended for yet a further period of twenty-five (25) years, provided the owners of a majority of the lots in Eastwood, who are actual bona fide residents thereof, shall, prior to April 27, 2033, execute and acknowledge an agreement, making an extension of said period of twenty-five (25) years, which agreement, and all successive agreements may, in like manner, provide for successive and further like and similar extensions:

It is further provided and stipulated:

(a) That this instrument and the matters herein set forth shall become binding upon all of the lots in Eastwood, when, as, and if it shall have been executed by the requisite number of qualified signers and thereafter filed for record, and that it shall not become binding upon the lots owned by the signers hereof, unless and until it shall have

been so signed by the requisite number of qualified signers to make it, in accordance with and pursuant to the terms of the "Dedication of Eastwood", binding upon all of the lots in Eastwood;

(b) That, notwithstanding this instrument cannot actually be signed by all of the parties, whose name appear herein, simultaneously and on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, it shall nevertheless, as to all of the signers hereto, whether signing before, on, or after said date be deemed to have been signed on and as of this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(c) This instrument may be signed in several duplicate originals, with part of the signers hereto signing one, and others of the signers hereto signing other duplicate original copies hereof, and so signed, shall be as effective and binding upon every party hereto and every lot in Eastwood, as if all signers hereto had signed to the same original copy hereof.

IN TESTIMONY OF WHICH, there presents have been executed on this, the date aforesaid, by the undersigned, who are the owners of a majority of the lots in Eastwood, who are actual bona fide residents thereof, and for convenience, we, the said signers, have had set opposite our names, the street and number of our residence, and the lot and block number of the lot of lots in Eastwood by us severally owned and resided upon.

**AFTER RECORDING, PLEASE RETURN TO:**

Wilson, Cribbs & Goren, P.C.  
2500 Fannin Street  
Houston, Texas 77002  
Attn: Christine A. Milukich