



142-88-2330

to face ninety (90°) degrees or more coincident to the street may not be located closer than ten (10') feet from the front lot line. Each residence dwelling shall be designed so as to provide that a minimum of fifty percent (50%) of the linear distance of one (1) wall of the residence structure shall be constructed adjacent to and abutting a side Lot Line. This side lot line shall be hereinafter referred to as the "Zero Lot Line". Provided, however, that an open court or patio may be built adjacent and abutting the aforementioned Zero Lot Line but said open court or patio must be enclosed by a masonry wall having a minimum height of Six (6') feet. This wall must, as in the case with the residence wall, be constructed adjacent to and abutting the Zero Lot Line and enclose the court or patio in such a manner as to appear to be an extension of the residence dwelling. In addition, a masonry or wood fence having a minimum height of Six (6') feet shall be constructed adjacent and abutting the Zero Lot Line and extend from the rear of the residence or court/patio wall to the rear Lot Line. The Zero Lot line walls shall have no exterior objects or appurtenances such as, for example, electric panels, vents, plumbing cleanouts, windows or opening of any kind.

There shall be established, a ten foot (10') setback line between the Zero Lot Line and the Residence dwelling situated upon the adjoining Lot.

No residence shall be constructed on any lot nearer than ten feet (10') to the rear Lot Line, excluding patios, patio covers, trellises and similar improvements.

A masonry or wood fence having a minimum height of six feet (6') shall be constructed along the entire length of each rear property line. During original construction, the Architectural Control Committee, or its assignee, at its sole discretion, is hereby permitted to approve deviations in the location of improvements upon the Lot, subject to setbacks shown on the recorded plat and previous recorded instruments.

142-80-2331

IN WITNESS WHEREOF, the undersigned being the Declarant herein has hereunto set its hand and seal this 17<sup>th</sup> day of October, 1979.

KIRKWOOD COUNTRY, INC. 802

By W. Harold Sellers  
W. Harold Sellers,

UNIVERSITY SAVINGS ASSOCIATION

By Jackie Campbell  
S.V.P. JACKIE CAMPBELL  
AUSTIN NORTHWEST DEVELOPMENT COMPANY

By Henry J. Martin III  
HENRY J. MARTIN, III VICE PRES.

ASPEN BUILDERS, INC.

By Clyde R. Bickham  
VICE PRESIDENT CLYDE R. BICKHAM

PARKLAKE CORPORATION

By John A. Onder  
PRESIDENT JOHN A. ONDER

NASH PHILIPS COPUS, INC.

By Rennie Hammond  
VICE-PRESIDENT RENNIE HAMMOND

MORTGAGE AND TRUST, INC.

By C. Rodney Brossche  
Asst. Vice President  
C. Rodney Brossche  
FANHIN BANK

By Sam D. Ansoker  
SR. VICE PRES.  
SAM D. ANSOKER

RECORDERS ATTENTION  
ALL SIGNATURES, ADDITIONS AND CHANGES  
WAS PRESENT AT THE TIME THE INSTRUMENTS  
WERE FILED AND RECORDED.

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

142-88-2332

BEFORE ME, the undersigned authority, on this day personally appeared W. Harold Feltes, the Vice President of KIRKWOOD COUNTRY, INC., known to me to be the person whose name is subscribed to the foregoing instrument and 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 23<sup>rd</sup> day of October, 1979.

Betty B. Wright  
Notary Public in and for  
Harris County, Texas

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

BETTY B. WRIGHT  
Notary Public in Harris County, Texas  
8-31-81

BEFORE ME, the undersigned authority, on this day personally appeared Jackson Campbell, the Vice President of UNIVERSITY SAVINGS ASSOCIATION, known to me to be the person whose name is subscribed to the foregoing instrument and 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 22<sup>nd</sup> day of October, 1979.

Alice Shepard  
Notary Public in and for  
Harris County, Texas

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

ALICE SHEPARD

BEFORE ME, the undersigned authority, on this day personally appeared HENRY J. MARTYN III, the VICE PRESIDENT of AUSTIN NORTHWEST DEVELOPMENT COMPANY, known to me to be the person whose name is subscribed to the foregoing instrument and 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 17<sup>th</sup> day of October, 1979.

Patsy Swink  
Notary Public in and for  
Harris County, Texas  
PATSY SWINK  
My Commission Expires 8-23-81

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

142-88-2333

BEFORE ME, the undersigned authority, on this day personally appeared Jay R. Dickham, the Vice-President of ASPEN BUILDERS, INC., known to me to be the person whose name is subscribed to the foregoing instrument and 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 17 day of October, 1979.

Joyce M. Boyer  
Notary Public in and for  
Harris County, Texas  
JOYCE M. BOYER  
Notary Public in and for Harris County, Texas  
My Commission Expires April 5, 1980

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared John J. Under, the President of PARKLANE CORPORATION, known to me to be the person whose name is subscribed to the foregoing instrument and 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 17 day of October, 1979.

Joyce M. Boyer  
Notary Public in and for  
Harris County, Texas  
JOYCE M. BOYER  
Notary Public in and for Harris County, Texas  
My Commission Expires April 5, 1980

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Ronnie H. Howard, the Vice-President of NASH PHILIPS COPYS, INC., known to me to be the person whose name is subscribed to the foregoing instrument and 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 17 day of October, 1979.

Joyce M. Boyer  
Notary Public in and for  
Harris County, Texas  
JOYCE M. BOYER  
Notary Public in and for Harris County, Texas  
My Commission Expires April 5, 1980

142-80-2334

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared C. Roney Dragage, the Assistant Vice President of MORTGAGE AND TRUST, known to me to be the person whose name is subscribed to the foregoing instrument and 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 17th day of October, 1979.

*Patsy Swink*  
Notary Public in and for  
Harris County, Texas  
PATSY SWINK  
My Commission Expires 8-24-81

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Sam D. Anspoker, the Sr. Vice President of FANNIN BANK, known to me to be the person whose name is subscribed to the foregoing instrument and 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 17th day of October, 1979.

*Dorothy Dexter*  
Notary Public in and for  
Harris County, Texas  
DOROTHY DEXTER  
Notary Public in and for Harris County, Texas  
My Commission Expires July 16 81

FILED  
OCT 24 1 56 PM 1979  
*Chas. W. ...*  
HARRIS COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF HARRIS  
I hereby certify that this instrument was FILED in  
File Number 142-80-2334 on the date and at the time stamped  
above by me, and was duly RECORDED, in the Official  
Public Records of Real Property of Harris County, Texas on

OCT 24 1979



*Rich ...*  
COUNTY CLERK,  
HARRIS COUNTY, TEXAS

IN WITNESS WHEREOF, we, being all of the trustees of the  
Kirkwood Country Homeowners Association, have hereunto set our  
hands this 28 day of March, 1979.

Charles N. Schwarz Jr.  
Charles N. Schwarz Jr.

W. Harold Sellers  
W. Harold Sellers

Floyd L. Dellinger  
Floyd L. Dellinger

Harold C. Wallace  
Harold C. Wallace

Henry J. Martyn III  
Henry J. Martyn III