

LOTS ONE (1) THROUGH EIGHTY-TWO (82) IN WHITE OAK FOREST
A SUBDIVISION IN MONTGOMERY COUNTY, TEXAS13
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THE STATE OF TEXAS

§

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF MONTGOMERY

§

§

WHEREAS, WHITE OAK DEVELOPERS, INC., (the "Declarant"), was the purported sole owner of that tract of land in the J. M. Everett Survey, Abstract No. 197 in Montgomery County, Texas, which has been heretofore platted into that certain subdivision known as Lots 1 through 82 and Reserves A, B and C, of White Oak Forest, an unrecorded subdivision in Montgomery County, Texas (the "Subdivision"), said Lots and Reserves being more particularly described by metes and bounds in Exhibits "A" and "B" of that certain instrument entitled "Restrictions Lots 1 through 82 of White Oak Forest A Subdivision in the J. M. Everett Survey, Abstract 197 in Montgomery County, Texas, dated August 15, 1977, and filed of record under County Clerk's File No. 7743503 in Volume 1030, Page 381. et seq., of the Deed Records of Montgomery County, Texas, as amended by that certain instrument entitled "First Amendment to Restrictions Governing Lots One (1) through Eighty-Two (82) in White Oak Forest a Subdivision in Montgomery County, Texas" dated June 3, 1994, and filed for record under County Clerk's File No. 94-31087, of the Official Public Records of Real Property of Montgomery County, Texas, (the "Restrictions"); and

WHEREAS, Article II of the Restrictions provides the terms may be amended at any time when fifty-one percent (51%) of the owners of land area of land in the Subdivision shall agree in writing, properly executed and recorded in the Office of the County Clerk of Montgomery County, Texas, to amend or repeal such Restrictions; and

WHEREAS, the undersigned, being owners of at least a majority of the Lots in the Subdivision wish to amend the Restrictions as set forth below;

NOW THEREFORE, pursuant to the above recitals, the undersigned hereby amend the Restrictions as follows:

Article III of the Restrictions is hereby amended to clarify the types of residential structures that may be built upon Lots within the Subdivision, and shall read as follows:

Article III 2nd Amendment

The filed "Architectural Control Committee Authority and Purpose" explains how to apply for approval.

Each Lot shall be used for single family residential purposes only. Only one single family dwelling an attached or detached garage and approved outbuildings shall be allowed on each Lot. The term "single family dwelling" as used herein, shall be deemed to specifically prohibit, by way of illustration but without limitation, the use of any Lot for a duplex apartment, or any other dwelling for any multi-family use. No dwelling shall be advertised or used as a hotel, tourist court, tourist cottage, or as a place of abode for transient persons. No noxious or offensive activities of any kind shall be conducted upon any Lot, nor shall anything be done thereon that shall constitute or be a nuisance or annoyance to any residents of usual sensitivities. No animals shall be raised or maintained on the property in a manner so as to cause offensive odors or noises or so as to otherwise be a nuisance or annoyance to persons of ordinary sensitivities. No animals shall be raised, or maintained for commercial purposes.

Article XVII is hereby added to the Restriction to read as follows:

Except as provided in this Article, no motor vehicles shall be parked or stored on any part of any Lot, easement, or common area unless such vehicles do not exceed six feet six inches in height, or seven feet six inches in width or twenty-one feet in length except passenger automobiles, passenger vans, motorcycles, pick-up trucks, or pick-up trucks with attached bed campers, that are in operating condition, having current license plates and inspection stickers, and are used as motor vehicles on the streets and highways of the State of Texas. Recreational vehicles and trailered boats may be parked upon a Lot so long as the Lot upon which the recreational vehicle or trailered boat is parked is occupied by a single family dwelling, is owned by the resident, and such vehicles are parked behind the said dwelling.

Article XVII 2nd Amendment

The maximum height, width, and length for vehicles does not apply to recreational vehicles and trailered boats. WOFPOA Newsletters Jun & Nov 1995

Article XVII 2nd Amendment

A travel trailer or motor coach is a recreational vehicles and isn't restricted to the maximum size for other motor vehicles. Newsletters Jun & Nov 1995

White Oak Forest News Letters
June 3, 1995 and Nov 10, 1995
appear at the end of this document

100-00-0476

No other motorized or non-motorized vehicles, trailer, boat, marine craft, hovercraft, aircraft, machinery or equipment of any kind may be parked or stored, on any part of any lot, easement, right-of-way, or common area or in the street adjacent to such lot, easement, right-of-way, or common area unless such object is concealed from public view or is parked behind a residential dwelling.

Article XVII 2nd Amendment

Behind the back line of a house was clarified by the Board in 2015 to mean behind a residential dwelling.

Newsletter Nov 1995

White Oak Forest News Letter
Nov 10, 1995

appears at the end of this document

IN WITNESS THEREOF, the undersigned, either in person or by and through their attorney-in-fact, representing at least a majority of the owners of lots within the Subdivision for the purpose of acknowledging their consent and have executed this instrument to be effective upon the date of filing of this instrument in the Official public Records of Real Property of Montgomery County, Texas.

Date: 9-27-95, 1995. Mark Pyle
By:
Attorney-in-Fact for those individuals listed in
Exhibit "A" attached hereto and incorporated herein
for all purposes.

THE STATE OF TEXAS §
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COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on this the 27 day of September 1995, by Mark Pyle as Attorney-in-Fact on behalf of the principals set forth in Exhibit "A" attached hereto and incorporated herein for all purposes.

GIVEN UNDER my hand and seal of office this 27 day of September, 1995.

[Signature]
NOTARY PUBLIC - STATE OF TEXAS



**SECOND AMENDMENT
TO RESTRICTIONS GOVERNING
LOTS ONE (1) THROUGH EIGHTY-TWO (82) IN WHITE OAK FOREST
A SUBDIVISION IN MONTGOMERY COUNTY, TEXAS**

Exhibit "A"

<u>Lot</u>	<u>Address/location</u>	<u>Owner(s)</u>
1A	102 White Oak Forest Drive	W.K. Hilarides Tru Hilarides
2A	104 White Oak Forest Drive	Gary Zugar
3A		Robin Zugar
1B	10 White Oak Court	Richard A. Rushing
2B		Kirsten W. Rushing
1C	White Oak Court	Marcus H. Poe, Jr.
5A	White Oak Forest Drive	Roque Silva
6A	1 White Oak Court	Richard Wayne Curry
6B		Connie Jean Curry
6C	3 White Oak Court	Emil Gerich Leona Gerich
7	White Oak Forest Drive	Ernst F. Gunderson Doris E. Gunderson
8A	116 Elmwood Drive	Samir Kashou Michelle Kashou
8B	Elmwood Drive	Mary C. Dreessen Amos R. Dreessen
9A	120 Elmwood Drive	Jeffery C. Lucas Terry L. Lucas
14	144 Elmwood Drive	Stephen L. Hart Wanda Hart
15		Larry Proffitt
18	157 Elmwood Drive	Linda L. Proffitt
19	151 Elmwood Drive	Perry L. Shaw Patricia B. Shaw
20	149 Elmwood Drive	Peter Elorriaga, Jr. Zita R. Elorriaga
22	Elmwood Drive	Bill M. Poe Robin Poe
23	Elmwood Drive	Janusz Szozda Eleticia Szozda
24	135 Elmwood Drive	Joel Casas Eva O. Casas
26	125 Elmwood Drive	Sandy Everett Jay Everett
28	Elmwood Drive	George Seibert III Frieda Seibert
29	113 Elmwood Drive	Tony T. Esparza Margaret Esparza
30		Ronald Stevens
30	105 Elmwood Drive	Therese M. Stevens
31		Betty A. Haass
32	101 Elmwood Drive	Jerry M. Haass James H. Tucker
33	Hickory Drive	Erma Jean Tucker
35	110 Elmwood Drive	Tim Theiss Lenore Theiss
36	119 White Oak Forest Drive	Nigel Brassington
37	123 White Oak Forest Drive	Beth Brassington
38	115 White Oak Forest Drive	John Dennard Patricia C. Dennard

<u>Lot</u>	<u>Address/location</u>	<u>Owner(s)</u>
42A	102 Hickory Drive	Gary V. Biaselli
42B		Cynthia A. Biaselli
44	108 Hickory Drive	Robert F. Swearingen
		Ruth H. Swearingen
45	112 Hickory Drive	Dan Hopson
		Jean Hopson
46	116 Hickory Drive	Charles Hudson
		Connie Hudson
47	Hickory Drive	Christine Winfield
		Brad Winfield
48B	8 Elmwood Court	Glen E. Hutto
		Brenda J. Hutto
49A	2 Elmwood Court	William H. Holt
48C	Elmwood Court	Marian E. Durden
49B	4 Elmwood Court	William T. Hallet
		Priscilla Hallet
49C	Elmwood Court	John S. Carlson
		Eleanor A. Carlson
50A	9 Elmwood Court	Jody Vann
		Linda Vann
51A	1 Elmwood Court	Michael D. Zientek
		Tammy A. Zientek
51B	3 Elmwood Court	Mark Pyle
		Terri L. Pyle
51C	5 Elmwood Court	Edward Chisum
51D		Deborah Chisum
54	4 Pine Circle	Camie Deaton
		Steve Deaton
56	Pine Circle	Viateur A. Pelletier
58		Viateur A. Pelletier
59	Pine Circle	Malcolm Hicks
		Gloria Hicks
61	1 Pine Circle	Edgar H. Findley
62		Dana Findley
63	2 Maple Circle	George M. Ludescher Jr.
		Donna J. Ludescher
64	4 Maple Circle	Calvin Whitehorn
72		Linda Whitehorn
68	9 Maple Circle	Robert L. Page
69		Ruby G. Page
70	5 Maple Circle	Donnie Atwell
		Linda Atwell
75	6 Cherry Laurel Circle	Paul Ricky Thibodeaux
		Kathryn L. Thibodeaux
78	9 Cherry Laurel Circle	Mike Beasley
		Danette Beasley
80	5 Cherry Laurel Circle	Michael Mathis
		Valrie Mathis
81	3 Cherry Laurel Circle	Everette D. Ledford, Jr.
		Gwen A. Ledford
82	1 Cherry Laurel Circle	Bryan M. Graham
		Dawn D. Graham

100-00-0479

White Oak Forest Property Owner's Association

P.O. Box 1294 Porter, Texas 77365 (713) 655-3511

Notice of Agreement

Concerning Restrictions Governing Lots One (1) Through Eighty-Two (82) in White Oak Forest A Subdivision In Montgomery County, Texas

Property Owner: Peter Elorriaga, Jr. & Zita R. Elorriaga TRUST
Lot: 20
Address: 149 Elmwood Drive
Porter, TX 77365
Vehicle Description: One mobile veterinary truck
VIN: F37ZCFA0099

The above mentioned property owner has been parking the vehicle, described above, on their property, and has done so before plans were initiated to restrict such vehicles from White Oak Forest. To restrict this vehicle's access to the owner's property would subject said owner to undue hardship. For these reasons, the White Oak Forest Property Owner's Association recognizes that the above listed vehicle, or a replacement vehicle of same size and design, is exempt from restrictions described in Article XVII, according to the laws of Texas, as long as the current vehicle owner owns and personally operates the vehicle while residing on the property. This agreement recognizes only one such vehicle and will expire should the owner transfer or sell the property (Lot 20).

The vehicle must be in operating condition, having current license plates and inspection stickers, and operate on the streets and highways of the State of Texas. The property owner agrees to park the vehicle discreetly on the driveway, near the residence or to the rear of the residence.

The undersigned understand and willingly accept and agree to the terms of this agreement:

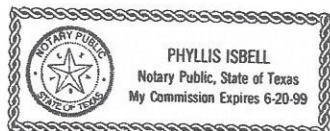
Mark Ryle
White Oak Forest Property
Owner's Association, officer

Peter Elorriaga, Jr.
Peter Elorriaga, Jr.

7-18-95
Date

Zita R. Elorriaga
Zita R. Elorriaga

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18 day of July, 1995.



Phyllis Isbell
NOTARY PUBLIC - STATE OF TEXAS

100-00-0480

White Oak Forest Property Owner's Association

P.O. Box 1294 Porter, Texas 77365 (713) 656-3511

Notice of Agreement

Concerning Restrictions Governing Lots One (1) Through Eighty-Two (82) in White Oak Forest A Subdivision In Montgomery County, Texas

Property Owner: Lanny & Bettie ~~Stubbsfield~~ *Stubblefield*
Lot: 16
Address: 150 Elmwood Drive
Porter, TX 77365
Vehicle Description: One tandem dump truck
VIN: 4 9 1 2 V D C 7 7 3 3

The above mentioned property owner has been parking the vehicle, described above, on their property, and has done so well before plans were initiated to restrict such vehicles from White Oak Forest. To restrict this vehicle's access to the owner's property would subject said owner to undue hardship. For these reasons, the White Oak Forest Property Owner's Association recognizes that the above listed vehicle, or a replacement vehicle of same size and design, is exempt from restrictions described in Article XVII, according to the laws of Texas, as long as the current vehicle owner owns and personally operates the vehicle while residing on the property. This agreement recognizes only one such vehicle and will expire should the owner transfer or sell the property (Lot 16).

The vehicle must be in operating condition, having current license plates and inspection stickers, and operate on the streets and highways of the State of Texas. The property owner agrees to park the vehicle discreetly on the driveway near the residence or to the rear of the residence.

The undersigned understand and willingly accept and agree to the terms of this agreement:

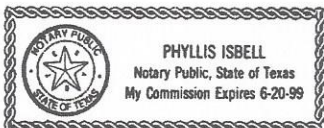
Mark H. [Signature]
White Oak Forest Property
Owner's Association, officer

Lanny Stubblefield
Lanny Stubbsfield *Stubblefield*

7-18-95
Date

Bettie Stubblefield
Bettie ~~Stubbsfield~~ *Stubblefield*

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of July, 1995.



Phyllis Isbell
NOTARY PUBLIC - STATE OF TEXAS

White Oak Forest Property Owner's Assoc.
P.O. Box 1294
Porter, TX 77365

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded.

100-00-0481

FILED FOR RECORD

95 SEP 29 AM 9:54

MARK TURNBULL, CO. CLERK
MONTGOMERY COUNTY, TEXAS

[Signature] DEPUTY

STATE OF TEXAS
COUNTY OF MONTGOMERY
I hereby certify that this instrument was filed in
File Number Sequence on the date and at the time
stamped herein by me and was duly RECORDED in
the official Public Records of Real Property of
Montgomery County, Texas.

SEP 29 1995



Mark Turnbull
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

54 SEP 29 1995
584 SEP 29 1995

REC 13.00
REC MGT 5.00

White Oak Forest

June 03, 1995 • Issue 13

DEED RESTRICTION AMENDMENTS

In our March 22, 1995 special meeting the Association voted to have our attorney prepare two deed restriction amendments.

ARTICLE XVII (a new restriction)

What does this amendment do?

It clarifies that only operating, licensed passenger-type vehicles are permitted to be parked on lots in White Oak Forest.

Recreational vehicles and trailered boats are also allowed when parked out of public view or to the rear of the residence.

Does this amendment restrict any vehicles from parking in White Oak Forest?

Yes it does. Any non-passenger type vehicle that exceeds the size dimensions listed

ENTRANCE SIGNS ARE UP - IN PROGRESS

Our new entrance signs are up and work is still in progress.

Will this amendment prohibit passenger-type pickups and vans that are also used for business?

No it won't. Pickups and vans are listed as passenger-type vehicles in the amendment.

How does this amendment affect antique cars and other "project" vehicles?

If you have a passenger vehicle you are refurbishing and it doesn't have a current license and inspection sticker, it must be concealed from public view. Once it is currently registered with the state as an operating motor vehicle the restriction no longer applies.

White Oak Forest

November 10, 1995 • Issue 15

SECOND AMENDMENT APPROVED & FILED

A clear majority of property owners approved the Second Amendment to the Deed Restrictions of White Oak Forest. The revision of Article III was approved by 60% of property owners and the addition of Article XVII was approved by 54%. This amendment was filed at the Montgomery County courthouse on September 29, 1995 and became effective at that time. All current and future White Oak Forest property owners are now subject to the terms of the amended Deed Restrictions. A copy of the ratified Amendment is enclosed. Please attach this to your copy of the Deed Restrictions and keep it on file for future reference.

The Second Amendment accomplishes the following:

- (revision of Article III) Requires each property to be designed and used for single family residential purposes only
- (Article XVII) Permits resident property owners to park passenger type vehicles - automobiles, vans, motorcycles, pick-ups - that are properly licensed and in operating condition on their property. Other vehicles larger than six feet six inches high or seven feet six inches wide or twenty-one feet long are not permitted. This excludes recreational vehicles and trailered boats.

We are asking property owners who own a trailer, tractor, boat, etc. to park these to the rear of their homes or in a garage or other out-building. This will help us achieve continuity in the way the neighborhood looks from the roadways. We appreciate your cooperation.

We all play a key role in the support of these guidelines. If you have questions or you're not sure how this might affect one of your vehicles, contact your WOFPOA officers.

ENTRANCE SIGN GREENERY

We recently planted shrubs around the new entrance signs. Hopefully they will have a good winter and be ready for a productive spring next year. Out of the \$1035 donated for these signs, \$913.01 has been used so far. We plan to use the remaining funds for landscaping that will be added early next spring. A special thanks to Mark Pyle for the time and labor spent planting these plants.

If you live near these entrances and are willing to help us water the plants, we would appreciate the help. It gets pretty tough hauling buckets of water on a regular basis. If you are interested in helping or need hoses or other equipment to help care for the plants, please contact Linda Whitehorn (354-4816).

1996 ASSESSMENTS

Your officers have agreed to maintain the current assessment rates for 1996. Occupied lots will pay \$65.00 and vacant lots will pay \$32.50. Statements for 1996 assessments will be sent to property owners mid-November. Payment of these assessments are due by January 31, 1996.

Please pay these assessments promptly so we can