

AMENDMENT
to
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
for
HYDE PARK WEST

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, 5177 Builders, Ltd., a Texas limited partnership, as Declarant, caused the instrument entitled "Declaration of Covenants, Conditions, Restrictions and Easements" to be recorded in the Official Public Records of Real Property of Harris County, Texas on March 21, 2001, under Clerk's File No. U941351 (the "Declaration"), which instrument imposes various covenants, conditions, restrictions and easements on the following land:

Hyde Park West, Block One (1), and Hyde Park West, Block Two (2), additions in Harris County, Texas according to the maps or plats thereof filed under Clerk's File Nos. U461086 and U389672, respectively, in the Official Public Records of Real Property, Texas and recorded under Clerk's Film Code Nos. 447060 and 444022, respectively, in the Map Records of Harris County, Texas

and

WHEREAS, Article XII, Section 12.02.1 of the Declaration, provides that the Declaration may be amended by a vote of Owners of two-thirds (2/3rds) of the total number of Building Sites; and

WHEREAS, Section 209.0041(h) of the Texas Property Code ("Code") provides that a declaration may be amended only by a vote of sixty-seven percent (67%) of the total votes allocated to property owners in the property owners association unless the declaration contains a lower percentage, in which case the lower percentage controls; and

WHEREAS, Article XII, Section 12.02.1 of the Declaration controls over Section 209.0041(h) of the Code; and

WHEREAS, Owners representing not less than two-thirds (2/3rds) of the total number of Building Sites desire to amend the Declaration in the manner set forth below;

NOW, THEREFORE, Owners representing not less than two-thirds (2/3rds) of the total number of Building Sites amend the Declaration as follows:

Article VII, Section 7.01.4 of the Declaration, entitled "Single Family Defined", is amended and restated to read as follows:

7.01.4 Single Family Defined. No residential dwelling may be occupied by more than one single family. For purposes of this Declaration, the term "single family" is limited to: (i) a person living

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alone, (ii) two (2) or more persons related by blood, marriage, or adoption, including their children, or (iii) not more than two (2) unrelated persons and their children. Unless otherwise approved by the Board of Directors, not more than one (1) full-time, live-in domestic worker is entitled to reside on a Lot; for purposes of this Section 7.01.4, the one (1) permitted domestic worker is considered an immediate family member of the single family occupying the Lot.

Unless otherwise provided herein, capitalized terms used herein have the same meanings as that ascribed to them in the Declaration.

Except as amended herein, all provisions in the Declaration remain in full force and effect.

[The remainder of this page was intentionally left blank.]

CERTIFICATION

I, the undersigned, do hereby certify:

That I am the President of Hyde Park West Community Association, Inc. ("Association"), a Texas non-profit corporation;

That the foregoing "Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Hyde Park West" was approved by Owners representing not less than two-thirds (2/3rds) of the total number of Building Sites.

The Association joins in the execution of this instrument to evidence its consent and approval of same.

HYDE PARK WEST COMMUNITY ASSOCIATION, INC.

By: Vickie Voorhies

Printed: Vickie Jo Voorhies

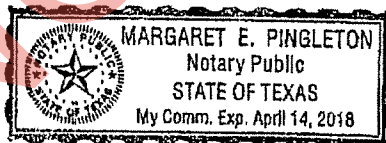
Its: President

THE STATE OF TEXAS §

COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 1st day of June 2017 personally appeared Vickie Voorhies, President of Hyde Park West Community Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for the purpose and in the capacity therein expressed.

Margaret E. Pingleton
Notary Public in and for the State of Texas



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ABSENTEE BALLOT TO VOTE ON AMENDMENT
to
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for
HYDE PARK WEST

In accordance with Section 209.0041 of the Texas Property Code, I/we the undersigned, as representative(s) of all of the owners of the property listed below do hereby cast our vote on the following item as follows:

Vote on an amendment to the instrument entitled "Declaration of Covenants, Conditions, Restrictions and Easements for Hyde Park West" recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk's File No. U941351 ("Declaration") as follows:

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For Proposed Amendment

Against Proposed Amendment

By signing this Absentee Ballot below, I/we consent and vote for the Proposed Amendment and know and agree that the Association may publicly record this page in the Official Public Records of Real Property of Harris County, Texas with the Proposed Amendment, if the Proposed Amendment is approved by the vote required for passage. This Absentee Ballot is valid for the meeting of the Members of the Association held on June 1, 2017 for the purpose of voting on the matters set forth above.

OWNER(S) OF PROPERTY

Archie Jay Beebe
Signature

ARCHIE JAY BEEBE
Printed Name of Owner

May 5, 2017
Date

Signature

Printed Name of Owner

Date

1311 HYDE PARK BLYD.
Street Address of Owner(s) Property

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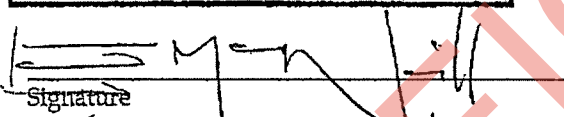
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OWNER(S) OF PROPERTY


Signature

ELIZABETH McNeill
Printed Name of Owner

6/1/2017
Date

Signature

Printed Name of Owner

Date

1315 Hyde Park Blvd Houston TX
Street Address of Owner(s) Property 77006

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OWNER(S) OF PROPERTY

Signature

Arthur H. Jeske

Printed Name of Owner

6/1/2017

Date

Signature

Printed Name of Owner

Date

Street Address of Owner(s) Property

1319 Hyde Park, Houston, TX 77006

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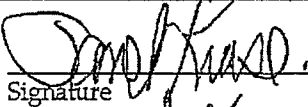
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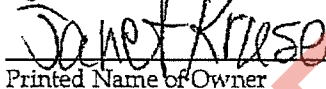
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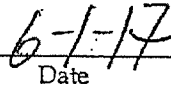
OWNER(S) OF PROPERTY



Signature



Printed Name of Owner



Date

Signature

Printed Name of Owner

Date



Street Address of Owner(s) Property

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HYDE PARK WEST

MAY 23 2017

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OWNER(S) OF PROPERTY

[Signature]
Signature

STANFORD H. WARREN
Printed Name of Owner

5/21/2017
Date

Lisa Warren
Signature

Lisa Warren
Printed Name of Owner

5/21/2017
Date

1323 HYDE PARK BLVD
Street Address of Owner(s) Property

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OWNER(S) OF PROPERTY

Kelly Miller
Signature

Kelly Miller
Printed Name of Owner

06-01-17
Date

Signature

Printed Name of Owner

Date

1325 Hyde Park Blvd.
Street Address of Owner(s) Property

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OWNER(S) OF PROPERTY

LE Bernard
Signature

LEONARD E. BERNARD
Printed Name of Owner

JUNE 1, 2017
Date

HELEN O. BERNARD
Signature

HELEN O. BERNARD
Printed Name of Owner

JUNE 1, 2017
Date

1331 HYDE PARK BLVD 77006
Street Address of Owner(s) Property
HOUSTON, TX

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OWNER(S) OF PROPERTY

Signature

David L Zimmerman
Printed Name of Owner

5-22-17
Date

Signature

Ramona Zimmerman
Printed Name of Owner

5-22-17
Date

1333 Hyde Park Blvd, Houston, TX 77006
Street Address of Owner(s) Property

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Printed Name of Owner

Date

Signature

Printed Name of Owner

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ABSENTEE BALLOT TO VOTE ON AMENDMENT
to
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
for
HYDE PARK WEST

In accordance with Section 209.0041 of the Texas Property Code, I/we the undersigned, as representative(s) of all of the owners of the property listed below do hereby cast our vote on the following item as follows:

Vote on an amendment to the instrument entitled "Declaration of Covenants, Conditions, Restrictions and Easements for Hyde Park West" recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk's File No. U941351 ("Declaration") as follows:

Article VII, Section 7.01.4 of the Declaration, entitled "Single Family Defined", is hereby amended and restated to read as follows:

7.01.4 Single Family Defined. No residential dwelling may be occupied by more than one single family. For purposes of this Declaration, the term "single family" is limited to: (i) a person living alone, (ii) two (2) or more persons related by blood, marriage, or adoption, including their children, or (iii) not more than two (2) unrelated persons and their children. Unless otherwise approved by the Board of Directors, not more than one (1) full-time, live-in domestic worker is entitled to reside on a Lot; for purposes of this Section 7.01.4, the one (1) permitted domestic worker is considered an immediate family member of the single family occupying the Lot.

For Proposed Amendment

Against Proposed Amendment

By signing this Absentee Ballot below, I/we consent and vote for the Proposed Amendment and know and agree that the Association may publicly record this page in the Official Public Records of Real Property of Harris County, Texas with the Proposed Amendment, if the Proposed Amendment is approved by the vote required for passage. This Absentee Ballot is valid for the meeting of the Members of the Association held on June 1, 2017 for the purpose of voting on the matters set forth above.

OWNER(S) OF PROPERTY

Paolo Primiero

Signature

PAOLO PRIMIERO

Printed Name of Owner

5/24/2017

Date

012776

Signature

JORRANG LEE

Printed Name of Owner

5/26/2017

Date

1401 C HYDE PARK BLVD.

Street Address of Owner(s) Property

*Section 209.0052(c)(3) of the Texas Property Code provides a solicitation for votes by absentee ballot must include the following language (whether it applies or not):

By casting your vote via absentee ballot you will forgo the opportunity to consider and vote on any action from the floor on these proposals, if a meeting is held. This means that if there are amendments to these proposals your votes will not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person. You may submit an absentee ballot and later choose to attend any meeting in person, in which case any in-person vote will prevail.

Please be advised, however, the language above does not apply to this vote because changes to the text of the Proposed Amendment WILL NOT be taken from the floor at any meeting called for the purpose of this vote or otherwise.

RP-2017-251579

ABSENTEE BALLOT TO VOTE ON AMENDMENT
to
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
for
HYDE PARK WEST

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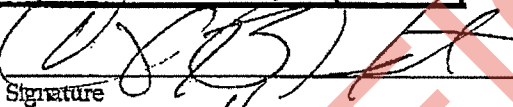
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OWNER(S) OF PROPERTY



Signature

Clint Harbert

Printed Name of Owner

6/1/17

Date

Signature

Printed Name of Owner

Date

1403 A Hyde Park

Street Address of Owner(s) Property

*Section 209.00592(c)(3) of the Texas Property Code provides a solicitation for votes by absentee ballot must include the following language (whether it applies or not):

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RP-2017-251579

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Against Proposed Amendment

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OWNER(S) OF PROPERTY

Vickie J. Voorhies
Signature

Vickie J. Voorhies
Printed Name of Owner

6-1-17
Date

Daven K. Voorhies
Signature

Daven K. Voorhies
Printed Name of Owner

6-1-17
Date

1403 B Hyde Park Blvd Houston
Street Address of Owner(s) Property 77006

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RP-2017-251579

RP-2017-251579
Pages 16
06/07/2017 07:49 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$72.00

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.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2017-251579

UNOFFICIAL COPY