

**AMENDED AND RESTATED RESTRICTIONS
FOR SAN JACINTO GARDENS**

THE STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF MONTGOMERY

We, a majority of the Owners of SAN JACINTO GARDENS, a subdivision situated in the THOMAS JAMES SURVEY, A-287, Montgomery County, Texas, a plat of which has been duly recorded in Volume 5, Page 249, Map Records of Montgomery County, Texas, and which said Subdivision has been heretofore approved by the Commissioner's Court of Montgomery County, Texas, desire to carry out a general plan for the protection, benefit and use of every owner of the lots herein, and to enhance the value of said lots for each and every owner herein. We, the said owners do hereby adopt the following Amended and Restated Restrictions and Covenants, the Restrictions and Covenants being as follows, to-wit:

1. Mobile homes are allowed with the following criteria:
 - a. For lots or tracts which are larger than one (1) acre, a maximum of two (2) mobile homes may be placed on the lot or tract at any given time, this includes placement of mobile homes on Lots No. Five (5) and Six (6).
 - b. Subject to Section 1(c) below, for smaller lots or tracts, being a property that is 1 acre, only one (1) mobile home may be placed on the lot or tract at any given time. If the lot or tract is smaller than an acre, placement of a mobile home is prohibited.
 - c. An owner who bought his/her/its lot or tract prior to January 1, 2021, may have a maximum of two (2) mobile homes on the lot or tract at any given time.
 - d. A mobile home must be occupied by the property owner or the property owner's immediate family members.
 - e. No leasing, subleasing or renting of mobile homes or personal RVs is permitted.
 - f. Mobile homes left unoccupied for over 6 months must be removed from the lot or tract.
 - g. Mobile homes must be skirted and maintained in a livable condition.
 - h. No mobile home parks or storage of mobile homes on any lots or tracts is permitted, including subdivided Lots No. Five (5) and Six (6).
 - i. Mobile home size shall be no less than 1,100 sq. feet with skirting (exclusive of closed or screened front porch or front awning). Mobile homes must be placed at least twenty-five (25) feet away from streets Couchatta Trail and Henry Calfee. Mobile homes must be at least five (5) feet away from any other side or rear lot line.
2. No "Tiny Homes" allowed. Homes shall have no less than 1,100 sq. feet of living space, exclusive of open porches, carports, and garages.
3. A personal boat stall is permitted; no further boat stalls are allowed. Boat stalls may not be used for monetary purposes. No commercial storage of any kind including boats, RVs or anything for monetary purposes allowed.
4. All equipment and non-registered vehicles must be stored out of public sight.
5. The boat launch, pier and park facility are not to be used for commercial or public use.
6. No noxious or offensive activity shall be carried on upon any lot or tract in said subdivision, nor shall anything be done upon any lot or tract which may be or may become an annoyance or nuisance to the neighborhood. A noxious or offensive activity will be determined by a majority vote of the property owners.

7. No domestic pets (such as dogs or cats) or livestock (cows, horses, swine, goats, or sheep) shall be kept or raised to be sold commercially or gathered as a rescue group on any lot or tract. A maximum of four (4) livestock animals may be kept at each lot or tract.
8. No lot or tract may be used as a mobile home park or RV park. The storage of RVs on a lot or tract, including Lots No. Five (5) and Six (6), is prohibited. This restriction is not intended to prevent a property owner's use of one (1) personal RV upon his/her/its property (limit one per property).
9. No business establishment shall be erected or operated upon any lot, tract, or lots/tracts, or any part thereof, within the Subdivision, except as hereinafter stated. The Restrictions set forth in this Section 9 shall not apply to Lots No. Five (5) and Six (6) of San Jacinto Gardens Subdivision; said Lots may be used by the current or subsequent owner(s) for any and all legitimate business purposes and for the establishment of any and all business establishments; however, Lots No. Five (5) and Six (6) may never be use as a mobile home or RV park. Use of any lot, including Lots No. Five and Six (6), as a mobile home or RV park is specifically prohibited. No member or owner of property in San Jacinto Gardens shall now or in future, amend any part of these restrictions so as to deny the owners of Lots No. Five (5) and Six (6) the right and privilege of using such lots for any and all legitimate business purposes permitted herein. Lots No. Five (5) and Six (6) are currently commercial properties and may continue to be used for same subject to the prohibition against use as a mobile home park or RV park.
10. No dwelling shall be located nearer to the front line than twenty-five (25) feet or nearer to a side line than five (5) feet.

These restrictions shall remain in full force and effect for ten (10) years from the date of recording and shall be automatically extended for successive periods of five (5) years unless amended by a vote of a majority of the then owners of the lots.

These restrictions are agreed upon and adopted by a majority of the owners of lots or tracts in the San Jacinto Gardens Subdivision and are applicable and enforceable against all lots and tracts, except Tract No. 11, which has been resubdivided into another subdivision; and all of the current and future owners of lots or tracts bind themselves, their heirs and assigns, to follow and abide by the foregoing rules, regulations and restrictions; and agree that they may be enforced by injunctive proceedings in the District Court of Montgomery County, Texas; and all agree that all attorney fees adjudged due in such injunction suit, shall be considered liquidated damages and collected as costs by the party prevailing in any such suit.

By: 

Richard Fox, Clerk of the San Jacinto Gardens Civic Club

THE STATE OF TEXAS

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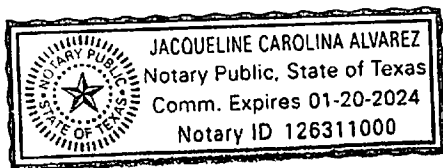
COUNTY OF MONTGOMERY

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ACKNOWLEDGMENT

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Before me, the undersigned authority, on this 5th day of May, 2021, personally appeared Richard Fox, 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 considerations therein expressed.





Notary Public

VOTE:

FOR X^{SH} OR X^{BAH} AGAINST _____ (Initial, mark, or check)

In order for your Ballot to be valid, you **MUST SIGN** where indicated below:

Owner's Signature:	<u> Stephen J Harris </u>	<u> Betty A Harris </u>
Printed Name:	<u> STEPHEN J HARRIS </u>	<u> Betty A Harris </u>
Date:	<u> 4-18-21 </u>	<u> 4-18-21 </u>
Property Address:	<u> 14510 COUSHATTA TRL </u>	

VOTE:

FOR ✓ OR AGAINST _____ (Initial, mark, or check)

In order for your Ballot to be valid, you **MUST SIGN** where indicated below:

Owner's Signature:	<u>Stephen L Madsen</u>	<u>Kimberly Marie Madsen</u>
Printed Name:	<u>Stephen L Madsen</u>	<u>Kimberly Madsen</u>
Date:	<u>4/17/21</u>	<u>4/17/21</u>
Property Address:	<u>14540 Coushatta Trail, Willis, TX 77318</u>	

VOTE:

FOR X OR AGAINST _____ (Initial, mark, or check)

In order for your Ballot to be valid, you **MUST SIGN** where indicated below:

Owner's Signature:

Jon Pickartz

Printed Name:

Jon Pickartz

Date:

4/16/2021

Property Address:

R 436114

VOTE:

FOR KR OR AGAINST _____ (Initial, mark, or check)

In order for your Ballot to be valid, you **MUST SIGN** where indicated below:

Owner's Signature: Kathleen Lockett _____

Printed Name: KATHLEEN LUCKETT _____

Date: 4-16-21 _____

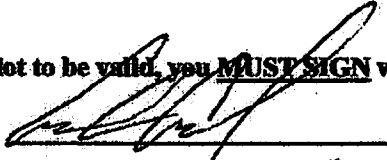
Property Address: 14443 COUSHATTA TR; WILLIS TX 77318


VOTE:

FOR X OR AGAINST _____ (Initial, mark, or check)

In order for your Ballot to be valid, you **MUST SIGN** where indicated below:

Owner's Signature:





Printed Name:

ARLEN OAK

SAUDRA CULL

Date:

4/16/21

APRIL 16, 2021

Property Address:

14550 COUSHATTA TRAIL WILLIS TX
77318

VOTE:

FOR ED OR AGAINST _____ (Initial, mark, or check)

In order for your Ballot to be valid, you **MUST SIGN** where indicated below:

Owner's Signature:

Edwin DeCora

Printed Name:

Edwin DeCora

Date:

4-19-21

Property Address:

14661 Couchatta Trail,

VOTE:

FOR ✓ OR AGAINST _____ (Initial, mark, or check)

In order for your Ballot to be valid, you **MUST SIGN** where indicated below:

Owner's Signature:

Mark McDaniel

Printed Name:

Mark McDaniel

Date:

4/19/2021

Property Address:

14581 HENRY CALFEE RD.

Shelly McDowell
Shelly McDowell

VOTE:

FOR RA 4 OR AGAINST _____ (Initial, mark, or check)

In order for your Ballot to be valid, you **MUST SIGN** where indicated below:

Owner's Signature:	<u>Richard D. Fox</u>	<u>Carole J. Fox</u>
Printed Name:	<u>Richard D. Fox</u>	<u>CAROLE J Fox</u>
Date:	<u>April 15, 2021</u>	<u>April 15, 2021</u>
Property Address:	<u>14596 Coughlin Trail, Willis, TX 77378</u>	

E-FILED FOR RECORD

05/19/2021 08:40AM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number
sequence on the date and time stamped herein
by me and was duly e-RECORDED in the Official Public
Records of Montgomery County, Texas.

05/19/2021



County Clerk
Montgomery County, Texas