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501-08-1648

ARTICLE IV
GRANDFATHER CLAUSES

1. Any use or condition that does not comply with the Restrictions set forth in Article III of this Declaration of Restrictive Covenants and that was in existence prior to the effective date of the Restrictions shall not be affected by the Restrictions. However, the discontinuation of any nonconforming use shall operate to prevent its reestablishment, except as provided in this Article.

2. If destroyed or rendered uninhabitable, a Residence in an overall structure that contains multiple Residences that share common walls may be rebuilt notwithstanding any Restrictions governing new construction, if ten percent or more of the overall structure remains intact.

3. Maintenance and repair of nonconforming structures that were in existence prior to the effective date of the Restrictions is permitted. However, a nonconforming structure that is totally destroyed or that requires reconstruction of seventy-five percent or more of the structure shall not be reconstructed but shall be demolished, unless it falls within the provisions of paragraph 2 of this Article.

4. Signs in the Residential Zone that are in existence and in proper repair on the date that the Restrictions become effective may remain in place if properly maintained. However, if such a sign is totally destroyed or requires reconstruction of seventy-five percent or more of the area of the sign, it shall not be reconstructed but shall be demolished, unless it complies with the Restrictions set forth in Article III.

5. A Business that is operating with all necessary legal permits on the date that the Restrictions become effective and that is located within the Residential Zone shall be privileged

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to continue in operation; however, if the Business ceases to operate for any reason or if any necessary legal permits are revoked or allowed to lapse, the Business shall not again be reopened within the Residential Zone and if reopened in the Business Zone shall conform to the Restrictions.

6. A Business that is operating with all necessary legal permits on the date that the Restrictions become effective and that is located within the Business Zone but that is engaged in activities prohibited by Article III shall be privileged to continue in operation; however, if the Business ceases to operate for any reason or if any necessary governmental permits are revoked or allowed to lapse, the Business shall not again be reopened or operated within Richwood Place.

ARTICLE V
APPLICATION

1. This Declaration of Restrictive Covenants is incorporated into a Petition to Create Restrictions prepared and filed in accordance with the requirements of chapter 201 of the Texas Property Code Annotated (Vernon Supp. 1992). Upon the filing of the Petition to Create Restrictions with the County Clerk of Harris County, this Declaration of Restrictive Covenants applies to all parcels of real property within Richwood Place, except those properties falling within the provisions of section 201.009 of the Texas Property Code Annotated (Vernon Supp. 1992).

2. This Declaration of Restrictive Covenants applies to all parcels of real property for which the record owner has filed a statement in accordance with paragraph 7 of Article II.

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03-08-1950

NOT VALID UNLESS REGISTERED IN THE PUBLIC RECORDS OF THE COUNTY OF HARRIS, TEXAS.
THIS INSTRUMENT WAS FILED FOR RECORD IN THE PUBLIC RECORDS OF THE COUNTY OF HARRIS, TEXAS, ON SEPTEMBER 21, 1954.
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN THE PUBLIC RECORDS OF THE COUNTY OF HARRIS, TEXAS, ON THE DATE AND AT THE TIME STAMPED ABOVE BY ME, AND WAS ONLY REGISTERED IN THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY OF HARRIS, TEXAS.

SEP 21 1954



Beverly L. Kaufman
COUNTY CLERK
HARRIS COUNTY, TEXAS