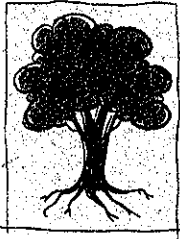


RETURN TO:
DIANE R. PRICE
7210 BLANDFORD LANE
HOUSTON, TEXAS 77055



AFTON VILLAGE HOMEOWNERS ASSOCIATION

P.O. Box 55944

HOUSTON, TEXAS 77255-5944

20080454491
08/29/2008 RP1 \$20.00

**MODIFICATION TO RESTRICTIVE COVENANTS
AFTON VILLAGE SECTION I AND II, HARRIS COUNTY, TEXAS**

BE IT KNOWN, on the 26th day of August, 2008 the Afton Village Homeowner Association, Inc. Board of Directors adopted the following:

WHEREAS, reference is made to the Afton Village Homeowner Association, Inc. MODIFICATION TO RESTRICTIVE COVENANTS AFTON VILLAGE SECTION I AND II, HARRIS COUNTY, TEXAS, which was executed and filed on or before February 29, 1996.

WHEREAS, "Article IV. Enforcement, Standards and Interpretations, Afton Village Homeowner Association Board (the "Board"), from time to time, may issue regulations, standards and interpretations relating to particular restrictions, consistent with the purposes and intent of the restrictions, as part of the Board's discretionary authority. Each owner and lot is bound by those regulations, standards, and interpretations".

WHEREAS, the Board is granted the power to establish additional "Standards" by "Paragraph 7.6 Architectural Standards. The Committee may, from time to time promulgate and distribute architectural standards and review procedures ("Standards") which shall be uniformly applied and implement the spirit and intention of these restrictions." Upon adoption by the Board and recording in the Official Public Records, of Harris County, Texas, such Standards shall supplement these restrictions and be incorporated herein by reference."

NOW, THEREFORE, THE BOARD DECLARES THAT:

DEED RESTRICTION "IV. Enforcement, Standards and Interpretations. The Afton Village Restrictive Covenants shall be applied and enforced in concert with the *Code of Ordinance, City of Houston and of Harris County, Texas* and the *Texas Property Code, Title 11, Chapter 202*. FURTHERMORE, in accordance with the *Code of Ordinance Article V, Section 10-553*, the City Attorney may be requested to file or join pursuit of any restrictive covenant violations in Afton Village."

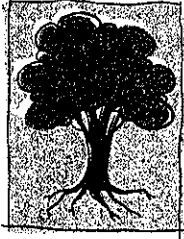
NOW, THEREFORE, BEING APPROVED AND ACCEPTED by the Officers of the Afton Village Homeowners Association, Inc., the above Resolution is to be recorded in the Official Public Records of Harris County, Texas.

David M. Webb, President

Dated: 8/26/08

Diane R. Price, Secretary

Dated: 8/26/08



AFTON VILLAGE HOMEOWNERS ASSOCIATION

P.O. BOX 55944

HOUSTON, TEXAS 77255-5944

BE IT KNOWN, on September 25, 2007 the Afton Village Homeowner Association, Inc. Board of Directors adopted the following:

WHEREAS, reference is made to the Afton Village Homeowner Association, Inc. MODIFICATION TO RESTRICTIVE COVENANTS AFTON VILLAGE SECTION I AND II, HARRIS COUNTY, TEXAS, which was executed and filed on or before February 29, 1996.

WHEREAS, Article IV. "Enforcement, Standards and Interpretations, Afton Village Homeowner Association Board (the "*Board*"), from time to time, may issue regulations, standards and interpretations relating to particular restrictions, consistent with the purposes and intent of the restrictions, as part of the Board's discretionary authority. Each owner and lot is bound by those regulations, standards, and interpretations".

WHEREAS, the Board is granted the power to establish additional "Standards" by "Paragraph 7.6 Architectural Standards. The Committee may, from time to time promulgate and distribute architectural standards and review procedures ("*Standards*") which shall be uniformly applied and implement the spirit and intention of these restrictions." Upon adoption by the Board and recording in the Official Public Records, of Harris County, Texas, such Standards shall supplement these restrictions and be incorporated herein by reference."

NOW, THEREFORE, THE BOARD DECLARES THAT:

"Article 7. Architectural Review, Paragraph 7.2 Submission of Plans, Item (ii) "harmony of external design with existing structures and improvements" shall be further defined as character, proportion, scale, colors, and materials. Existing homes in Afton Village are primarily one-story low profile structures of brick construction. New construction, specifically of two-story homes, shall reflect a low profile view, avoid profiles that emphasize height, and shall be sized proportional to adjacent homes. Box shaped appearances shall be avoided. Roof pitches shall match those of existing homes, as much as possible, in any case with a minimum pitch of 4:12. Exterior colors of existing homes are subtle. New construction homes shall be of traditional paint colors that would be consistent with the subtle tones already in existence. No bright colors such as orange, purple, etc., shall be used and, if submitted, would not be approved by the Architectural Review Committee. Specifications as to Materials noted in Item 3 "Construction Materials" shall be followed."

Construction shall not proceed until all plans and revisions are approved by the Architectural Review Committee.

NOW, THEREFORE, BEING APPROVED AND ACCEPTED by the Officers of the Afton Village Homeowners Association, Inc., the above Resolution is to be recorded in the Official Public Records of Harris County, Texas on this the 1st day of October, 2007.

Gay Donehoo, President

Diane J. Price, Secretary

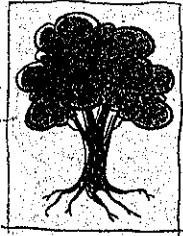
Dated: _____

Dated: _____

COPY

Nuisances, Livestock, Pets

RETURN TO:
DIANE R. PRICE
7210 BLANDFORD LANE
HOUSTON, TEXAS 77055



AFTON VILLAGE HOMEOWNERS ASSOCIATION

P.O. Box 55944

HOUSTON, TEXAS 77255-5944

20080454493
08/29/2008 RP1 \$20.00

**MODIFICATION TO RESTRICTIVE COVENANTS
AFTON VILLAGE SECTION I AND II, HARRIS COUNTY, TEXAS**

BE IT KNOWN, on the 26th day of August, 2008 the Afton Village Homeowner Association, Inc. Board of Directors adopted the following:

WHEREAS, reference is made to the Afton Village Homeowner Association, Inc. MODIFICATION TO RESTRICTIVE COVENANTS AFTON VILLAGE SECTION I AND II, HARRIS COUNTY, TEXAS, which was executed and filed on or before February 29, 1996.

WHEREAS, "Article IV. Enforcement, Standards and Interpretations, Afton Village Homeowner Association Board (the "Board"), from time to time, may issue regulations, standards and interpretations relating to particular restrictions, consistent with the purposes and intent of the restrictions, as part of the Board's discretionary authority. Each owner and lot is bound by those regulations, standards, and interpretations".

WHEREAS, the Board is granted the power to establish additional "Standards" by "Paragraph 7.6 Architectural Standards. The Committee may, from time to time promulgate and distribute architectural standards and review procedures ("Standards") which shall be uniformly applied and implement the spirit and intention of these restrictions." Upon adoption by the Board and recording in the Official Public Records, of Harris County, Texas, such Standards shall supplement these restrictions and be incorporated herein by reference."

NOW, THEREFORE, THE BOARD DECLARES THAT:

DEED RESTRICTION "4. Nuisances, Livestock & Pets. This restriction includes and conforms to the *Code of Ordinances, City of Houston, Texas*, specifically Chapter 6 (*Animals and Fowl, Article XI. Neighborhood Nuisances*) and including, but not limited to, Chapter 30 (*Noise and Sound Level*)".

NOW, THEREFORE, BEING APPROVED AND ACCEPTED by the Officers of the Afton Village Homeowners Association, Inc., the above Resolution is to be recorded in the Official Public Records of Harris County, Texas.

David M. Webb, President

Dated: 8/26/08

Diane R. Price, Secretary

Dated: 8/26/08

RETURN TO:
DIANE R. PRICE
7210 BLANDFORD LANE
HOUSTON, TEXAS 77055



AFTON VILLAGE HOMEOWNERS ASSOCIATION
P.O. Box 55944
HOUSTON, TEXAS 77255-5944

20080454492
08/29/2008 RP1 \$20.00

**MODIFICATION TO RESTRICTIVE COVENANTS
AFTON VILLAGE SECTION I AND II, HARRIS COUNTY, TEXAS**

BE IT KNOWN, on the _____ day of July, 2008 the Afton Village Homeowner Association, Inc. Board of Directors adopted the following:

WHEREAS, reference is made to the Afton Village Homeowner Association, Inc. MODIFICATION TO RESTRICTIVE COVENANTS AFTON VILLAGE SECTION I AND II, HARRIS COUNTY, TEXAS, which was executed and filed on or before February 29, 1996.

WHEREAS, "Article IV. Enforcement, Standards and Interpretations, Afton Village Homeowner Association Board (the "Board"), from time to time, may issue regulations, standards and interpretations relating to particular restrictions, consistent with the purposes and intent of the restrictions, as part of the Board's discretionary authority. Each owner and lot is bound by those regulations, standards, and interpretations".

WHEREAS, the Board is granted the power to establish additional "Standards" by "Paragraph 7.6 Architectural Standards. The Committee may, from time to time promulgate and distribute architectural standards and review procedures ("Standards") which shall be uniformly applied and implement the spirit and intention of these restrictions." Upon adoption by the Board and recording in the Official Public Records, of Harris County, Texas, such Standards shall supplement these restrictions and be incorporated herein by reference."

NOW, THEREFORE, THE BOARD DECLARES THAT:

DEED RESTRICTION "3. Construction Materials. The exterior walls shall be at least fifty-one percent (51%) brick, veneer, stone, stone veneer, concrete or other masonry type construction. Cementitious siding materials may be used, but only for the remaining forty-nine percent (49%) or a lesser percent of the exterior. To preserve the architectural harmony of the neighborhood, no concrete block or Exterior Insulation and Finishing System ("EIFS") construction is allowed."

NOW, THEREFORE, BEING APPROVED AND ACCEPTED by the Officers of the Afton Village Homeowners Association, Inc., the above Resolution is to be recorded in the Official Public Records of Harris County, Texas.

David M. Webb, President

Diane R. Price, Secretary

Dated: 8/26/08

Dated: 8/26/08

Trees & Lawns

AFTON VILLAGE HOMEOWNERS ASSOCIATION, INC.

P.O. Box 55944
Houston, Texas 77255-5944

On September 26, 2006 the Afton Village Homeowner Association, Inc. Board of Directors adopted the following:

Reference is made to the Afton Village Homeowner Association, Inc. MODIFICATION TO RESTRICTIVE COVENANTS AFTON VILLAGE SECTION I AND II, HARRIS COUNTY, TEXAS, which was executed and filed on or before February 29, 1996.

Under Article IV. "Enforcement, Standards and Interpretations, The Board (Afton Village Homeowner Association Board), from time to time, may issue regulations, standards and interpretations relating to particular restrictions, consistent with the purposes and intent of the restrictions, as part of the Board's discretionary authority. Each owner and lot is bound by those regulations, standards, and interpretations".

Furthermore, The Afton Village Homeowner Association Board is granted the power to establish additional "Standards" by "Paragraph 7.6 Architectural Standards. The Committee may, from time to time promulgate and distribute architectural standards and review procedures ("Standards") which shall be uniformly applied and implement the spirit and intention of these restrictions." Upon adoption by the Board and recording in the Official Public Records, of Harris County, Texas, such Standards shall supplement these restrictions and be incorporated herein by reference."

Therefore, the Board declares "Article 7. Architectural Review, paragraph 7.2 Submission of Plans" shall include the following:

(iii) Trees. When new construction on any lot in Afton Village is planned, the homeowner and/or contractor shall submit in writing and/or drawings all plans for removal and replacement of any living or dead tree with a trunk diameter of 3-inches or greater, on the lot, to the Afton Village Architectural Committee for approval. The plans shall include a description of location, size and type of tree/trees being removed and replacement tree/trees. Removed trees shall be replaced with an adequate number of quality trees. The objective is to maintain the esthetics and canopy of trees in Afton Village. If construction of a larger house and/or garage or addition to the existing house and/or garage is the reason for tree removal, the plans for location of the house and/or garage shall minimize the removal of existing trees. When new construction is performed, existing trees shall be protected from damage by construction equipment and protected from damage to the roots by heavy equipment, compacting, adding or removing too much soil, and/or cutting the roots. The diameter of a tree trunk is defined as that measured with a "calipers" or a "pi tape" at a height of 3 feet above ground level. Construction shall not proceed until all plans are approved by the Architectural Committee.

Furthermore, the Board declares that "Article 14. Lawn Care", shall include the following: Grass, weeds and vegetation on each lot shall be kept mowed and edged at regular intervals such that a height of 6 inches or less, and a length of not more than 3 inches over the curb and/or sidewalk is maintained. Dead trees, shrubs and plants shall be removed from the lot within 60 days of their dying. Dead or absent ground cover of 10 percent or more of the front lawn area of any lot shall be replenished with ground cover vegetation (such as grass sod), and/or landscaped (as with stones) within 6 months.

The above Standards are to be recorded in the Official Public Records of Harris County, Texas on _____ 2006.

Signed: _____ Date: _____

Johnny Kennedy, President of the Afton Village Homeowners Association, Inc...

Signed: _____ Date: _____

Diane Price, Secretary, of the Afton Village Homeowners Association, Inc.

Harold Kaufman

From: "Harold Kaufman" <haroldkaufman@sbcglobal.net>
To: "Dave Gilbert" <dsceg57@gmail.com>
Cc: "Jay Caldwell" <jaycaldwell13@earthlink.net>; "Gay Donehoo" <gayd@garygreene.com>
Sent: Tuesday, August 30, 2011 9:30 PM
Subject: AVHOA Board interpretation of single family
Dave,

Following is an update of "interpretation" of single family residences that I had on my computer from the past. I believe it is more restrictive than what the City ordinance has (per Jay Caldwell's email), but suits Afton Village. I also believe it will meet the civil laws now in effect.

The following is preceded by the usual references in our Deed Restrictions allowing Board interpretations:

NOW, THEREFORE, THE BOARD DECLARES THAT:

Deed Restrictions: "1. Uses 1.1 Single Family Residential" is interpreted by the AVHOA Board as follows:

A single family shall be defined as one or two primary adults and their unmarried children, if any (either by birth, adoption or by legal foster arrangement). A parent or parents of the primary adult or adults may also be considered part of the single family and reside on the lot. Alternatively, a group of up to 4 primary adults may be considered a single family. This single family restriction shall apply to both owners and renters of the residence. Visitors of the single family may not live in a residence on the lot for more than a period of 30 consecutive days or 60 accumulative days per calendar year. No more than one non-family hired nurse or attendant of a resident may live in a residence on the lot at any one time. The total number of residents in a single family residence shall be limited to no more than 10. The AVHOA Board shall have the right to require proof of single family qualifications, to assess a fine for violations, and to collect fines and legal fees for pursuance of violations.

Deed Restrictions: "2. Lot Subdivision and 17.Relocation of Lot Lines" are interpreted by the AVHOA Board as "There shall be no more than one residence on any lot even if the lot lines are changed as by addition of a portion of, or all of, a neighboring lot or lots.