

**BINGLEWOOD CIVIC CLUB INC.'S POLICIES AND GUIDELINES**

**Recorded Pursuant to Sections 202.007, 202.009, 202.010, 202.011  
and 202.018, Title 11, Texas Property Code**

- I. **Subdivision Name.** The name of the subdivision is "Binglewood."
- II. **Association Name.** The name of the Association is "Binglewood Civic Club, Inc." (the "Association").
- III. **Recording Information.** The recording data (i.e., Map or Plat reference) Deed Restrictions, and Declaration of Covenants, Conditions and Restrictions for each Section of the Subdivision is as shown on Schedule A attached hereto (collectively, the "Deed Restrictions").
- IV. **General Description.** The Association's Policies and Guidelines Regarding: (a) Parking of Boats, Trailers and Recreational Vehicles; (b) Barbeque Grills; (c) Parking of Commercial Vehicles; (d) Flags And Flag Poles; (e) Solar Energy Devices; (f) Storm, Solar and/or Energy Efficient Roof Shingles; (g) Rain Barrels and/or Rainwater Harvesting Systems; (h) Religious Door and/or Entryway Displays; (i) Political Signs; (j) Vendor Signs; (k) Sheds; (l) Tiny Houses; (m) Additional Living Quarters; (n) Carports; (o) Antennas and Satellite Dishes; (p) Basketball Goals and Other Recreational or Playground Equipment; (q) Firewood; (r) Garage Sales; and (s) Short-Term Rentals (collectively, the "Policies And Guidelines").
- V. **Exemption.** All Binglewood lots owned on or before the date these Policies and Guidelines are adopted shall be exempt from Items d, k, m, n, o and p *only* of these Policies and Guidelines. Owners are not liable for violations committed *before* their ownership of a Lot. To the extent these Policies and Guidelines contradict any previous guidelines, rules, covenants, or restrictions, these Policies and Guidelines shall control. These Policies and Guidelines are supplementary and are in addition to the Deed Restrictions.
- VI. **Policies and Guidelines.**
- a. **Parking of Trailers, Recreational Vehicles and Boats.**
1. No trailers or recreational vehicles may be parked on a Lot in plain view from the street or between any residence or garage and an abutting side street, or upon any street abutting any Lot. They must be placed in the garage, behind a fence or in offsite storage.
  2. Boats may be placed temporarily in the driveway solely for the purpose of cleaning or short-term maintenance but may not be parked for longer than five (5) consecutive days in plain view from the street. Boats must be stored in the garage,

behind a fence or in offsite storage.

3. This shall not be construed to prohibit the standing or parking of a trailer, boat or recreational vehicle for short periods of time in preparation of taking same to some location outside the Subdivision for use or storage, but the habitual parking or standing of trailers, boats or recreational vehicles within the areas specified above shall be a violation of these policies and guidelines.

**b. Barbeque Grills.**

1. No barbeque grills may remain in the front yard except for block parties like National Night Out. Grills are to be used and stored in the backyard.

**c. Parking of Commercial Vehicles.**

1. No commercial vehicles may be parked in the driveway, front or side of houses in the Subdivision.
2. The Association hereby defines “commercial vehicles” to mean any one or more of the following:
  - i. whether the vehicle is one (1) ton or larger;
  - ii. whether the vehicle has been modified (e.g., a flatbed truck or a tow truck);
  - iii. whether the vehicle will fit in a garage;
  - iv. the number of such vehicles stored at the premises;
  - v. whether the vehicle will fit in a normal size parking space or whether the vehicle may be parked in a covered parking garage;
  - vi. whether trailers are also kept at the subject property;
  - vii. whether the people who reside at the subject property are operating a business;
  - viii. the load capacity of the vehicle;
  - ix. whether the vehicle is often loaded with commercial items or items that constitute a nuisance, an annoyance, and/or an eyesore to the community;
  - x. whether the vehicle has tandem axles, a hydraulic lift, and/or a lift-gate;
  - xi. whether the vehicle is parked, kept or stored in the yard of the subject property;
  - xii. whether a neighbor or neighbors is/are complaining about any such vehicle(s);

- xiii. whether the appearance of any such vehicles is not in harmony with the aesthetics of Binglewood Subdivision, a single-family residential community;
  - xiv. whether any such vehicle constitutes a health and/or safety concern; and
  - xv. whether the parking or storing of any such vehicle violates any Federal, State, County, Municipal and/or local governmental guidelines, criteria, ordinances and/or requirements.
3. A standard size passenger vehicle (e.g., a sedan, a coupe, a convertible or a one-half (1/2) ton pick-up truck or one-half (1 /2) ton passenger van) shall not be considered a “commercial vehicle” solely because a small sign, decal or insignia relating to an off-premises business is attached thereto.

**d. Flags and Flag Poles.**

- 1. Prior to installation of a flagpole, the advance written approval of the Association’s Architectural Committee is required as set forth in the Deed Restrictions.
- 2. The flag of the United States must be displayed in accordance with *4 USC Sections 5-10*.
- 3. The flag of the State of Texas must be displayed in accordance with *Chapter 3100, Texas Government Code*.
- 4. A flagpole attached to a dwelling or a freestanding flagpole must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.
- 5. The display of a flag and/or the location and construction of the supporting flagpole must comply with any and all applicable easements and setbacks of record.
- 6. A displayed flag and the flagpole on which it is flown must be maintained in good condition. Further, any deteriorated flag or deteriorated or structurally unsafe flagpole must be timely repaired, replaced or removed.
- 7. Only one of any type of flag may be displayed at an occupied premises.
- 8. No flags may be displayed at any unoccupied (i.e., vacant) premises.
- 9. Any displayed flag may be no larger than eight (8) feet in height by five (5) feet in width, and must be flown from an approved flagpole attached to a dwelling or from an approved freestanding flagpole. A freestanding flagpole may not exceed twenty feet (20’) in height. The diameter, design, materials, color and location of any flagpole (whether attached to a dwelling or freestanding) must be approved in advance, and in writing, by the Association’s Architectural Committee.

10. The intensity of any lights installed to illuminate a flag or flags is subject to approval by the Association so as to avoid a potential nuisance or annoyance to the neighborhood. Further, no flag may be installed or displayed in such a manner as to create excessive noise caused by an external halyard of a flagpole.
11. Unless installed or displayed by the Association, a flag or flags may not be displayed on any property owned or maintained by the Association.

**e. Solar Energy Devices.**

1. Texas Property Code §§202.010 & 202.011, as amended, allows owners in property owner associations the limited right to install solar energy devices.
2. To the extent these Policies and Guidelines, the Deed Restrictions or any dedicatory instrument of the Association that prohibits the installation of any solar energy device, as defined by Section 171.107 of the Texas Tax Code (“Device” or “Devices”), the Association shall enforce such restriction only to the extent allowable by law.
3. Prior to installation of any solar panel or any other solar energy device, the advance written approval of the Association’s Architectural Committee is required as set forth in the Deed Restrictions.
4. A solar panel and/or any other solar energy device is not allowed if it threatens the public health or safety and/or if it violates any Federal, State or local law.
5. Any approved solar panel and/or any other approved solar energy device must be installed on the roof of the home or the roof of another structure allowed under the Deed Restrictions or, alternatively, in a fenced yard or patio owned and maintained by the property owner.
6. The following solar energy devices are prohibited:
  - i. if installed on the roof of the home: (1) it extends higher than or beyond the roofline; (2) it is located in an area other than an area designated by the Association, unless the alternate location increases the estimated annual energy production of the device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than ten percent (10%) above the energy production of the device if located in an area designated by the Association; (3) it does not conform to the slope of the roof and has a top edge that is not parallel to the roofline; and/or (4) it has a frame, a support bracket, or visible piping or wiring that is not in a silver, bronze, or black tone commonly available in the marketplace;
  - ii. if installed in a fenced yard or patio, it is taller than the fence line;

- iii. if as installed, it voids material warranties;
  - iv. if it was installed without the property owner first receiving the advance written approval of the Association's Architectural Committee; and/or
  - v. if the Association or its Architectural Committee determines in writing that placement of the device as proposed by the property owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities (*note*: for the purpose of making a determination under this sub-paragraph "v," the written approval of the proposed placement of the device by all property owners of adjoining property constitutes *prima facie* evidence that such a condition does not exist).
- 7. Unless installed by the Association, a solar panel and/or any other solar energy device may not be installed on any property owned or maintained by the Association.
- f. **Storm, Solar and/or Energy Efficient Roof Shingles (i.e., roof shingles designed primarily to be wind and hail resistant, provide heating and cooling efficiencies greater than those provided by customary composite shingles, and/or provide solar generation capabilities).**
  - 1. Prior to installation of storm, solar and/or energy efficient roof shingles, the advance written approval of the Association's Architectural Committee is required as set forth in the Deed Restrictions.
  - 2. When installed, any such shingles must: (a) resemble the shingles used or otherwise authorized for use on property in the Subdivision; and (b) be more durable than, and of equal or superior quality to, shingles used or otherwise authorized for use on property in the Subdivision.
  - 3. The standard roofing material used within the Subdivision is 30-year architectural shingles (see example below). The color may vary, however, all new construction (including outbuildings) and/or replacement shingles must maintain the original style and color as that of the original residence. If a change in appearance is allowed by the Architectural Committee, all roofs on the property must be changed accordingly. Non-standard variants from this requirement (such as metal roofs), as installed by the original builder, must be maintained in their original state and appearance, and new construction or modifications must conform.



Architectural Shingles

**g. Rain Barrels and/or Rainwater Harvesting Systems.**

1. A rain barrel(s) and/or rainwater harvesting system is not allowed if: (i) it is located between the front of the property owner's home and an adjoining or adjacent street; (ii) the barrel(s) or system is of a color other than a color consistent with the color scheme of the property owner's home; and/or (iii) the barrel(s) or system displays any language or other content that is not typically displayed by such a barrel or system as it is manufactured.
2. The Association may regulate the size, type, and shielding of, and the materials used in the construction of, a rain barrel, rainwater harvesting device, or other appurtenance that is located on the side of a house or at any other location that is visible from a street, another lot, or a common area if: (a) the regulation (or restriction) does not prohibit the economic installation of the device or appurtenance on the property owner's property; and (b) there is a reasonably sufficient area on the property owner's property in which to install the device or appurtenance.

**h. Religious Door and/or Entryway Displays.**

1. To the extent allowed by the U. S. Constitution and the Texas Constitution, the following religious displays are prohibited: (i) displays that threaten the public health or safety; (ii) displays that violate a Federal, State or local law; (iii) displays that contain language, graphics, or any display that is patently offensive to a passerby; (iv) a display(s) in a location other than the entry door or door frame or extends past the outer edge of the door frame of the owner's or resident's dwelling; and/or (v) individually, or in combination with each other, religious items displayed or affixed on the entry door or door frame which has/have a total size greater than the size of the door or door frame on which it is displayed.
2. An owner or resident may not use a material or color for an entry door or door frame of the owner's or resident's dwelling or make an alteration to the entry door or door frame that is not authorized by the restrictive covenants governing the dwelling.
3. The Association may request the removal of a religious item displayed in violation of a restrictive covenant.

**i. Political Signs.**

1. A property owner may display on the owner's property one or more signs advertising a political candidate or ballot item for an election only on or after the 90th day before the date of the election to which the sign relates until the 10th day after such election date.
2. Any such political sign must be ground-mounted, and a property owner(s) may display on his and/or her Lot only one sign for each candidate or ballot item.
3. Prohibited political signs include any sign that: (a) contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component; (b) is attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object; (c) includes the painting of architectural surfaces; (d) threatens the public health or safety; (e) is larger than four (4) feet by six (6) feet; (f) violates federal or state law or city or county ordinance; (g) contains language, graphics, or any display that would be offensive to the ordinary person; or (h) is accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.
4. The Association may remove, or cause to be removed, a sign displayed in violation of the foregoing Policy for Political Signs.

**j. Vendor and Other Signs.**

1. A property owner may display on the owner's property one or more signs advertising vendors who have performed work on the property for a period of sixty (60) days after such work has been completed. After such time period, the sign must be removed. Only one sign per vendor is allowed.
2. Other signs will be allowed at the discretion of the Architectural Committee.

**k. Sheds.**

1. A shed is defined as "a prefabricated or on-site constructed enclosure that is less than 12 feet high, less than 150 square feet in area and is used for the storage of lawn tractors, garden implements, bicycles and other common household commodities."
2. Only one shed per lot is allowed and it may not be higher than the roof line of the residence. The shed should be sufficiently screened from the view of neighbors and from any street.
3. Sheds shall not, under any circumstances, be used as a living space.

4. Sheds may be located only within the building setback lines and must be in the backyard of a Lot. A shed shall not be placed within the front yard of a Lot.
5. All sheds must include a solid floor composed of either: (i) a 4-inch-thick concrete slab; (ii) an integrated floor of suitable building material (e.g. pressure treated lumber); (iii) the area around the foundation must be backfilled; no exposed space under the shed will be permitted; and (iv) a suitable barrier must be in place to prevent burrowing animals from making a habitat under the shed. No dirt or gravel floors will be permitted. Exterior walls must be of wooden framed (e.g. 2 x 4) construction. The roof must be sloped to compliment the primary residence. Flat roofs will not be approved. All sheds must have a door that latches.
6. Exterior cladding should match that of the primary residence in both style and color. Exterior cladding shall be wood, vinyl, or aluminum. No plastic, rubber, fiberglass, or metal sheds will be approved. Roof shingles should match as closely as possible those on the primary residence in both style and color. Windows, if present, should match as closely as possible those on the primary structure in both style and color.
7. Any utilities servicing the shed must be underground. No above-ground utilities of any type will be permitted. Exterior lighting (if installed) shall not exceed one 75-watt light bulb enclosed in a permanent fixture attached to the shed. Efforts must be taken to shield neighbors from light overrun.
8. Property owners are responsible for the maintenance of all structures on their property, including the shed and any landscaping included, and approved, in the initial request. No items may be stored outside of, or attached to the outside of, the shed. Shed doors should be kept closed and latched when not in use.
9. Greenhouses and resin shed kits shall be subject to the above restrictions for sheds with the exception of items 5 and 6 above.

**l. Tiny Houses.**

1. A tiny house that is placed on wheels and that is classified as a recreational vehicle by the State of Texas and requires registration with the state's motor vehicles department shall not be allowed to be placed on a Lot.
2. All tiny houses (also referred to as a granny flat, a granny cottage or an accessory dwelling unit (ADU)) shall not be allowed to be placed in the backyard of a Lot.

**m. Additional Living Quarters.**

1. Additional living quarters, which are referred to as "servants' quarters" or "servants' house" in the Deed Restrictions, shall mean any additional living quarters added to a Lot with or without utility service not attached to the main

residence which may be added to the backyard of any Lot such as a “mother-in-law” or garden apartment, art studio, workshop, etc. In accordance with the Deed Restrictions, all such additional living quarters must be occupied by family members of the Lot Owner and/or a person contracted to provide certain healthcare or other life extending services to the Lot Owner.

3. Such additional living quarters must be connected to the main house in some way, shall be no taller than the residence and shall be erected more than sixty-five (65) feet from the front property line and more than five (5) feet on either side of the property line in the backyard. All setback and easement requirements as set forth in the Deed Restrictions shall apply.
4. The Architectural Committee must approve any additional living quarters added to any Lot.

**n. Carports.**

1. Permanent construction of any type shall not be allowed forward of the front building line. Carports of any type, including mobile or enclosed carports, detached or permanent, shall not be allowed towards the front of the house nor at the front of the garage of Lot in the Subdivision. A carport is defined as “a covered structure used to offer limited protection to vehicles, primarily cars and trucks, from rain and snow.”
2. Structures may be built on either the side of a house so long as it follows the existing roof design, does not extend beyond the wall of the house nor extend past the Lot’s front building line, the City of Houston setback line, and as otherwise set forth in the Deed Restrictions, is properly permitted and has been approved in advance by the Architectural Committee.
3. Following are examples of disapproved carports:



**o. Antennas and Satellite Dishes.**

1. This Policy and Guideline applies to the following types of antennas:
  - i. A “dish” antenna that is one meter (39.37”) or less in diameter and is designed

to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite;

- ii. An antenna that is one meter or less in diameter or diagonal measurement and is designed to receive video programming services via broadband radio service (wireless cable) or to receive or transmit fixed wireless signals other than via satellite; and
  - iii. An antenna that is designed to receive local television broadcast signals.
- 2. Antennas covered by this Policy and Guideline may be mounted on “masts” to reach the height needed to receive or transmit an acceptable quality signal (e.g. maintain line-of-sight contact with the transmitter or view the satellite). Masts may be no higher than twelve (12) feet above the roofline. Antennas must be placed at the rear of the house and not visible from any street so long as such placement does not prevent reception of an acceptable quality signal or impose unreasonable expense or delay upon a resident.
  - 3. All antennas that both receive and transmit signals must be installed by professional installers to maximize effectiveness and minimize the possibility that the antenna will be placed in a location that is likely to expose residents to radiation from the transmit signal at close proximity and for an extended period of time. All such installations must not compromise the overall safety of the Subdivision.
  - 4. The permission of the Architectural Committee is not required for installation of antennas and/or satellite dishes pursuant to Section 207 of the Telecommunications Act of 1996 entitled “*Restrictions on Over-the-Air Reception Devices*,” as amended (the “Act”). However, the installation of any amateur (“HAM”) radio (see also 47 C.F.R. §97.15), Citizen’s Band (“CB”) radio or Digital Audio Radio Services (“DARS”) antenna is not subject to the Act and requires the advance written approval of the Association’s Architectural Committee as set forth in the Deed Restrictions.

**p. Basketball Goals and Other Recreational or Playground Equipment.**

- 1. Basketball hoops are permitted as long as they are portable basketball hoops on wheels that do not become unsightly or pose a hazard to residents or guests of the Subdivision. Basketball hoops must be properly maintained at all times with no visible rust, torn nets, missing or broken backs. Garage or wall-mounted types of basketball hoops are not permitted.
- 2. No basketball hoop and/or backboard shall be installed closer to the front or side Lot lines facing on any adjacent street than the applicable building set-back line along such street. Permanent installations are not allowed in front of the house. Basketball goals must be kept behind the building setbacks, so that residents on corner lots are not allowed to make permanent installations that are “behind” their

house, but also along the street or sidewalk beside their lot.

3. Permanent installations of any type of playground equipment are only allowed at the rear of a Lot, and must meet all requirements of the Deed Restrictions as to placement, including setback and easement requirements; height limitations, maximum square footage, and building materials. All such installations must be approved by the Architectural Committee as described in the Deed Restrictions. The improvements must have minimum visibility from any street.
4. Semi-permanent or permanent structures, footings, or mountings, whether constructed above or below grade, or attached to the house, fence, or other structures, for the purpose of attaching removable equipment, are not permitted except at the rear of a lot as described above. For the purposes of this Policy and Guideline, permanent is defined as a structure that is mechanically attached to the property or any structure thereon.
5. Other recreational equipment such as nets and goals may be placed in the front yard on a temporary basis.

**q. Firewood.**

1. Firewood may not be stored in front or on the sides of homes where it is visible from any street. All firewood must be stored in Owner's garage or backyard.

**r. Garage Sales.**

1. Residents must abide and comply with the regulations of the Office of the State Comptroller of the State of Texas regarding garage sales. Residents are allowed to have only two (2) such sales within a twelve (12) month period. Any more than two sales shall mean the resident is recognized as a business and, therefore, such resident must obtain a sales tax permit from the State of Texas.
2. Residents must adhere to the Deed Restrictions which include limitations on solicitation and running a commercial business from a residence.

**s. Short-Term Rentals.**

1. Subdivision residents may not rent or lease their property for less than thirty (30) days. Airbnb or other similar short-term rentals qualify as a "lease" and a "business or commercial activity" under the Deed Restrictions and are not permitted.

**CERTIFICATION**

"I, the undersigned, being the President of the Binglewood Civic Club, Inc., hereby certify that the foregoing Policies and Guidelines were adopted by a majority of the Association's Board of Directors, and such Policies and Guidelines have not been modified or repealed, and are now in full force and effect."

**BINGLEWOOD CIVIC CLUB, INC.,**  
a Texas nonprofit corporation

By: \_\_\_\_\_

Joanne Cortez  
President

**ACKNOWLEDGMENT**

THE STATE OF TEXAS     §  
                                          §  
COUNTY OF HARRIS     §

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared Joanne Cortez, President of BINGLEWOOD CIVIC CLUB, INC., a Texas nonprofit corporation, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that she executed same in the capacity and for the consideration therein expressed, and as the act and deed of such Corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 30th day of December 2020.



\_\_\_\_\_  
Ann Mair Cowper  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

AFTER RECORDING, RETURN TO:  
Binglewood Civic Club, Inc.  
P.O. Box 430943  
Houston, Texas 77243-0943

Binglewood Civic Club, Inc.  
Policies and Guidelines

**Schedule A**  
**Deed Restrictions**

The recording data (i.e., Map or Plat reference) Deed Restrictions, and Declaration of Covenants, Conditions and Restrictions for each Section of the Subdivision is as follows:

**Section 1:**

- a. Plat of Binglewood Section I recorded November 29, 1954, under Clerk's File No. 1346846, in Volume 47, Page 39, of the Map and/or Plat Records, Harris County, Texas; and
- b. Binglewood Subdivision [Covenants, Conditions, Easements, Restrictions and Reservations] dated November 30, 1954 recorded December 9, 1954, under Clerk's File No. 1352209, in Volume 2866, Page 20, of the Deed Records, Harris County, Texas.

**Section 2:**

- a. Plat of Binglewood Section 2 recorded August 4, 1955, in Volume 49, Page 68, of the Map and/or Plat Records, Harris County, Texas;
- b. Restrictions of Binglewood Subdivision, Section Two dated August 4, 1955 recorded October 18, 1955, in Volume 3010, Page 655, of the Deed Records, Harris County, Texas; and
- c. Protective Covenants dated April 19, 1984 recorded April 30, 1984, under Clerk's File No. J479835, of the Official Public Records of Harris County, Texas (as to Lot 155, Block 13).

**Section 3:**

- a. Plat of Binglewood Section 3 recorded September 13, 1956, in Volume 53, Page 53, of the Map and/or Plat Records, Harris County, Texas;
- b. Restrictions of Binglewood Subdivision, Section III dated March 22, 1957 recorded June 24, 1957, under Clerk's File No. 1756500, in Volume 3339, Page 379, of the Deed Records, Harris County, Texas; and
- c. Plat of Binglewood Section 4 & Replat of Lot 360, Block 21 Binglewood Section 3 recorded February 05, 1959, in Volume 58, Page 22, of the Map and/or Plat Records, Harris County, Texas (as to Lot 360, Block 21 only of Section 3).

**Section 4:**

- a. Plat of Dr. B. P. Wright Subdivision recorded March 29, 1892, in Volume 67, Page 161, of the Deed Records, Harris County, Texas; and
- b. Restrictions of Binglewood Subdivision, Section IV, recorded May 13, 1959, in Volume 3700, Page 108, of the Deed Records, Harris County, Texas.

**Section 5:**

- a. Plat of Dr. B. P. Wright Subdivision recorded March 29, 1892, in Volume 67, Page 161, of the Deed Records, Harris County, Texas; and

- b. Restrictions dated February 17, 1964 recorded February 19, 1964, in Volume 5423, Page 30, of the Deed Records, Harris County, Texas.

Section 6:

- a. Plat of Binglewood Section 6 recorded August 15, 1996, under Film Code No. 379146, of the Map and/or Plat Records, Harris County, Texas;
- b. Plat of Amended Plat of Binglewood Section 6 recorded June 18, 1997, under Film Code No. 389080, of the Map and/or Plat Records, Harris County, Texas; and
- c. Declaration of Covenants, Conditions and Restrictions Binglewood Section Six Subdivision dated April 22, 1997, and recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk's File No. S432058, Film Code No. 512-84-3669 (the "Section Six Declaration").