

**ADDITIONAL DEDICATORY INSTRUMENT**

for

**SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION, INC.**

THE STATE OF TEXAS

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COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Margaret R. Maddox who, being by me first duly sworn, states on oath the following:

My name is Margaret R. Maddox I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

I am the Attorney/Agent for **SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION, INC.** Pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

1. RESOLUTION REGARDING GUEST QUARTERS WITHIN THE SUBDIVISION
2. RESOLUTION REGARDING OPERATING A HOME BUSINESS WITHIN THE SUBDIVISION

for

**SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION, INC.**  
**A TEXAS NON-PROFIT CORPORATION**

DATED this 3rd day of November, 2017.

**SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION, INC.**

BY: Margaret R. Maddox

Margaret R. Maddox Attorney/Agent  
(Printed Name)

RP-2017-490430

UNOFFICIAL COPY

THE STATE OF TEXAS

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COUNTY OF HARRIS

THIS INSTRUMENT was acknowledged before me on this the 3<sup>RD</sup> day of November, 2017 by the said Margaret R. Maddox, Attorney/Agent for **SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION, INC.**, a Texas non-profit corporation, on behalf of said corporation.



April Mapes  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

After Recording Return To:  
Daughtry & Jordan, P.C.  
17044 El Camino Real  
Houston, Texas 77058  
ATTN: MRM

RP-2017-490430

**RESOLUTION REGARDING  
GUEST QUARTERS WITHIN THE SUBDIVISION**

**SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION, INC.**

**WHEREAS**, SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION INC., a Texas non-profit corporation (hereinafter referred to as the "ASSOCIATION"), through its Board of Directors has the authority under Texas Property Code Section 204.010(a)(6) to regulate the use, maintenance, repair, replacement, modification, and appearance of the single family residences in the subdivision;

**WHEREAS**, Texas Property Code Section 204.010(a)(21) authorizes a property owners' association to exercise other powers necessary and proper for the governance and operation of the property owners' association;

**WHEREAS**, Section 22.201 of the Texas Business Organization Code ("TBOC") provides that "[e]xcept as provided by Section 22.202, the affairs of a corporation are managed by a Board of Directors" and Section 22.202(b) of the TBOC provides that "[a] corporation is considered to have vested the management of the corporation's affairs in the board of directors of the corporation in the absence of a provision to the contrary in the certificate of formation;"

**WHEREAS**, the residential Deed Restrictions for the subdivision recorded in the Official Public Records of Real Property of Harris County, Texas, provides that "no structure shall be erected, altered, placed or allowed to remain on any Residential Lot other than one (1) single family dwelling, a detached or attached garage...and bona fide guest's quarters."

**WHEREAS**, pursuant to the Texas Property Code and the Association's Governing Documents, the Board of Directors (the "Board") of the Association, hereby adopts this Policy in an effort to provide homeowners clarification regarding construction of guest/servants' quarters within the subdivision;

**WHEREAS**, the Association's Deed Restrictions are in place for the purpose of keeping the development of said real property for the mutual benefit and pleasure of the owners in said subdivision, and for the protection of such property values of the subdivision;

**WHEREAS**, property values in the subdivision are affected by the appearance of the subdivision and specifically, construction of guest/servants' quarters therein; and

**WHEREAS**, the Board of Directors desires to clarify the Deed Restrictions regarding construction of guest/servants' quarters within the subdivision and adopt the following Guest Quarters Policy in order to maintain the attractiveness of the subdivision and thereby support property values in the subdivision.

**NOW THEREFORE, BE IT RESOLVED THAT** in consideration of the above factors, the Board hereby resolves to adopt and publish the following Guest Quarters Policy for SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION INC.:

### GUEST QUARTERS POLICY

1. As used herein, the term "Residential Dwelling" shall mean and refer to a "SINGLE residential dwelling with garage" per Article I, Section 1.16 of the Deed Restrictions. Therefore, only one (1) residential dwelling and only one (1) garage structure is allowed per lot.
2. However, Article III, Section 3.01 provides that "no structure shall be erected, altered, placed or allowed to remain on any Residential Lot other than one (1) single family dwelling, a detached or attached garage...and bona fide guest's quarters ["Guest Quarters"].
3. Article III, Section 3.03 of the Declaration provides that "one guest house may be built provided said guest house must contain a minimum of 500 square feet and be built after or while the main dwelling is being built and be approved in writing by the Architectural Control Committee prior to construction."
4. Article III, Section 3.01 provides that Guest Quarters "shall not exceed the main dwelling height or number of stories of the same and...may be occupied only by a member of the family occupying the main residence on the building site or by domestic servants employed on the premises."
5. Per Article III, Section 3.03, "[a]ny building, structure or improvement commenced on any tract shall be completed as to exterior finish and appearance within twelve (12) months from the setting of forms for the foundation of said building or structure."
6. All materials for the Guest Quarters should match the main Residential Dwelling and must be constructed of the same or similar materials to those used in exterior construction of the main Residential Dwelling in order to provide a consistent look.
7. The location and size of the Guest Quarters should be aesthetically pleasing to the subdivision. Guest Quarters which are not attached to the residence or garage should be located incidental to the rear or side of the residence and Guest Quarters which are part of a detached garage should be located incidental to the residence. All Guest Quarters should be much smaller and incidental to the main residence. It should not look like a completely separate residence nor have a separate driveway nor garage structure.
8. In no instance, shall any Residential Lot or residence have more than one (1) driveway or one (1) garage structure.

The Board shall use the above referenced factors in order to determine whether a proposed Guest Quarters violates the Deed Restrictions.

Adopted this 15<sup>th</sup> day of November, 2017, by at least a majority of the Board of Directors of the Association.

**SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION INC.**

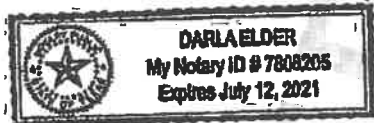
*Gary Shanks*  
Signature

Print Name: GARY SHANKS

POA PRESIDENT  
Title

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

THIS INSTRUMENT was acknowledged before me on this the 15<sup>th</sup> day of November 2017, by Gary Shanks the President of SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION INC., a Texas non-profit corporation, on behalf of said corporation.



*Darla Elder*  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

After recording, please return to:  
Daughtry & Jordan, P.C.  
17044 El Camino Real  
Houston, TX 77058

RP-2017-490430

**RESOLUTION REGARDING  
OPERATING A HOME BUSINESS WITHIN THE SUBDIVISION**

**SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION, INC.**

**WHEREAS, SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION INC.,** a Texas non-profit corporation (hereinafter referred to as the "ASSOCIATION"), through its Board of Directors has the authority under Texas Property Code Section 204.010(a)(6) to regulate the use, maintenance, repair, replacement, modification, and appearance of the single family residences in the subdivision;

**WHEREAS, Texas Property Code Section 204.010(a)(21)** authorizes a property owners' association to exercise other powers necessary and proper for the governance and operation of the property owners' association;

**WHEREAS, Section 22.201 of the Texas Business Organization Code ("TBOC")** provides that "[e]xcept as provided by Section 22.202, the affairs of a corporation are managed by a Board of Directors" and Section 22.202(b) of the TBOC provides that "[a] corporation is considered to have vested the management of the corporation's affairs in the board of directors of the corporation in the absence of a provision to the contrary in the certificate of formation;"

**WHEREAS, the residential Deed Restrictions for the subdivision recorded in the Official Public Records of Real Property of Harris County, Texas, provides in Article III, Section 3.01** that the lots shall be used solely for "single-family residential dwellings only" and "no Lot shall be used for business or professional purposes of any kind, nor for any commercial or manufacturing purpose;"

**WHEREAS, Article III, Section 3.03 of the Deed Restrictions further provides that "no Lot shall be used for business, educational, religious or professional purposes of any kind whatsoever, nor for any commercial or manufacturing purposes. Provided, however, an Owner may maintain a home office in a dwelling with no advertising signs, nor regular visits by customers or clients;"**

**WHEREAS, pursuant to the Texas Property Code and the Association's Governing Documents, the Board of Directors (the "Board") of the Association, hereby adopts this Policy in an effort to provide homeowners clarification regarding operating a home business within the subdivision;**

**WHEREAS, the Association's Deed Restrictions are in place for the purpose of keeping the development of said real property for the mutual benefit and pleasure of the owners in said subdivision, and for the protection of such property values of the subdivision;**

**WHEREAS, property values in the subdivision are affected by the appearance of the subdivision and specifically, operation of businesses therein; and**

**WHEREAS, the Board of Directors desires to clarify the Deed Restrictions regarding operating a business within the subdivision and adopting the following Home Business Policy in order to maintain the attractiveness of the subdivision and thereby support property values of the subdivision.**

NOW THEREFORE, BE IT RESOLVED THAT in consideration of the above factors, the Board hereby resolves to adopt and publish the following Home Business Policy for SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION INC.:

**HOME BUSINESS POLICY**

1. As used herein, the term "Residential Dwelling" shall mean and refer to a single residential dwelling with garage per Article I, Section 1.16 of the Deed Restrictions and shall be construed to prohibit the use of said Lots for duplex houses, garage apartments, and/or apartment houses.
2. No Lot or residence shall be used for any of the following activities or purposes of any kind: trade, business, professional, commercial, manufacturing, or regular church or religious services.
3. However, in accordance with Texas case law, an Owner or Occupant residing at the residence may conduct business activities within the residence as long as:
  - a. the existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from outside the residence;
  - b. the business activity conforms to all zoning and deed restriction requirements;
  - c. the business activity does not involve regular visitation to the residence by clients, customers, employees, suppliers or other business persons, excluding regular mail delivery and recognized delivery companies, such as FedEx and UPS;
  - d. the business activity does not involve door-to-door solicitation of residents of the Subdivision;
  - e. the business activity is consistent with the residential character of the properties;
  - f. the Board and the neighbors do not consider the business activity to constitute a nuisance or annoyance;
  - g. the business activity does not result in increased traffic such that ingress or egress of everyday vehicular traffic or of emergency vehicles is hindered; and
  - h. no marketing or advertising of such use is permitted including but not limited to the placement of signs on the Lot.
4. Nothing herein shall be construed in such manner as to prohibit an Owner from:
  - a. maintaining a personal professional library;
  - b. keeping personal business or professional records or accounts; or
  - c. handling personal business or professional telephone calls or correspondence, which uses are expressly declared customarily incidental to the principal residential use and not in violation of said restrictions, provided such activity is not apparent in sight, sound, smell or that such permitted use does not attract business traffic or invitees to the residence or allow business employees to work at the residence.

The Board shall use the above referenced factors in order to determine whether a particular business activity violates this restriction.

Adopted this 1st day of November, 2017, by at least a majority of the Board of Directors of the Association.

**SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION INC.**

*Gary Shanks*  
Signature

Print Name: GARY SHANKS

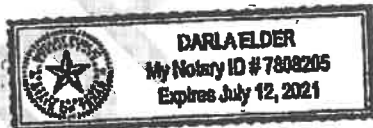
POA PRESIDENT  
Title

THE STATE OF TEXAS

COUNTY OF HARRIS

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THIS INSTRUMENT was acknowledged before me on this 1st day of November, 2017, by Gary Shanks the President of SADDLECREEK FARMS PROPERTY OWNERS ASSOCIATION INC., a Texas non-profit corporation, on behalf of said corporation.



*Darla Elder*  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

After recording, please return to:  
Daughtry & Jordan, P.C.  
17044 El Camino Real  
Houston, TX 77058

RP-2017-490430



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# Pages 9  
11/07/2017 11:09 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$44.00

UNOFFICIAL COPY

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-2017-490430