

**THIRD SUPPLEMENTAL
NOTICE OF DEDICATORY INSTRUMENTS
for
BRIARGROVE PARK PROPERTY OWNERS, INC.**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The undersigned, being the authorized representative of Briargrove Park Property Owners, Inc. (the "Association"), a property owners' association as defined in Section 202.001 of the Texas Property Code, hereby supplements the "Affidavit" recorded in the Official Public Records of Real Property of Harris County, Texas on February 7, 2000 under Clerk's File No. U212262, the "First Supplemental Notice of Dedicatory Instruments for Briargrove Park Property Owners, Inc." ("First Supplemental Notice") recorded in the Official Public Records of Real Property of Harris County, Texas on December 30, 2011 under Clerk's File No. 20110548176 and the "Second Supplemental Notice of Dedicatory Instruments for Briargrove Park Property Owners, Inc." ("Second Supplemental Notice") recorded in the Official Public Records of Real Property of Harris County, Texas on July 23, 2015 under Clerk's File No. 20150326450, which documents were filed for record for the purpose of complying with Section 202.006 of the Texas Property Code.

Additional Dedicatory Instrument. In addition to the Dedicatory Instruments identified in the Affidavit, the First Supplemental Notice and Second Supplemental Notice, the following document is a Dedicatory Instrument governing the Association:

- **Temporary Policy Relating to Vehicle Parking, the Use of Certain Vehicles, the Use of Port-A-Cans and Post Lights for Briargrove Park Property Owners, Inc.**

This Third Supplemental Notice is being recorded in the Official Public Records of Real Property of Harris County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Third Supplemental Notice is true and correct and the document attached to this Third Supplemental Notice is the original.

Executed on this 13th day of June, 2018.

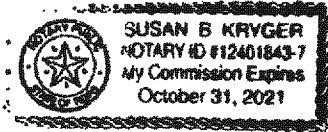
BRIARGROVE PARK PROPERTY OWNERS, INC.

By: 
Jane W. Janecek, authorized representative

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THE STATE OF TEXAS §
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COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 6th day of June, 2018, personally appeared Jane W. Janeczek, authorized representative of Briargrove Park Property Owners, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and in the capacity therein expressed.





Notary Public in and for the State of Texas

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**TEMPORARY POLICY RELATING TO VEHICLE PARKING, THE USE OF CERTAIN
VEHICLES, THE USE OF PORT-A-CANS AND POST LIGHTS**

for
BRIARGROVE PARK PROPERTY OWNERS, INC.

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, Guy M. Shivitz, Secretary of Briargrove Park Property Owners, Inc., (the "Association"), certify that at a meeting of the Board of Directors of the Association (the "Board") duly called and held on the 15th day of May, 2018, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Temporary Policy Relating to Vehicle Parking, the Use of Certain Vehicles, and the Use of Port-a-cans was duly approved by a majority vote of the members of the Board.

RECITALS:

1. Hurricane Harvey was a catastrophic event that caused damage to numerous homes in Briargrove Park.

2. Owners have begun the process of repairing and reconstructing their homes; however, a large number of the damaged homes cannot be occupied during the initial stages of the repair and reconstruction work.

3. Owners who cannot reside in their homes and; therefore, require temporary housing, desire to be close to their homes to oversee construction activities and to deter theft and vandalism; consequently, owners have requested consent from the Board to reside in a recreational vehicle or travel trailer parked on the driveway of an owner's lot on a temporary basis.

4. Article II, Section D of The Amended and Restated Declaration of Covenants, Conditions and Restrictions for Briargrove Park, Sections I Through VI (the "Declaration"), prohibits a recreational vehicle or travel trailer from being parked or stored on any part of any Lot, easement, or right-of-way, unless such vehicle is completely concealed from public view inside a garage with the door closed or behind a fence so that it is screened from view from a public street and from adjoining Lots at ground level; the Declaration also prohibits recreational vehicles and travel trailers from being kept on the street in front of a Lot or in the driveway in excess of seventy-two (72) hours during a calendar month.

5. Article III, Section 3.1(C) of the Architectural Guidelines for Briargrove Park (the "Guidelines") permits one (1) portable toilet (i.e. Port-a-can) on a Lot only during construction of a new Residential Dwelling or Major Addition.

6. Article II, Section 2.3(G) of the Declaration requires each Lot to have one (1) or more post lights. All post lights must conform with the Guidelines and owners are required to keep the post lights burning during all hours of darkness and will be responsible for maintenance, repair and replacement of same.

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7. Due to the unusual circumstances and the extensive damage caused by Hurricane Harvey, the Board desires to temporarily suspend the enforcement of certain provisions in the Declaration and Guidelines to enable owners to repair and reconstruct their homes and thereby restore the community as quickly as possible.

TEMPORARY POLICY:

It is the temporary policy of the Association to allow an owner whose home was damaged as a result of Hurricane Harvey and who is displaced from his/her home until repair and reconstruction work has progressed to the point at which the home is, once again, habitable, to: 1) park a recreational vehicle or travel trailer on the driveway of the owner's Lot and to reside in the recreational vehicle or travel trailer (as defined below) on the driveway of the owner's lot, and 2) permit the use of one (1) Port-a-can on an owner's lot subject to the following conditions:

1. Only a recreational vehicle or travel trailer is permitted to be parked on the driveway of a lot and used by the owner of the lot as a temporary residence; pop-up trailers and tents are prohibited. As used in this temporary policy, the term "recreational vehicle" means a motor vehicle equipped with living space and the term "travel trailer" means a non-motorized trailer that is equipped with living space and is towed behind a vehicle. In the event of a dispute concerning whether a vehicle or trailer proposed to be parked on the driveway of a lot and used by the owner as a residence per this temporary policy is a recreational vehicle or travel trailer as defined herein, the Board has the authority to determine whether the vehicle or trailer is a recreational vehicle or travel trailer within the meaning of this temporary policy and the Board's determination will be conclusive and binding on all parties.

2. The recreational vehicle or travel trailer must be parked on the driveway of the lot; parking a recreational vehicle or travel trailer in the street or on an unpaved portion of a lot is prohibited.

3. The recreational vehicle or travel trailer may be occupied/used as a residence only by the owner of the lot and the immediate members of that owner's family who reside with the owner in the home; the recreational vehicle or travel trailer may not be used to provide temporary housing to other persons.

4. A request for permission to reside in a recreational vehicle or travel trailer parked on the driveway of a lot must be submitted to the Board of Directors; the request must indicate the date the recreational vehicle or travel trailer will be moved onto the lot and the anticipated length of time until the home on the lot will be habitable.

5. The recreational vehicle or travel trailer may be kept on the driveway of the lot only as long as it is being used by the owner of the lot as a residence and then only until such time that the home on the lot becomes habitable; however, in no event may a recreational vehicle or travel trailer be used as a residence on a lot after the date this temporary policy expires (or, if extended, after the date the extension period expires).

6. One (1) Port-a-can shall be permitted on an owner's lot despite the fact that the owner is not constructing a new Residential Dwelling or Major Addition. Port-a-cans shall be temporarily permitted for owners that are making interior renovations to their Residential

Dwelling as a result of damage caused by Hurricane Harvey. Owners must adhere to and abide by all requirements, including but not limited to screening, for Port-a-cans as set forth in Article III, Section 3.1(C) of the Guidelines. A Port-a-can may be kept on the lot only as long as the interior renovations to the Residential Dwelling are ongoing; however, in no event may a Port-a-can be permitted on a lot (solely for interior renovations) after the date this temporary policy expires (or, if extended, after the date the extension period expires).

7. A request for permission to use a Port-a-can on a lot must be submitted to the Board of Directors; the request must indicate the date the Port-a-can will be moved onto the lot and the anticipated length of time until the interior renovation of the Residential Dwelling will be completed.

8. Owners who suffered flooding of their Residential Dwelling due to Hurricane Harvey will not be required to keep their post light(s) burning during all hours of darkness so long as this temporary policy is in effect. However, owners that did not suffer flooding of their Residential Dwelling due to Hurricane Harvey will be required to keep their post light(s) burning during all hours of darkness as is required per the Declaration.

9. During the period in which this is temporary policy is in effect, the Association will not seek to enforce the provisions in the Declaration which: 1) prohibit a recreational vehicle or travel trailer from being parked on the driveway of a lot and used as a residence, so long as such use is in compliance with the provisions of this temporary policy, and 2) require the burning of post lights during all hours of darkness against owners who suffered flooding of their Residential Dwelling.

10. During the period in which this is temporary policy is in effect, the Association will not seek to enforce the provisions in the Guidelines which permit a Port-a-can on a lot only during construction of a new Residential Dwelling or Major Addition, so long as such use is in compliance with the provisions of this temporary policy.

This temporary policy will remain in effect only through July 1, 2019 unless extended by the Board of Directors of the Association by a recorded notice extending the policy and setting forth the duration of the extension. The extension, if any, must be recorded prior to July 1, 2019. If a notice of extension is not recorded prior to July 1, 2019, this temporary policy will automatically expire.

This temporary policy is adopted to accommodate owners who sustained damage as a result of the devastating effect of Hurricane Harvey. In no event is the temporary suspension of the enforcement of the applicable provisions in the Declaration and Guidelines to be construed as a waiver or abandonment of those provisions.

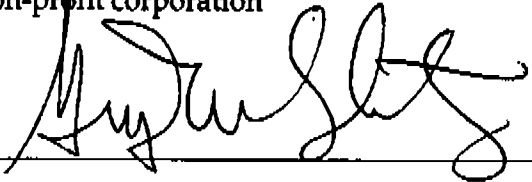
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I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing temporary policy was approved by not less than a majority of the Board of Directors as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Real Property of Harris County, Texas.

TO CERTIFY which witness my hand this the 15 day of May, 2018.

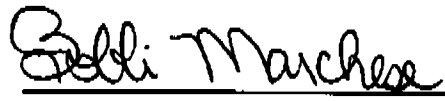
BRIARGROVE PARK PROPERTY OWNERS, INC.,
a Texas non-profit corporation

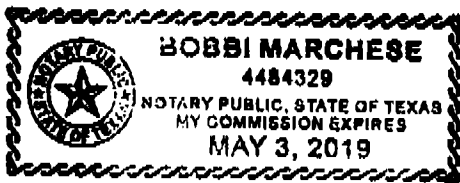
By: 

Print Name: Guy M. Shivitz, Secretary

THE STATE OF TEXAS §
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COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 15th day of May, 2018, personally appeared Guy M. Shivitz, Secretary of Briargrove Park Property Owners, Inc., a Texas non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.


Notary Public in and for the State of Texas



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Pages 7
06/14/2018 08:06 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$36.00

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

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