

The State of Texas:

County of Cameron:

PALMERA PARK CORP

PROTECTIVE SUBDIVISION COVENANTS

(Adopted February 16, 1979, Amended February 8, 2022)

WHEREAS, the undersigned is the owner of the following described land, to-wit:

PALMERA HEIGHTS SUBDIVISION, being a Mobile Home Park (B), in Cameron County, Texas, according to Map of said Subdivision recorded in Vol 33, Page 34, Map Records of Cameron County, Texas, being a subdivision of 9.598 acres, out of Block 4, Collins Subdivision, Cameron County, Texas; and

PALMERA HEIGHTS SUBDIVISION, UNIT NUMBER TWO (2), being a Mobile Home Park Type "B", according to Map of said Subdivision recorded in Cabinet 1, Page 57B, of the Map Records of Cameron County, Texas, being a Subdivision of 16.266 acres out of Block 4, Collins Subdivision, Cameron County, Texas.

The following restrictions are hereby imposed upon the above-described subdivision:

1. The lots in this subdivision shall be known and described as mobile home and RV lots and all permanent structures must comply with the City of La Feria Zoning Ordinance. However, within three (3) years from the date of the first sale or when thirty percent (30%) of the lots in this subdivision are sold, the approval and control of subdivision covenants shall vest in the lot owners, as required by the rules and regulations of the Office of Interstate Land Sales Regulations of the Department of Housing and Urban Development.

2. No commercial enterprises of any nature shall be operated on said lots, nor shall any obnoxious or offensive activity be carried on or upon any lot, nor shall anything be done thereon which may be or become an annoyance or a nuisance to the neighborhood.

3. Except as provided in Paragraph 9 herein, no mobile home smaller than 12 x 40 feet shall be permanently placed on any of the lots within this subdivision, and the mobile home located on any of the lots in the above Subdivision shall be installed as follows:

All tires and wheels shall be removed, and the mobile home shall have acceptable skirting within ninety (90) days after installation.

4. All setbacks must comply with the City of La Feria Zoning Ordinance.

5. "Pursuant to Federal law, particularly 42 U.S.C.A. SS 3602, 3604, 3607, (1995): Supp. (1998), constituting provisions of the Fair Housing Law of the United States of America, as well as in compliance with rules issued by the Secretary of Housing and Urban Development, it is hereby declared and affirmed that PALMERA HEIGHTS PARK/SUBDIVISION constitutes

"housing for older persons," in that each home, now or in the future located in Subdivision, is intended for occupancy by at least one (1) person fifty-five (55) years of age or older, and each such home shall not be occupied by any person under thirty-five (35) years of age. Moreover, the owners of the land constituting PALMERA HEIGHTS PARK/SUBDIVISION have determined that such housing "is necessary to provide important housing opportunities for older persons," at least eighty percent (80%) of the units are occupied by at least one person fifty-five (55) years of age or older," and that there are, or shall be, published or adhered to "policies and procedures which demonstrate an intent by PALMERA HEIGHTS PARK/SUBDIVISION to maintain a community in compliance with "HOPA" (the Housing for Older Persons Act). As such, occupancy of all lots in the Subdivision are subject to these covenants and enforced by any lot owner (and/or the Subdivision's Property Owner Association if and when any such Association exists) to ensure compliance with the foregoing standards, and to maintain this Subdivision as "housing for older persons," pursuant to Federal law, which does not constitute discrimination in housing and is explicitly exempted from the application of other fair housing standards to the Subdivision by and under such Federal law. Accordingly, persons not satisfying the above criteria may not permanently occupy or otherwise reside in the Subdivision. However, persons who do not meet these criteria may visit at a home for up to thirty (30) days during a calendar year provided that at least one (1) person fifty-five (55) years of age is present at the home during the period of the visitation. Further occupancy of property in the Subdivision by any person under the age of fifty-five (55) and/or under the age of thirty-five (35) is not prohibited if the person's occupancy of the property is derived by descent and distribution or by will, as appropriate."

Park residents must provide proof of age for any person residing on the property when requested by the Palmera Park Corp Board. Valid forms as proof of age are current: Birth Certificate/Driver's License/Passport. The Association's Board of Directors may adopt reasonable reporting and enforcement protocols to facilitate a variance of the occupancy limitations to allow for in-home professional caregivers for Park Residents within the Subdivision (Professional Caregiver). Subject to the Board's ultimate discretion, those protocols will provide that the Board require a verified letter from a Park Resident's licensed physician every six months stating an in-home caregiver must reside in and with the Park Resident 24 hours a day, for physical, mental or medical needs. Non-compliance will result in the removal of the caregiver and a fine of \$500.00 per day until Park Resident is in compliance.

All property owners will be assessed an annual fee of one hundred dollars (\$100.00) per year, with the ability to designate the disbursement of their paid assessments. Lots that are joined for the purpose of creating one property will be assessed as one property. Those who own multiple properties that are not joined for the purpose of one property will be assessed one hundred dollars (\$100.00) for each property owned.

All property owners will be obligated to pay the Palmera Park Corp assessment fee. Fiscal year runs from January 1 to December 31 of the same year, assessment fees are due by January 1.

6. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste, all shall be kept in sanitary containers. All equipment for the storage or disposal of

such materials shall be kept in a clean and sanitary condition. It is the responsibility of each lot owner to assure that their property is mowed and maintained in a tidy manner.

7. Regulations for all fences, carports and other structures must comply with the City of La Feria Zoning Ordinance.

8. All mobile homes located in this subdivision shall use "tie downs" which comply with the City of La Feria.

9. It is permissible for travel trailers, motorhomes and RVs, for the purpose of residency, to be located in the subdivision on a temporary basis; temporary basis being defined as no longer than a six-month duration. At the end of the six months, the motorhome, travel trailer or RV must be removed from the premises for a period of at least ninety (90) days. This may be done for a maximum of three (3) years from the date of the purchase of the lot, except when a mobile home is permanently located on the lot.

In regard to lots numbers 16 through 45, Palmera Heights Subdivision Unit One (1), there are no limitations on the period of time that travel trailers, motorhomes and RVs may be located on the same, except when a mobile home is permanently located on the lot.

10. At any time these restrictions may be altered by a two-thirds ($\frac{2}{3}$) majority vote of the property owners of the subdivision. Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

These covenants may be enforced by any property owner in the area covered by these restrictions in a Court of equity by injunctive relief.

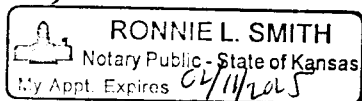
By: Susan Stauch
Susan Stauch, President

By: Robert Hobson
Robert Hobson, Vice President

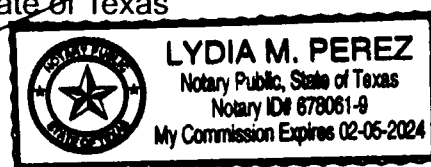
THE STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me on this 31 day of March, 2022, by Susan Stauch, President and Robert Hobson, Vice President of Palmera Park Corp., a Texas nonprofit corporation, on behalf of said corporation.

Ronnie Smith
Notary Public, State of Kansas



State of Texas, County of Cameron
This instrument was acknowledged before
me on April 12, 2022 by Robert Hobson
Lydia M. Perez
Notary Public, State of Texas





VG-1044-2022-15281

Cameron County
Sylvia Garza-Perez
Cameron County Clerk

Instrument Number: 2022-15281

Real Property Recordings

Recorded On: April 12, 2022 10:42 AM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: \$44.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

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.

File Information:

Document Number: 15281
Receipt Number: 20220412000090
Recorded Date/Time: April 12, 2022 10:42 AM
User: Angela D
Station: CC-19-1455

Record and Return To:

PALMERA PARK CORP
PO BOX 749

LA FERIA TX 78559



STATE OF TEXAS

Cameron County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Cameron County, Texas

Sylvia Garza-Perez
Cameron County Clerk
Cameron County, TX