

The State of Texas:

County of Cameron:

PALMERA PARK CORP

PROTECTIVE SUBDIVISION COVENANTS

(Adopted February 16, 1979, Amended March 2, 2020)

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. However, Park residents who need a caregiver who does not meet age requirements must have a physician's letter verifying their disability.

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.

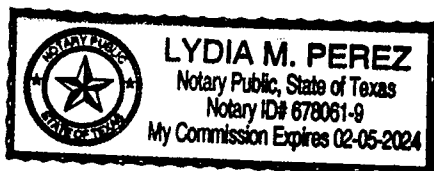
These covenants may be enforced by any property owner in the area covered by these restrictions in a Court of equity by injunctive relief.

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 2nd day of March, 2020, by Susan Stauch, President and Robert Hobson, Vice President of Palmera Park Corp., a Texas nonprofit corporation, on behalf of said corporation.



[Signature]
Notary Public, State of Texas

**AMENDMENT TO COVENANTS, CONDITIONS AND RESTRICTIONS
AFFECTING FOR PALMERA HEIGHTS SUBDIVISION AND
PALMERA HEIGHTS SUBDIVISION, UNIT TWO**

As directed by no less than 2/3rds of the owners within the Subdivision (as that term is hereafter defined), **PALMERA PARK CORP.**, a Texas nonprofit corporation (“**Association**”), acting herein and through its, President files this Amendment to Covenants, Conditions and Restrictions Affecting Palmera Heights Subdivision and Palmera Heights Subdivision, Unit Two.

RECITALS

WHEREAS, the following subdivisions (collectively, “**Subdivision**”) were deed-restricted originally by the Protective Subdivision Covenants dated September 26, 1978, recorded in Volume 1145, Page 520, Official Records of the Cameron County Clerk, Cameron County, Texas (“**Original Declaration**”):

Palmera Heights 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 Cabinet1, 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.

WHEREAS, the Original Declaration may be amended at any time by a 2/3rd majority vote of the landowners of the subdivision, and the Original Declaration provided that any lot owner may enforce such deed restrictions, as may be amended.

WHEREAS, following the recording of the Original Declaration, the Subdivision’s developer, as trustee, conveyed Lots 48, 49, 50, and 51, Palmera Heights Subdivision, a Mobile Home Park “B,” in Cameron County, Texas, according to Map of said subdivision recorded in Volume 33, Page 34, of the Map Records of Cameron County, Texas (“**Clubhouse**”) to the Association, which is a non-profit, property/home owners association for governance of the Subdivision, by Warranty Deed recorded in Volume 1357, Page 266, Official Records of the Cameron County Clerk, Cameron County, Texas (“**Clubhouse Deed**”).

WHEREAS, the Clubhouse Deed granted the Association authority to levy assessments or charges against the owners within the Subdivision for the reasonable and necessary maintenance, repair, and improvement of the lots conveyed by the Clubhouse Deed and of the recreational improvements and facilities thereon situated.

WHEREAS, the Original Declaration was subsequently amended by the (a) Amendment to Declaration of Covenants Conditions and Restrictions of Palmera Heights Subdivision and

Palmera Heights Subdivision, Unit Two recorded in Volume 4235, Page 12, Official Records of the Cameron County Clerk, Cameron County, Texas, and (b) Amendment to Declaration of Covenants, Conditions and Restrictions of Palmera Heights Subdivision and Palmer Heights Subdivision, Unit Two of Palmera Heights Subdivision recorded in Volume 7003, Page 158, Official Records of the Cameron County Clerk, Cameron County, Texas, to confirm that the Subdivision constitutes housing for persons over the age of 55 years old as more particularly described therein.

WHEREAS, the Original Declaration was again amended by instrument dated January 16, 2018, and recorded as Document Number 5721, Official Records of the Cameron County Clerk, Cameron County, Texas, which evidenced the governance of the Subdivision by the Association and granted the Association the ability to levy fines to enforce the deed restrictions on the Subdivision (collectively, the Original Declaration and all amendments will be referred to as the ("Restrictions"))

WHEREAS, not all owners in the Subdivision utilize the Clubhouse, but such owners do desire that the Association have adequate resources to enforce the Restrictions including, but not limited, to the age restrictions.

WHEREAS, following a 2/3rd majority vote of the lot owners of the Subdivision, said owners desire to amend the Restrictions further by providing that the Association may also levy an annual assessment of \$100.00 year on the owners for purposes of enforcing the Restrictions and/or maintaining the Clubhouse as designated by the owners.

NOW, THEREFORE, the Restrictions are now amended by the addition of the provision:

"All property owners will be assessed an annual fee of \$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 \$100.00 for each property owned."

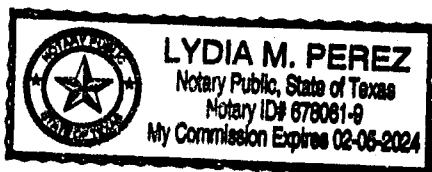
PALMERA PARK CORP.

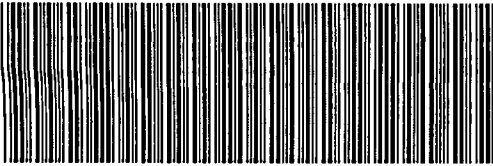
By: *Susan Stauch*
Susan Stauch, President

THE STATE OF TEXAS §
COUNTY OF CAMERON §

This instrument was acknowledged before me on this 2nd day of March, 2020, by Susan Stauch, President of Palmera Park Corp., a Texas nonprofit corporation, on behalf of said corporation.

[Signature]
Notary Public, State of Texas





VG-1044-2020-7860

Cameron County
Sylvia Garza-Perez
Cameron County Clerk

Instrument Number: 7860

Real Property Recordings

Recorded On: March 02, 2020 09:02 AM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$52.00

***** 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: 7860
Receipt Number: 20200302000027
Recorded Date/Time: March 02, 2020 09:02 AM
User: Anna S
Station: cclerk19_07

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