

PROTECTIVE COVENANTS

165-87-0438

Book

Northchase, A Texas General Partnership, is the record owner of Reserve "E" of Sable-ridge, Section 1, according to the plat thereof recorded in Volume 293, Page 123 of the Map Records of Harris County, Texas and Entex, Inc., is the owner of an interest in a fifteen (15) foot wide easement located within Reserve "E" and recorded under Harris County Clerk's File No. G-061959 of the Deed Records of Harris County, Texas. Northchase, A Texas General Partnership, and Entex, Inc. do hereby covenant and agree as follows:

Entex, Inc., acknowledges and consents to the construction of concrete paving for parking and driveway purposes which encroaches into the easement in which Entex, Inc., owns an interest. Entex, Inc.'s acknowledgement and consent is specifically limited to the encroachment herein described and no additional encroachment of any nature whatsoever shall be construed as having been consented to herein.

Northchase, A Texas General Partnership, acknowledges the existence of a 10 inch natural gas main located approximately 5 feet southwest of the northeast easement line of the 15 feet wide easement, and herein agree and covenant to indemnify and hold harmless, Entex, Inc., its successors and assigns, from and against any and all liability, losses, claims, demands, injury or other casualty to property and to persons including costs and attorney's fees, caused by, growing out of, or occurring in connection with the hereinabove referenced encroachment upon the fifteen (15) feet wide easement.

Entex, Inc., expressly reserves the right, and Northchase, A Texas General Partnership, expressly acknowledges and consents to this right, to remove without liability therefore, any material or structure constituting the encroachment acknowledged herein, should such removal be desirable in order for Entex, Inc. to gain access for any reason whatsoever to Entex, Inc.'s properties in or on such easement. The parties hereto expressly agree that Entex, Inc., shall in no way be liable for any removal and/or damage done to such materials and/or structures. Furthermore, the parties hereto specifically agree that Entex, Inc. shall under no circumstances be under any duty or responsibility to restore any materials and/or structures so removed and/or damaged.

The conditions and covenants are hereby declared to be covenants running with the land and shall be fully binding upon all persons acquiring any interest in the property, described herein whether by descent, demise, purchase, gift, or otherwise.

Accepted and agreed to this the 17th day of July, 1980.

ENTEX, INC.

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By *Thomas J. Lee, Jr.*
Thomas J. Lee, Jr., Vice President

NORTHCHASE, A TEXAS GENERAL PARTNERSHIP

By *James T. Price*
James T. Price
V.P. of Northchase Development Company
(Managing Partner)

THE STATE OF TEXAS ↓

165-87-0439

COUNTY OF HARRIS ↓

BEFORE ME, the undersigned authority, on this day personally appeared Thomas J. Lee, Jr., Vice President of Entex, Inc., known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated as the act and deed of said corporation

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 17th day of July, 1980.



Manuel R. Perez, III
Notary Public in and for
Harris County, Texas

MANUEL R. PEREZ, III
Notary Public in and for Harris County, Texas
My Commission expires 8-18-81

THE STATE OF TEXAS ↓

COUNTY OF HARRIS ↓

BEFORE ME, the undersigned authority, on this day personally appeared JAMES T. PRICE,
V.P. NORTHCHASE DEVELOPMENT Co, MANAGING PARTNER of Northchase, A Texas General Partnership, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 8 day of JULY, 1980.



Joan Dugan
Notary Public in and for
Harris County, Texas
JOAN DUGAN

Return to: Entex Inc.
P. O. Box 2628
Rm. 1175
Houston, Texas 77001

165-87-0440

COPY

FILED

AUG 28 11 33 PM 1980

Quita Ladebeane
COUNTY CLERK
HARRIS COUNTY, TEXAS

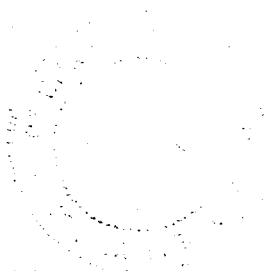
STATE OF TEXAS }
COUNTY OF HARRIS }

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 on

AUG 28 1980



Quita Ladebeane
COUNTY CLERK,
HARRIS COUNTY, TEXAS



UNOFFICIAL