

**CONSTITUTION  
OF  
THE CANDLELIGHT PLAZA CIVIC CLUB**

**ARTICLE I  
NAME AND DOMOCILE**

**SECTION 1.** The name of this organization shall be "The Candlelight Plaza Civic Club" (hereinafter referred to as "Club"), a non-profit organization incorporated under the laws and statutes of the State of Texas.

**SECTION 2.** The domicile of the Club shall be within Harris County, Texas.

**ARTICLE II  
PURPOSE**

**SECTION 3.** This association shall be a non-profit organization for the purpose of promoting civic pride, developing social welfare, and establishing public unity in the community; for obtaining needed improvements for the community; and for assisting in all economic, civic and social enterprises or activities that are for the welfare of the community.

**ARTICLE III  
MEMBERSHIP**

**SECTION 4.** Membership in this Club shall be open to all adult residents of Candlelight Plaza residing within the specific areas as adopted by the membership. Member households shall pay such dues and assessments and have such rights as are provided in the By-Laws of the Club. A member household is entitled up to two (2) votes if two (2) qualified members from the household are attending.

**ARTICLE IV  
OFFICERS AND DIRECTORS**

**SECTION 5.** The membership shall be the supreme governing body of this Club. Membership meetings shall be the true and legitimate source of all authority and final decision making body. The officers of this Club shall be: President, First Vice President, Second Vice President, Secretary, and Treasurer. There shall be two (2) Directors elected from each area of the subdivision which shall be divided into four (4) areas. The Officers and Directors together shall be designated the "Board" and said "Board" shall direct the affairs of this Club in accordance with this Constitution and By-Laws, and shall be responsible for carrying out the mandates of the membership meeting. The immediate Past President shall be a member of the new Board for the following one-year term.

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**SECTION 6.** The Directors shall be elected by the membership of the Club for a term of two (2) years in the manner set forth in the By-Laws. The President and Vice Presidents shall be elected by the membership of the Club for a term of one (1) year in the manner set forth in the By-Laws.

**ARTICLE V  
MEETINGS AND QUORUM**

**SECTION 7.** Meetings of the membership and Board shall be as prescribed by the By-Laws. For all purposes of the Club, a quorum shall consist of a majority of the Board members where the Board is to act; and twenty-five (25) qualified voting members of the Club in good standing at the meetings where the members are to act. A majority vote of the members of the Board or of the Club, at which a quorum is present, shall be the act of such Board or this Club unless otherwise specified in this Constitution or the By-Laws of the Club.

**ARTICLE VI  
AMENDMENTS**

**SECTION 8.** This Constitution may be amended, from time to time, by resolution in writing, presented at an announced meeting of the Club, read and approved by a two-thirds (2/3) vote at two successive meetings at which a quorum is present at each meeting. The membership shall be given written notice of such amendment not less than fifteen (15) days prior to date set for the final vote. For the purposes of this section, successive meetings shall mean two (2) meetings to be held no sooner than thirty (30) days no longer than sixty (60) days apart.

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**BY-LAWS  
OF  
THE CANDLELIGHT PLAZA CIVIC CLUB**

**ARTICLE I  
MANAGEMENT**

**SECTION 1.** The management and administration of the Candlelight Plaza Civic Club (hereinafter referred to as “Club”) shall be vested in the Board, constituted as provided by and subject to Article IV of the Constitution of this Club and subject to Section 28 of Article XI of these By-Laws.

**ARTICLE II  
MEETINGS AND ELECTIONS**

**SECTION 2.** There shall be an Annual Meeting of this Club which shall be held on the third (3<sup>rd</sup>) Tuesday in January of each year and such other meetings as provided for in Section 5 and 6 of Article II of these By-Laws. The Annual Meeting may be postponed for not more than thirty (30) days at the discretion of the Board.

**SECTION 3.** At least ninety (90) days before the Annual Meeting, the Board of Directors shall appoint a nominating committee composed of at least five (5) members of the Club, a majority of whom will not be members of the Board of Directors. The nominating committee shall within forty-five (45) days of the Annual Meeting present to the membership by mail their slate of one (1) or more candidates for the office of President, Vice Presidents, and for each Board position. For purposes of representation, all of the areas of Candlelight Plaza shall have two (2) representatives on the Board of Directors. Nothing in these By-Laws shall be construed to prevent nominations from the floor at the Annual Meeting. At each election for Officers and Directors, every member entitled to vote at such election shall have the right to vote for as many persons as there are Officers and Directors to be elected and for whose election he has a right to vote.

**SECTION 4.** (a) The Board of Directors will be elected at the Annual Meeting by the membership at large but will represent the area of Candlelight Plaza in which they live. There will be two (2) Directors elected for each area, each Director serving for a period of two (2) years, with a new Director elected each year.

(b) All voting for election of Officers or Board members will be conducted by secret ballot, and immediately following vote tabulation and certification by the nominating committee, the candidates will take office; a simple plurality being necessary for election.

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(b) All voting for election of Officers or Board members will be conducted by secret ballot, and immediately following vote tabulation and certification by the nominating committee, the candidates will take office; a simple plurality being necessary for election.

(c) As soon as practical within ten (10) days following the election of officers, the Board will meet to elect from its own membership a Treasurer, and to either elect or appoint a Secretary, who will serve until the next Annual Meeting.

**SECTION 5.** Regular meetings of the Club shall be held on the third (3<sup>rd</sup>) Tuesday of January, April and November, the January meeting being designated as the Annual meeting of the Club.

**SECTION 6.** Any meeting may be called by the following persons and in the following manner:

(a) The President may in case of emergency, to be determined by him, call a meeting of the full membership of the Club by written notice stating the purpose of the meeting.

(b) It shall be the duty of the President to call a meeting of the full membership of the Club whenever requested to do so in writing by five (5) members of the Board stating the purpose of the meeting.

(c) It shall be the duty of the President to call a meeting of the full membership of the Club upon written request of fifteen (15) or more members in good standing, which request shall state the object of the called meeting.

(d) Notices of meetings of the Club under (b) and (c) shall be mailed by the Secretary not later than one (1) week after the receipt of a written request as provided in (b) and (c) above. The notice shall state the object, the date, and the hour of the meeting, and said meeting shall be held not earlier than ten (10) and not later than thirty (30) days from the date of the notice. Business transacted at such meetings shall be confined to the purpose or purposes stated in the call.

**SECTION 7.** For all purposes of voting, members shall be limited to two (2) qualified votes per single family dwelling, and a member must be present to vote.

#### ARTICLE III

##### QUALIFICATIONS OF OFFICERS AND DIRECTORS

**SECTION 8.** No person shall be eligible for any office or be a Director unless he or she is a member in good standing.

#### ARTICLE IV

##### BOARD MEETINGS AND ELECTION OF CHAIRMAN

**SECTION 9.** The board shall hold at least three (3) meetings for the year. February, May and September.

(c) As soon as practical within ten (10) days following the election of officers, the Board will meet to elect from its own membership a Treasurer, and to either elect or appoint a Secretary, who will serve until the next Annual Meeting.

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**SECTION 10.** The President of the Club shall also be the Chairman of the Board, and such Chairman will preside at all meetings of the Board. It shall be his duty to generally perform all the duties appertaining to his office, and he shall decide all questions of procedure and order at the meetings of the board.

**SECTION 11.** In the absence or removal of the Chairman of the Board, as contemplated in Article VI, Section 16 of these By-Laws, the Vice President of the Club shall perform the duties of such position and in the absence of the Chairman and Vice President, the remaining members by a majority vote may elect one of their members as a temporary Chairman to act in their stead.

**SECTION 12.** If any Director shall fail to attend the regular monthly meeting of the Board for three (3) successive meetings without good and valid reasons for his or her absence in the judgment of the Board, such Director shall automatically cease to be a member of the Board, and the vacancy created shall be filled as provided in Section 14, Article V of these By-Laws.

**SECTION 13.** Special meetings of the Board may be called by the following persons and in the following manner:

- (a) The Chairman of the Board may, in case of any emergency to be determined by him, call a meeting of the Board.
- (b) It shall be the duty of the Chairman of the Board to call a meeting of the Board when requested to do so in writing by three (3) members thereof, stating the purpose of the meeting.
- (c) Notice of any special meeting of the Board may be given to all members thereof by telephone, in person or by written notice, such notice to be given at least three (3) days prior to any such meeting.

**ARTICLE V  
VACANCIES**

**SECTION 14.** All vacancies occurring on the Board between Annual Meetings shall be filled by appointment by the Board from the area in which the vacancy occurred.

**SECTION 15.** All unexpired terms of vacancies in the offices of the President, Vice President, Secretary and Treasurer or from the Board of Directors shall be filled by appointment by the Board.

**ARTICLE VI  
REMOVAL**

**SECTION 16.** Any Director or Officer elected by the Club or appointed by the Board may be removed from office by a three-fourths (3/4) vote of

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#### **ARTICLE VII**

##### **PLACE OF MEETING**

**SECTION 17.** Meetings of Directors, Officers and Board of this Club may be held at such place or places within Harris County, Texas, as may, from time to time, be designated by the Board. Membership meetings shall be held at such place or places within Harris County, Texas, as may, from time to time be designated by the Board and concurred by the membership or designated by the membership.

#### **ARTICLE VIII**

##### **DUTIES AND/OR POWERS OF OFFICERS AND BOARD**

**SECTION 18.** DUTIES OF PRESIDENT. It shall be the duty of the President to preside at all meetings of the Club; to enforce the By-Laws; to preserve order and decorum; to require all officers and members of the committees to perform their duties; to appoint all committees not otherwise provided for; to sign all official documents and countersign all checks. He shall be an ex-officio member of all committees and generally perform all the duties appertaining to his office, and shall decide all questions of procedure and order not provided for in this Constitution and By-Laws. He shall not be required to vote at meetings of the Club, except in case of a tie vote.

**SECTION 19.** DUTIES OF VICE PRESIDENTS. It shall be the duty of the First Vice President to aid the President in the performance of his duties, and in the absence of that officer to act in his stead. The Second Vice President shall perform these duties in the absence of the First Vice President and shall act as Chairman of the Program Committee and any other duties assigned to him by the President.

**SECTION 20.** In the event of the absence of both the President and the Vice Presidents or their inability to serve, a temporary President may be elected or appointed by the Board to serve in their stead.

**SECTION 21.** DUTIES OF SECRETARY. It shall be the duty of the Secretary to keep full and impartial records of the Club and the Board; the keep minutes of all meetings and to perform such other duties as may be prescribed for him by the Board. His records shall at all times be open for inspection by the President and the Board, and any other member of the Club. He shall, within five (5) days after retiring from office, deliver to his successor all papers and other property in his possession belonging to the Club.

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**SECTION 22. DUTIES OF TREASURER.** It shall be the duty of the Treasurer to be the custodian of all Club's funds, and to keep a correct and faithful account of all receipts and expenditures; to prepare and sign all checks and keep all books belonging to his office, which shall at all times be open to inspection of the President and Board or any other member of the Club. He shall deposit all money received to the credit of the Club and in the name of the Club. He shall keep an accurate record of receipts and disbursements and at each membership meeting shall render a monthly operating statement of the financial transactions of the Club for the period of time elapsed since the previous membership meeting. He shall, within five (5) days after retiring, resigning or removal from the office, deliver to his successor all monies, papers, and other property of whatever kind in his possession belonging to the Club.

**SECTION 23. DUTIES AND POWERS OF THE BOARD.** The Board shall be subject to Section 28, Article XI of these By-Laws, responsible for administration and management of the affairs of the Club. It shall execute all measures and proceedings necessary to advance the purposes of the Club. It shall keep a correct record of its proceedings and submit a report of the same to members at each meeting of the Club. An auditing committee composed of three (3) members of the Club appointed by the Board shall audit the accounts of the Treasurer at the conclusion of each term of office.

**SECTION 24.** Any officer and/or employee of the Club who shall have custody of funds must give a proper Surety Bond for the faithful accounting of such funds, with surety or sureties satisfactory to the Board and with the premium of the bond paid by the Club.

#### **ARTICLE IX DUES**

**SECTION 25.** The annual dues of the Club shall be twenty dollars (\$20.00) per house residence in legal tender, and shall be due and payable prior to the Annual Meeting.

#### **ARTICLE X EXPENDITURES**

**SECTION 26.** The Board of Directors will present a budget at the meeting immediately following the Annual Meeting of each year. Such budget will present to the membership for their consideration proposals which the new Board plans to institute during the year.

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**SECTION 27.** All expenditures of the Club funds for operations shall be authorized by the Board who may direct the Treasurer to pay all bills incurred or to be incurred by the Club; provided, however, that any Board man, at the beginning of its term, authorize the Treasurer to pay for the necessary stationery, stamps, and cost of holding meetings, and no further authorization therefore shall be necessary during the remaining term of the Board. The Board of Directors is authorized to spend up to two-hundred-fifty dollars (\$250.00) for any given reason which has not been presented as a budget item in Article X, Section 26 of these By-Laws or specifically approved by the membership at two (2) consecutive meetings.

#### **ARTICLE XI RIGHTS OF MEMBERS**

**SECTION 28.** The members of the Club shall have the right to call meetings as provided in Article II, Section 6 of these By-Laws, and to initiate resolutions, plans, policies and projects which, when passed by a majority of those present and voting at any meeting at which a quorum is present, shall be binding upon the Club and upon the Board.

**SECTION 29.** Every member in good standing shall have all rights and privileges of membership, including the right to vote and hold office in the Club; provided, however, that husband and wife not hold office at the same time; nor can a director or officer be re-elected or re-appointed for longer than two (2) consecutive terms for the same office.

**SECTION 30.** No member shall be considered in good standing who is in arrears in payment of dues. He or she shall not be entitled to vote, nor shall he or she be eligible to be an officer or director of this Club, nor be entitled to any other privileges of a member of this Club.

#### **ARTICLE XII COMMITTEES**

**SECTION 31.** There shall be, in addition to such committees as the Board shall determine, the following standing committees, with such duties as the Board may designate, such committees being:

- (a) Christmas Committee
- (b) Citizens on Patrol Committee
- (c) Greetings and Benevolence Committee
- (d) Improvements and Beautification Committee
- (e) Membership Committee
- (f) Publicity Committee
- (g) Restrictions and Grievance Committee
- (h) Social Committee

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**SECTION 32.** The members of such Committees shall be appointed by the President with the approval of the Board.

#### **ARTICLE XIII**

##### **ORDER OF BUSINESS**

**SECTION 33.** The order of business shall be:

- (a) Reading of the Minutes of the last meeting
- (b) Treasurer's report
- (c) Committee reports
- (d) Unfinished business
- (e) New business
- (f) Program or Miscellaneous
- (g) Notification of next meetings
- (h) Adjournment

**SECTION 34.** ROBERT'S RULES OF ORDER, REVISED shall determine the conduct of business in all meetings of the Club, its governing bodies and committees, except where inconsistent with the Constitution and these By-Laws.

#### **ARTICLE XIV AMENDMENTS**

**SECTION 35.** These By-Laws may be amended, from time to time, by resolution in writing presented at any announced meeting of the Club, read and approved by a two-thirds (2/3) majority vote at two (2) successive meetings at which a quorum is present at each meeting. For purpose of amending these By-Laws, successive meetings shall mean two (2) meetings not sooner than thirty (30) days apart and not farther than sixty (60) days apart as determined by majority vote of the membership at which such amendment is proposed.

#### **ARTICLE XV NOTICES**

**SECTION 36.** Whenever, under the provisions of these By-Laws, notice is required to be given to any Officer, Director or member, it shall not be construed to mean personal notice, but such notice may be given in writing, by mail, by depositing the same in the Post Office or Letter Box, in a postpaid sealed wrapper or on a postpaid post card, addressed to such Director, Officer or member at such address as appears on the books of the Club or on the records of the Secretary, or, in default of any such address, then to such Officer, Director, or member at the office of the Club in Harris County, Texas, and such notice shall be deemed to have been given at the time when the same shall have been mailed with the exception as provided in Article IV, Section 13 (c) of these By-Laws.

**SECTION 32.** The members of such Committees shall be appointed by the President with the approval of the Board.

#### **ARTICLE XIII**

##### **ORDER OF BUSINESS**

**SECTION 33.** The order of business shall be:

- (a) Reading of the Minutes of the last meeting
- (b) Treasurer's report
- (c) Committee reports
- (d) Unfinished business
- (e) New business
- (f) Program or Miscellaneous
- (g) Notification of next meetings
- (h) Adjournment

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**DEED RESTRICTIONS  
FOR THE CANDLELIGHT PLAZA SUBDIVISIONS  
SECTIONS 1 AND 2**

Deed restrictions are not printed in total. Complete deed restrictions are recorded as follows and should be consulted for complete information concerning questions not covered herein:  
SECTION 1— Vol. 5705, Page 388, Map records Vol. 199, page 36  
SECTION 2—Vol. 6016, Page 601, Map records Vol. 128, Page 43

These covenants are to run with the land and shall binding upon all parties and all persons claiming under them until June 15, 1994, at which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by at least eighty percent (80%) of the then owners of the lots in said subdivisions is filed for record in Harris County, Texas, altering, rescinding or modifying said covenants and restrictions in whole or in part. If any person or persons violates or attempts to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant or covenants either to prevent him or them from so doing and/or to recover damages by court order.

1. All lots in said subdivision shall be known and described as residential lots. No structure shall be erected or permitted to remain on any lot other than one (1) private residence and necessary servant's houses, garages and outbuildings. No residence shall be erected on any lot other than a single family private dwelling. Duplexes, apartments or other form of multiple unit occupancy shall not be erected on any lot. No residence, garage or outbuilding shall exceed two stories in height. No previously constructed house or other building shall be moved onto any lot. In this connection, all construction shall be of new materials with the exception of used brick and other such decorative accessories as are customarily used by builders in the construction of new residences.

2. No building shall be closer to a front property line or a side property line than that shown by the building setback lines on the recorded plat. Where a lot is not a corner lot, no buildings shall be erected nearer to a side property line than five (5) feet which shall be measured from exterior walls of a residency or building, except that unattached garages may be three (3) feet from side property lines. Corner lots shall have not less than a ten (10) foot side building line on the side nearest a street.

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3. All lots shall be for residential use only. No business or commercial use shall ever be made of any lots.
  4. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be doing thereon which may be or become a nuisance or annoyance to the neighborhood.
  5. No boat, trailer or truck shall be parked or stored in front of any dwelling unit for more than twenty-four (24) hours. No house trailer shall be placed on any lot at any time. No trailer, basement, tent, shack, garage, barn or other outbuilding erected or placed on any lot shall be used as a residence at any time, nor shall any structure of a temporary character be used as a residence.
  6. No repair work, dismantling or assembling of motor vehicles, or any other machinery or equipment shall be done in any street, or front or side yard on any lot.
  7. No horses, cows, goats, sheep, hogs, or other animals, and no chickens, guineas, ducks, geese, pigeons, or other fowl shall be kept on any lot in said addition, except that dogs and cats are permitted in reasonable numbers as pets only, but not for the purpose of commercial breeding and/or sale.
  8. Any single story residence constructed or places in said subdivision, exclusive or outbuildings, shall be constructed of at least seventy-five percent (75%) brick, brick veneer, stone, stone veneer, or brick on hollow tile, and all residences must be so placed on the lot as to face the street on which the lot faces. In the event a residence is in excess of one (1) story in height, seventy-five percent (75%) of the ground floor shall be constructed of brick, brick veneer, stone, stone veneer, or brick on hollow tile. All residences shall have roof pitch of not less than 3" vertical to 12" horizontal pitch. All roofs with "modern" designs may have build up roofs of not less than 3" vertical to 12" horizontal pitch.
- The prohibition against composition shingles is removed. The following is substituted for the wording "No composition shingles shall be permitted":
- No roof, other than wood shingle, shall be placed upon any dwelling in this subdivision until a written application requesting approval of said roof by the record owner of the property upon which the requested roof is to be placed has been made to the Architectural Control Committee

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and said Architectural Control Committee has given its written approval of said roof.

The procedures concerning written application for roofs other than wood shingles shall be established by the Architectural Control Committee and approved by the majority vote of the General Membership of THE CANDLELIGHT PLAZA CIVIC CLUB.

9. No garage apartment for rental purposes shall be permitted. Living quarters on the property other than in the main building may be used for bonafide servants only.
10. No fence, wall, hedge, pergola, carport, or any other detached structure shall be erected or placed on any lot nearer to the street than the front line of the house as so built, nor shall any fence exceed six (6) feet in height. No sign of any kind shall be placed on any lot except such sign of not more than four (4) square feet advertising the property for sale or rent or signs used by a builder to advertise the property during construction or sales period.
11. Easements affecting all lots in this tract are reserved as shown on the recorded plot for utility installation and maintenance, and in addition to the easements designed on said plat, there is hereby designated and dedicated for the use of all public utilities companies an unobstructed aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward located adjacent to said easements as dedicated on said plat.
12. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste; such rubbish, trash, garbage and/or other waste shall be kept only in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
13. No building shall be erected, placed or altered on any building plot in this subdivision until the building plans, specifications and plot plan showing the location of such buildings have been approved in writing as to conformity and harmony of external design with existing structures in the subdivision, and as to location of the building with respect to topography and finished ground elevation by the Architectural Control Committee. The Architectural Control Committee is composed of the President and First Vice President and all members of the Board of Directors of The Candlelight Plaza Civic Club, or their designated representatives,

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all to be of the City of Houston, Harris County, Texas. A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the members of the committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. At any time the record owner of a majority of the lots shall have the power through a duly recorded written instrument to change the membership of the committee.

14. In the event the committee, or its designated representative, fails to approve or disapprove within thirty (30) days from the date said plans and specifications have been submitted, or, in any event if no suit to enjoin the erection of such building, or the making of such alterations have been commenced prior to the completion thereof, such approval with the committee will not be required, and this covenant shall be deemed to have been fully complied with. Neither the Architectural Control Committee nor their designated representative shall be entitled to any compensation for services performed pursuant to this covenant.

15. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect. In the event it becomes necessary for any reason to re-subdivide this property so that the boundary lines of the said lots in said blocks differ from those on the present plan, these restrictions shall not be considered violated and shall nevertheless apply to the property as re-subdivided, provided that in no event shall the minimum lot area and frontage, as hereinabove provided, be reduced. The non-enforcements of these restrictive covenants as to one or more persons shall not be construed as a waiver of, or shall such action be used as, an estoppel against any owner of the property or the Architectural Control Committee in enforcing the restrictions against other persons governed thereby.

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