

EXHIBIT C

CAUSE NO. 2019-33333

TANGLEWOOD HOMES ASSOCIATION, INC., §
§ IN THE DISTRICT COURT
Plaintiff, §
§
versus § 133rd JUDICIAL DISTRICT
§
WMJK, LTD., §
§ HARRIS COUNTY, TEXAS
Defendant. §

DECLARATION OF ANTHONY DELUCA
IN SUPPORT OF TANGLEWOOD HOMES ASSOCIATION, INC.'S
MOTION FOR SUMMARY JUDGMENT

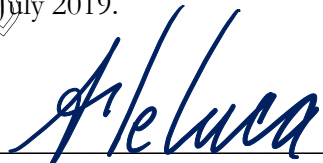
My name is Anthony Deluca, my date of birth is May 23, 1962 and my home address is 5401 Doliver Dr., Houston, Texas 77056, located in Harris County, Texas, and I declare under penalty of perjury that the statements made in this declaration are true and correct.

1. My wife, Elizabeth Deluca and I purchased our Tanglewood home at 5401 Doliver Dr., Houston, Texas 77056, which purchase closed on February 8, 2019.
2. Our home is located at the southwest corner of the intersection of Tanglewood Boulevard and Doliver Dr., three blocks from 1661 Tanglewood Boulevard.
3. Every day, we drive past 1661 Tanglewood Boulevard to get to our home.
4. At the time we purchased our home, we were provided a notice of the deed restrictions applicable to our property. Attached as exhibit C-1 is a true and correct copy of what we were required to sign. Exhibit C-1 references the Amendments to Reservations, Restrictions and Covenants for Tanglewood Sections 1 through 4, Section 4-A. Sections 5 through 11, Sections 11-A and 11-B, Sections 12 through 17, Section 17-A, and Sections 18 and 19 ("2018 Restrictive Covenants") Clerks File No. 20180564761, recorded on December 18, 2018. *See* Exhibit A-10.
5. At the time I purchased our home, I understood that the 2018 Restrictive Covenants stated that, "Only one (1) residential dwelling may be constructed on a lot." Exhibit A-10 at 2.

EXHIBIT C

6. In purchasing our home, my wife and I relied upon the fact that Tanglewood is a restricted residential subdivision, and that all recorded deed restrictions, including particularly the 2018 Restrictive Covenants, would restrict development in our neighborhood to single family homes.
7. If my wife and I had believed or known that a high-rise building would, or even could, be built at 1661 Tanglewood Boulevard or any other lot near our home we would have demanded a substantial price discount to what we actually paid for our home.
8. Similarly, if we had known that the owner of 1661 Tanglewood Boulevard could contest the restrictions that prevent the construction of a high-rise building within Tanglewood, we would have demanded a substantial price discount to what we actually paid for our home.

Executed in Harris County, State of Texas, on the 23rd day of July 2019.



Anthony Deluca

Unofficial Copy Office of Marilyn Burgess District Clerk

EXHIBIT C-1

Unofficial Copy Office of Marilyn Burgess District Clerk

**NOTICE TO PURCHASERS
DEED RESTRICTIONS**

Charter Title Company

GF No.: ch-7666-1076661900024

GF# _____

STATE OF TEXAS

COUNTY OF HARRIS

The real property described below, which you are purchasing, is subject to deed restrictions recorded in Harris County, Texas.

1. Restrictive Covenants recorded in/under Volume 35, Page 26 of the Map Records and by Volume 2189, Page 179, and Volume 2247, Page 336 of the Deed Records, and under Clerk's File Nos. S495538, S508578, S508579, V372037, W325707, Y514662, 20070477857, 20080107347, 20080129181, 20110516405, 20160027401, 20170120654, 20180121886 and 20180564761 of the Real Property Records of HARRIS County, Texas.

THE RESTRICTIONS LIMIT YOUR USE OF THE PROPERTY. THE CITY OF HOUSTON IS AUTHORIZED BY STATUTE TO ENFORCE COMPLIANCE WITH CERTAIN DEED RESTRICTIONS. You are advised that, in the absence of a declaratory judgment that the referenced restrictions are no longer enforceable, the City of Houston may sue to enjoin a violation of such restrictions. ANY PROVISIONS THAT RESTRICT THE SALE, RENTAL OR USE OF THE REAL PROPERTY ON THE BASIS OF RACE, COLOR, RELIGION, SEX, OR NATIONAL ORIGIN ARE UNENFORCEABLE; however, the inclusion of such provisions does not render the remainder of the deed restrictions invalid. The legal description and street address to the property you are acquiring are as follows:

Street Address: 5401 Doliver Dr., Houston, TX 77056

Lot One (1) in Block Twenty-five (25), of TANGLEWOOD, SECTION SIX, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 35, Page 26 of the Map Records of Harris County, Texas.

RP-2019-54165

Unofficial Copy Office of the Harris County District Clerk
UNOFFICIAL COPY

NOTICE TO PURCHASERS

DEED RESTRICTIONS

(Continued)

1 Roger B. Medors
Roger B. Medors

2-4-19
Date

1 Patricia Medors
Patricia Medors

2-4-19
Date

The undersigned admit receipt of the foregoing notice at or prior to closing the purchase of property above described.

Anthony F. DeLuca
Anthony F. DeLuca

2-8-19
Date

Elizabeth R. DeLuca
Elizabeth R. DeLuca

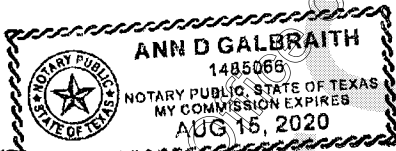
2-8-19
Date

State of Texas

County of Harris

This instrument was acknowledged before me on February 8, 2019 by Anthony F. DeLuca and Elizabeth R. DeLuca.

(Personalized Seal)



Ann D Galbraith
Notary Public for the State of
My Commission Expires: _____

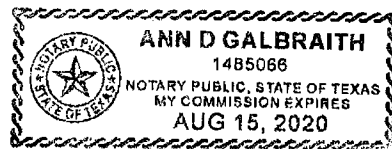
State of Texas

County of Harris

This instrument was acknowledged before me on February 4, 2019 by Roger B. Medors and Patricia Medors.

(Personalized Seal)

Ann D Galbraith
Notary Public for the State of
My Commission Expires: _____



RP-2019-54165

Unofficial Copy of Marilyn Burdette District Clerk

RP-2019-54165

RP-2019-54165
Pages 3
02/11/2019 08:06 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
DIANE TRAUTMAN
COUNTY CLERK
Fees \$20.00

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.



Diane Trautman

COUNTY CLERK
HARRIS COUNTY, TEXAS