

PETITION: TO ENFORCE DEED RESTRICTION

CAUSE NO. _____
(court use only)

_____	§	
_____	§	IN THE JUSTICE COURT
Plaintiff(s)	§	
VS.	§	PRECINCT ____ PLACE ____
_____	§	
_____	§	LIBERTY COUNTY, TEXAS
_____	§	
Defendant(s)		

**THE STATE OF TEXAS
COUNTY OF LIBERTY**

Plaintiff is _____ an individual; _____ a sole proprietorship; _____ a partnership; or _____ a corporation.

Defendant is _____ an individual; _____ a sole proprietorship; _____ a partnership; or _____ a corporation.

SERVICE OF CITATION

Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court.

Defendant's Address for Service:

Other Addresses Where Defendant(s) May be Served:

Agent for Service of Process (if applicable)

Agent for service of Process (if applicable)

Street

Street

City/State/Zip

City/State/Zip

RESTRICTIVE COVENANT

The property made the basis of the violation is *(describe the property owned by the defendant made the basis of the violation of the restrictive covenant):*

Restrictive covenants govern the property as follows: *(Describe the instrument creating the restrictions on use of the property, including recording information, and attach a certified copy of the instrument and copies of any other documents necessary to demonstrate that the restriction applies to the property in dispute.)*

DEED RESTRICTION VIOLATION

The Defendant violated the Restrictive Covenants as follows: *(Describe the nature of the violation, the date on which the violation first occurred, the action taken by the plaintiff to notify the defendant of the violation, and the defendant's refusal to correct the violation. Violation may not concern a structural change to a dwelling. The term "dwelling" does not include an external structure, such as a carport, fence, storage building, or unattached garage.)*

RELIEF REQUESTED

Plaintiff requests that the court find that the defendant is in violation of a deed restriction, and assess civil damages for the violation in an amount not to exceed \$200.00 for each day of the violation. Plaintiff requests recovery of its reasonable attorney's fees in the amount of \$ _____, together with costs of court, and any other relief to which the plaintiff may be entitled.

CONSENT TO EMAIL NOTIFICATION:

_____ If you wish to give your consent for the answer and any other motions or pleadings to be sent to your email address, please check here, and provide your valid email address: _____.

Signature of Plaintiff

Printed Name of Plaintiff

Address of Plaintiff

City/State/Zip

Phone Number and Fax Number (if any) of Plaintiff

Email Address of Plaintiff

Defendant's Information if known:

Date of Birth

Last Three (3) Digits of Drivers License

Phone Number

Last Three (3) Digits of Social Security

Email Address

Other Information

**AFFIDAVIT
SEC. 201(B) Servicemembers Civil Relief Act**

Plaintiff/agent being duly sworn on oath under penalty of perjury (fine and/or up to one year in jail) deposes and says that _____, defendant(s) (check one):

_____ Is not subject to the Servicemembers Civil Relief Act of 2003 or a dependent of a servicemember.

_____ Is on active military duty and/or is subject to the Servicemembers Civil Relief Act of 2003.

_____ Defendant has waived his/her rights under the Servicemember Civil Relief Act of 2003.

_____ Servicemember status of defendant is unknown at this time.

Plaintiff's Signature

Plaintiff's Printed Name

**THE STATE OF TEXAS
COUNTY OF LIBERTY**

Subscribed and Sworn to before me this _____ day of _____, 20 _____.

Clerk of the Court _____ Notary Public

Justice Court Civil Case Information Sheet

Case No. (For Clerk use Only) _____

Styled: _____
 (e.g. John Smith V. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet:	2. Name of parties in case:													
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Name: _____</td> <td style="width: 50%; border: none;">Telephone: _____</td> </tr> <tr> <td style="border: none;">Address: _____</td> <td style="border: none;">Fax: _____</td> </tr> <tr> <td style="border: none;">City/State/Zip: _____</td> <td style="border: none;">State Bar No.: _____</td> </tr> <tr> <td colspan="2" style="border: none;">Email: _____</td> </tr> <tr> <td colspan="2" style="border: none;">Signature: _____</td> </tr> </table>	Name: _____	Telephone: _____	Address: _____	Fax: _____	City/State/Zip: _____	State Bar No.: _____	Email: _____		Signature: _____		<table style="width: 100%; border: none;"> <tr> <td style="border: none;">Plaintiff(s): _____ _____</td> </tr> <tr> <td style="border: none;">Defendant(s): _____ _____ _____ _____</td> </tr> <tr> <td style="border: none;">[Attach additional page as necessary to list all parties]</td> </tr> </table>	Plaintiff(s): _____ _____	Defendant(s): _____ _____ _____ _____	[Attach additional page as necessary to list all parties]
Name: _____	Telephone: _____													
Address: _____	Fax: _____													
City/State/Zip: _____	State Bar No.: _____													
Email: _____														
Signature: _____														
Plaintiff(s): _____ _____														
Defendant(s): _____ _____ _____ _____														
[Attach additional page as necessary to list all parties]														
3. Indicate case type, or identify the most important issue in the case (select only 1):														
<p>____ Debt Claim: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.</p>	<p>____ Eviction: An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$10,000, excluding statutory interest and court cost but including attorney fees, if any.</p>													
<p>____ Repair and Remedy: A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.</p>	<p>____ Small Claims: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, or personal property. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.</p>													