

THAT WHEREAS, in order to approve the construction project and correct the nonconforming conditions of proposed improvements on the lot being 1.5728 acres of land, in the Elijah Collard Survey, A-7 Montgomery County, Texas, as recorded in Montgomery County Clerk's file no 2017073277 being out of the 5.935-acre tract described in Volume 780, Page 639 of the Deed Records of Montgomery County, Texas, which said improvements overlap and encroach upon the 15 feet building setback line and do not meet the requirement that all buildings shall be constructed with brick, stone or a combination of the two covering at least sixty (60) percent of the outside wall area and do not meet the requirement for only a 3-rail white pvc fence, but otherwise conform according to the deed restrictions for said tract of land as recorded in Clerk's file no. 2007030474.

1. Side and rear building set-backs at five (5) and ten (10) feet respectively.
2. Allow Hardie material to be included in the sixty (60) percent required building materials.
3. Allow that the two (2) shops not be required to have sixty (60) percent coverage stone, brick or a combination of the two. Specifically allowing metal buildings
4. Allow fencing and planting exceptions at the discretion of the owners.

NOW THEREFORE, the undersigned members of said Architectural Control Committee of "The 5.935-Acre Community Association" do by these presents, issue this, our Approved Variance to said encroachment and other variances listed above, and agree that said Architectural Control Committee, and its successors shall take no action now or in the future with regard to these deed restriction variances or the improvements as noted below,

This instrument may be signed in counterparts, each of which shall be deemed an original but all of which shall constitute one and the same document.

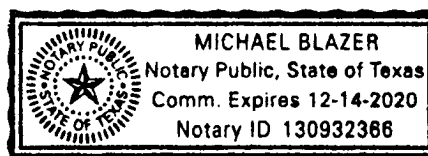
WITNESS OUR HANDS, this the 8 day of July, 2019

5.935-Acre Architectural Control Committee

By: [Signature]
John Rabbit, Chairman

John Rabbit, personally appeared before me, and being first duly sworn declared that he signed this instrument in the capacity designated, if any, and further states that he has read the above instrument and agrees to the provisions therein contained.

[Signature]
Notary Public, State of Texas
12/14/20
Commission Expires:



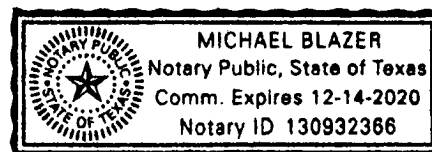
WITNESS OUR HANDS, this the 8 day of July, 2019

5.935-Acre Architectural Control Committee

By: [Signature]
Diana Rabbit, Member

Diana Rabbit, personally appeared before me, and being first duly sworn declared that she signed this instrument in the capacity designated, if any, and further states that she has read the above instrument and agrees to the provisions therein contained.

[Signature]
Notary Public, State of Texas
12/14/20
Commission Expires:



WITNESS OUR HANDS, this the 8 day of July, 2019

5.935-Acre Architectural Control Committee

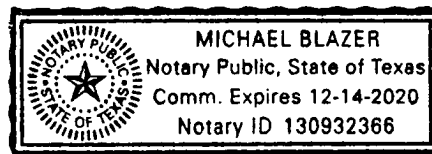
By: Valerie Cesan
Valerie Cesan, Member

Valerie Cesan, personally appeared before me, and being first duly sworn declared that she signed this instrument in the capacity designated, if any, and further states that she has read the above instrument and agrees to the provisions therein contained.

[Signature]

Notary Public, State of Texas

12/14/20
Commission Expires:



AFTER RECORDING, RETURN TO:

Steve & Marie Harkness
9167 Lake Conroe Dr
Conroe Tx 77304
(972) 571-0252

FILED FOR RECORD
10/18/2019 08:41AM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was filed in the file number
sequence on the date and time stamped herein
by me and was duly RECORDED in the Official Public
Records of Montgomery County, Texas.

10/18/2019



County Clerk
Montgomery County, Texas