

2004-020894

FILED BY 231348
FIDELITY NATIONAL TITLE
529-10-0763

The State of Texas ()
 ()
County of Montgomery ()
 () **KNOW ALL MEN BY THESE PRESENTS:**

THAT WHEREAS, in order to correct the condition of encroachment for improvements that have been made on a portion of Lot 2, Block One of Tres, a subdivision situated in the Elijah Collard Survey. A-7 and recorded in Cabinet "G" Sheet 39-A, Map Records, Montgomery County, Texas, which said improvements overlap and encroach upon the front 100 FT. building setback line of said lot; but otherwise conform according to the Architectural Control Committee of said Subdivision;

AND, WHEREAS, the undersigned members of said Architectural Control Committee of said Tres Subdivision do by these presents, issue this, our Variance to said encroachments of the improvements, and agree that said Architectural Control Committee, and its successors, and the TRES P.O.A. shall take no action with regard to the encroachment of the improvements on said front building line of said lot as they appear at this time.

A portion of the survey plat of said Lot showing said encroachments being attached hereto as EXHIBIT "A" and made a part thereof, for all purposes.

WITNESS OUR HANDS, this the 3rd day of July A.D., 2003

**TRES ARCHITECTURAL
CONTROL COMMITTEE**

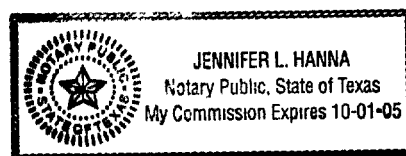
By: *Walter Coffey*
Walter Coffey, President *Chairman*

THE STATE OF TEXAS ()

COUNTY OF MONTGOMERY ()

**This instrument was acknowledged before me on this the 3rd day of July 2003
By Walter Coffey, President of Tres Architectural Control Committee.
*Chairman***

Jennifer L. Hanna
NOTARY PUBLIC, STATE OF TEXAS
10-01-05
Commission Expires:



Fidelity National Title
2255 North Loop 366 West, Suite A
Conroe, Texas 77304

1 1/2" IRON ROD
FOUND MONUMENT)
(CONTROL

* BEARING BASIS
187.00' (ACTUAL AND PLAT CALL)

- 5 FT. AERIAL EASEMENT FROM A PLANE 20 FT. ABOVE GROUND, UPWARD
(AS PER FINAL PLAT)

35 FT. REAR BLDG. LINE (AS PER RESTRICTIONS)

SERVICE W/ METER
POLE

WATER WELL AND
PRESSURE TANK

S 73°35'07"E 355.00' (ACTUAL AND PLAT CALL)

N 33°36'38" W 355.00' (ACTUAL)
N 73°35'07" W 355.00' (PLAT CALL)

LOT 3, BLOCK ONE

EXHIBIT "A"

35.00'

25.00' 9.00'

52.50'

43.00'

WOOD FORMS
AS OF 07/03/03

25.00' 9.00'

29.50'

14.00'

5.00'

25.00' 9.00'

47.00'

35.00'

100 FT. BLDG. LINE (AS PER FINAL PLAT)

POINT FOR CORNER IN POST
IRON
FENCE A 1/2
P.V.C. WHICH BEARS
FROM FOUND'E 0.15
ROD
S 75.38.28'E

53.67' (ACTUAL AND PLAT CALL)

S 16°20'00"W 186.84' (ACTUAL)

L A K E C O N R O E D R I V E

(60 FT. R. O. W.)

EDGE OF ASPHALT

EDGE OF ASPHALT

529-10-0765

FILED FOR RECORD
2004 FEB 27 PM 3:31

Mark J. Jurek
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY
I hereby certify this instrument was filed in
File Number Sequence on the date and at the time
stamped herein by me and was duly RECORDED in
the Official Public Records of Real Property at
Montgomery County, Texas.

FEB 27 2004



Mark J. Jurek
County Clerk
Montgomery County, Texas

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded.