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## Warranty Deed with Vendor's Lien

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS; YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date

March 29, 2007

Grantor:

BILL G. D'AMICO, and wife, AGNES CECELIA D'AMICO,

the said Bill G. D'Amico acting by and through his duly appointed agent and attorney in fact, Billy Gray D'Amico, II

**Grantor's Mailing Address:** 

9224 Lake Conroe Drive,

Conroe, Montgomery County, Texas 77305

Grantee:

DONALD SCHROCK, and, THERESA SCHROCK,

husband and wife

**Grantee's Mailing Address:** 

CONRDE, MONTGONEY County, Texas, 77304

Consideration: Ten Dollars (\$10.00) cash and other good and valuable consideration and a note of even date executed by Grantee and payable to the order of QUICKEN LOANS, INC., a Michigan corporation, in the principal amount of Four Hundred Eighty Six Thousand and no/loo Dollars (\$486,000.00), The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of QUICKEN LOANS, INC., and by a first-lien deed of trust of even date from Grantee to American Title, Trustee.

Property (including any improvements):

All that certain tract or parcel of land, containing 1.5053 acres, situated in the Elijah Collard Survey, Abstract No. 7, Montgomery County, Texas, and more particularly described on exhibit attached hereto and made a part hereof:

Reservations from Conveyance:

None.

**Exceptions to Conveyance and Warranty:** 

This conveyance is made subject to any and all restrictions, minerals and/or royalty reservations, covenants, maintenance or similar charges, and easements, if any, relating to the hereinabove described property, but only to the extent that they are still in force and effect, shown of record in said County, and to all zoning laws, regulations and ordinances of municipal and other governmental authorities, if any, but only to the extent that they are still in effect, relating to the hereinabove described property.

This conveyance is also made and accepted subject to the restrictions attached to this deed.

Taxes for the current year have been prorated between the Grantor and Grantee, and the Grantee assumes the payment thereof.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

QUICKEN LOANS, INC., a Michigan corporation, at Grantee's request, has paid in cash to Grantor a portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of QUICKEN LOANS, INC., a Michigan corporation, and are transferred to QUICKEN LOANS, INC., a Michigan corporation, without recourse against Grantor.

When the context requires, singular nouns and pronouns include the plural.

Bill G. D'Amico.

ittorney in fact
nico, II by agent and attorney in fact

Billy Grav D'Amico. II

mus H Fol / Billy Gray D'Amico, II, as agent and attorney in fact for Bill G. Damico

Agries Cecelia D'Amico

AGREED AND ACCEPTED:  SJ. SJ. ( Donald Schrock  Meresa Schrock  Theresa Schrock	
	edged before me, on this the $\frac{29}{200}$ day of March
JOHN D. TAMBURELLO MY COMMISSION EXPIRES April 30, 2009	NOTARY PUBLIC, STATE OF TEXAS
THE STATE OF TEXAS § COUNTY OF HARRIS §  This instrument was acknowled 2007, by Agnes Cecelia D'Amico.  JOHN D. TAMBURELLO MY COMMISSION EXPIRES April 30, 2009	edged before me, on this the day of March NOTARY PUBLIC, STATE OF TEXAS
THE STATE OF TEXAS § COUNTY OF HARRIS § This instrument was acknowle 2007, by Donald Schrock and There	edged before me, on this the day of March sa Schrock.
JOHN D. TAMBURELLO MY COMMISSION EXPIRES April 30, 2009	NOTARY PUBLIC, STATE OF TEXAS

## Property Description (West Tracts Combined)

All that certain tract or parcel of land containing 1.5053 acres, situated in the Elijah Collard Survey, Abstract 7, Montgomery County, Texas, being comprised of a 0.1855 acre residual tract out of a 5.935 acre tract recorded in Volume 780, Page 639, Montgomery County Deed Records (M.C.D.R.), a 0.325 acre tract called 14,177 square feet in deed recorded in Volume 780, Page 647, M.C.D.R., and a 0.9948 acre tract called 0.9965 acre in deed filed under Montgomery County Clerk's File No. (M.C.C.F. No) 2005-083426; said 1.5053 acres being further described as follows:

BEGINNING at a 5/8" iron rod found on the Westerly line of Lake Conroe Drive marking the Northeasterly corner of a 1.00 acre tract described under M.C.C.F. No. 2004-122544, and the Southeasterly corner of a 0.2505 acre tract out of Reserve "C" of Tres, a subdivision recorded in Cabinet G, Sheet 39A of the Montgomery County Map Records;

THENCE, North 69° 02' 26" West, 197.43 feet along the Southerly line of the 0.2505 acre tract to a 5/8" iron rod found for corner on the Easterly line of Lake Conroe;

THENCE, North 03° 00' 43" East, 48.69 feet along the Easterly line of Lake Conroe to a point for corner;

THENCE, North 23° 29' 20" East, along the Easterly line of Lake Conroe at 15.30 feet passing the Northwest corner of said Reserve "C" and continuing for a total of 125 73 feet to a 5/8" iron rod found for corner;

THENCE, North 58° 23' 23" East, 74.89 feet along the Easterly line of Lake Conroe to a 5/8" iron rod found for the most Westerly corner of said 14,177 square foot tract;

THENCE, North 58° 19' 54" East, 232.08 feet to a point for the most Northerly corner of the 14,177 square foot tract and a Southerly corner of a certain 23.207 acre tract described under M.C.C.F. No. 9706826;

THENCE, South 19° 26' 38" West, along the Westerly line of the 5.935 acre tract for a distance of 102.99 feet to a ½" iron rod found for a Westerly corner of a called 1.408 acre tract described under M.C.C.F. No. 2002-004881;

THENCE, South 26° 31' 02" East, 116.75 feet along an Easterly line of the 1.408 acre tract to a point for corner;

THENCE, South 33° 40' 23" West, 20.62 feet along an Easterly line of the 1.408 acre tract to a P.K. nail found for corner:

THENCE, North 86° 33' 40" West, 50.30 feet along an Easterly line of the 1.408 acre tract to a drill hole in concrete found for corner;

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THENCE, South 19° 33' 55" West, 144.08 feet along the center of a 60 foot wide road easement to a P.K. nail found for corner on the Southerly line of the aforementioned 5.935 acre tract;

THENCE, North 81° 29' 54" West, 30.76 feet along the Southerly line of the 5.935 acre tract to a 5/8" iron rod found for the Southwesterly corner of the 5.935 acre tract;

THENCE, South 08° 19' 55" West, 49.23 feet along the Westerly line of Lake Conroe Drive and the Easterly line of said Reserve "C" to the POINT OF BEGINNING and containing 1.5053 acres of land.



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## EXHIBIT "A" (DEED RESTRICTIONS)

All that certain tract or parcel of land containing 0.9948 acre, situated in the Bijah Collard Survey, Abstract 7, Andregomery Conny, Teas, being that same tract aided 0.9965, acre in dead recorded under Montegomery Conny, Cert No 12005-0.09426, and being congrued of a called 32,503 square foot brack described in Volume 700, Page 643 Montegomery Conny Dead Records M.C.D. 3, and a 0.2958 acre tract out of Resorie Y of Tires, a subdivision recorded in Calmet G. Sheet 33A of the Montegomery County Nap Records said 0.9948 acre being Norther described as follows DEGINNING at a 56° from rod found on the Westerly line of Lake Conroe Drive making the Northeasterly corner of a 1 00 acre tract out of said Reserve °C as described wider M C C F No 2004-122544, also being the Southeasterly corner of the 0 2505 acre tract,

THENCE North 69" 02" 26" West 197 43 leet along the Northerly line of the 100 acre tract to a 50° fron nod found on the Eastenly line of Lake Corroce and the Westenly line of Reserve "C" for the Southwestenly comer of the 0 2505 acre tract:

THENCE, North 03° 00′ 43° East, 48 69 feet along the Easterly line of Lake Conroe to a point for corner,

THENCE, North 23° 29° 20° East, along the Easterly live of Lake Cornor at 15° 30 leet passing the Northwest corner of asid Reserve °C, and Resoftheest corner of the 32,503 square foot tract and continuing for a total of 125° 73 leet to a 50° ron roid board for corner.

THENCE, North Sp? 23: 23' East. 74.09 feet Called North Sp? 21' 25' East, 75.17 feet) along the Easterly line of Laxe. Connec to a Sp? view of brand for the most Northerly came of the forein described treat and the most Westerly come of a called 14.17 square foot brand described in Volume 780. Page 647, M.C.D.R.

THENCE, South 65' 14' 26' East, 146' 33 leet (caled South 65' 20' 10' East, 146' 62 lees) along the Southerly line of the 14,177 square toot tract to a point for corner on the Westerly line of a 5' 935' acre tract described in Volume 780, Page 639, M.C.D.R.

THENCE, South 19° 26'38" West, 173 72 letst along the Westerly line of the 5 935 acre tract and the Westerly line of an extension of Lake Compe Dine to a 518" mon rod found for the Southwesterly comer of the 5 935 acre tract at the North ine of said Tres subdivision,

THENCE, South OG" 19'55" West, A9'23 feet along the Westerly line of Late Conroe Once and the Easterly line of said Reserve VC to the POINT Of BEGINNING and containing O 9948 acre of land

(Tract 2)

All that certain tract or parcel of land containing 0 325 acre, situated in the Elyah Collard Survey, Abstract 7, Montag County, Texas, bang that same tract called 14,177 square feet in deed recorded in Volume 780, Page 647 of the County, Texas, beng that same tract called 14,177 square feet in deed recorded in Volume 700. F Montagomery County Deed Records (M C D R.), said 0 325 acre being further described as follows CAMMENCING for reference at a SUP wan nod found at the Socialmentary corner of 15 933 are tract recorded. TAOL Page 2593 M CD R, and the Southeastery corner of a 32,503 square foot tract recorded in Volume 780, 643 M CD R.

THENCE, North 19° 26' 38' East, 173 72 fest along the common line of the 5 935 acre tract and the 32,503 square foot tract to the Southeastery comer and POINT OF BEGINNING of the herein described tract. THENCE, North 65" I 4" 26" West, I 46. 33 feet along the Northerly line of the 32,503 square foot tract to a 5/0" non rod found on the Easterly line of Lake Compe for the most Westerly camer of the herein described tract,

THENCE, North 50° 19° 54° East, 232 08 leds to a point for the most Northerly comer of the herein described tract at a Southerly comer of a certain 23 207 are tract described under Montgomery County Clerks file No. BM.C.C.F. No.) 9706.026.

THENCE, South 19° 26' 39" West, at 39.52 feet passing the most Northerly Northwest comer of a calked 1 40% acre tract described inder M.C.C.F. No. 2002-004861 and continuing for a total of 194.20 feet to the PONT OF BEGINNING and contaming 0.325 acre of land.

All that certain tract or parcel of land containing 0 i 1655 acre, satuated in the Bight Calard Strikey, Abstract 7, Montgomery County, Teas, being a residual tract out of a certain 5 355 acre tract recorded in Volume 700, Page 639, Montgomery County, Decd Records (M. O. R.), sad 0 i 1655 acre being interfer decorded as bildone.

BEGINNING at a 500 mon rod found on the Westerly line of Lake Concoe One marking the Northeasterly comes of Reserve °C' of Tres, a subdivision recorded in Cabinet G, Sheet 39A. Montgomery County Map Records, and the Southwesterly corner of said 5 935 acre.

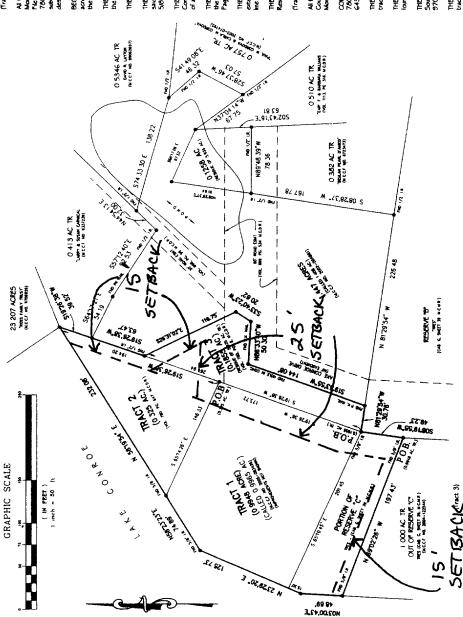
NOTES
1) SURVEY DONE WITHOUT A CURRENT THE REPORT
2) SURVEYOR HAS NOT COMPLETELY ABSTRACTED SUBJECT PROPERTY
3) SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF RECORD - ALL BEATHINGS SHOWN ARE REFERENCED PER PHENDUS RECORDED DEEDS THEE TRACTS OF LAND OUT OF A 5.835 AC.
TR. STIGNED IN THE ELLIAM COLLAND STRFEY,
ASTRACT 7, MONTOOMERY COUNTY, TEXAS
(SEE METES AND BOUNDS ATTACHED) 1300 S FRAZIER SUITE 105 COMPDE TEXAS 77301 PHONE (936) 786-7705 FAX (936) 441-7507 STEVEN BRISTER AND ASSOCIATES, INC.

HEREBY CRRIFY THAT THIS PLAT REPRESENTS THE RESULTS OF A JUNETAWEY MADE ON THE GRICING UNDER MY SUPERWISON

JOB NO Danie Bit \* SUBLET PROFERTY IS MOI LOCATED IN A FEDERAL INSURANCE ADMINISTRATION DESIGNATED FLOCO \* 480483, PAREL 0220 F. DATED: 12-19-96. This information based on graphic plotting only ine do ADDRESS 9224 LAKE COMPOE DRIVE, COMPOE TEXAS MORT CO - TITLE CO -PURCHASER BILL DAMICO

THENCE, North B I \* 29° 54" West, 30 76 feet along the Southenty line of the 5 935 acre tract to the POINT Of BEGINNING and contaming 0 1055 acre of land

FIELD WORK 02-22-07 MB DRAFTING 02-27-07 CDF FINAL CHECK 03-04-07 SB REVISED 315-11-053



THENCE, Novel 1972;30° West, at 17372 feat pressing the Northeasterly corner of a 32,503 squire foot text described in Volume 270. Page 643. N. D. By., and the Southeasterly corner of a 14,177 start footbod in Volume 780. Page 647. N. C.D. R., and confirming the stocking for including for a footbod 264. At best to a 14° from rod found for the most Northerly corner of the incens described trust. THENCE, North &6° 33° 40° West, 50 30 tect along an Easterly hie of the 1 400 acre tract to a drill hole in concrete found for comer. THENCE, South 26' 31' 02' East, 116 75 feat along an Easteny ine of a called 1 408 acre tract recorded under Montgomery Country Clerk's File No 2002-004861 to a point for corner, THENCE, South 33° 40' 23° West, 20 62 feet along an Easterly line of the 1 408 acre tract to a P K nail found for comer

THENCE, South 19°33'55' West, 144 OB feet slong the center of a GO foot wide road casement to a P.K. nail found for conner on the Southerly line of the altorementioned 5 935 acre tract,

## DEED RESTRICTIONS

(A) No tract shall be used except for residential purposes (partition) and for the creditor and production floor, construction office, construction office, construction office, construction of the first construction of the fir

(B) No improvements of any nature shall be erected, placed, or altered on any building plot on this tract until the plans, specifications and plot plans showing the location of such improvements, have been approved in writing as to conformity and harmony of external design with existing structures on this tract and as to location with respect to topography and finished ground elevation by the Architectural Control Committee, originally consisting of Bill D'Amico and Agnes D'Amico or their assigns.

In the event the architectural control committee fails to approve or disapprove within thirty days after the receipt of the required plans and specifications, approval will not be required and the related covenants set out therein shall be deemed as satisfied

(C) Except as may be authorized in writing by the Architectural Control Committee, no portion of any building shall be located nearer than the building line established for each lot included in these restrictions, as shown on the attached Exhibit A that runs adjacent to and follows the road easement for "Lake Conroe Drive" or nearer to said lots sides than 15 feet and some parcels, building lines may be shown as related to the S.J.R.A 201 prevailing elevation & J. Star Back. From Lake counce Drive Easement.	sal sal
Exhibit Page 1 of 5 pages W	` کور.
Page 1 of 5 pages V	

- (D) No noxious or offensive trade or activity or loud noises (including loud radio,T.V., stereo, fixed or mobile) shall be carried on upon this tract nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
- (E) No trailer, basement, tent, shack, garage, or out-building erected on this tract or any mobile unit including vans and motorhomes shall be at any time be used as a residence temporarily or permanently, nor will any structure of a temporary character be used as a residence.
- (F) No residential structure erected upon this tract shall have less than one acre dedicated for and used as the residential homesite, and such residence shall consist of not more than one-family dwelling establishment. No building on this tract shall be erected upon any building site, nor any building altered, placed or permitted to remain on such site other than one detached one-family dwelling together with housing space for usual family requirements, such as garage, household laundry, storage, or servants quarters. The covered part of the dwelling property, exclusive of garage, shall contain not less than Three Thousand, Two hundred (3,200) square feet on one-story dwelling. Said square foot areas shall be measured exclusive of open porches, garages and servant's quarters. Garages may be built attached to or separate from dwelling.

All buildings shall have either concrete slabs or solid beam foundations and no concrete block or brick pier foundations shall be used with void spaces between piers. All building units, shall be constructed with brick, hardy plank, stone or a combination covering at least sixty(60) percent of the outside wall area. Except that at the sole option of the Architectural Control Committee, an exception may be made that would be in keeping with the overall intentions of these restrictions. No building shall be erected off of the premises and moved from other premises onto subject premise and all building units shall be constructed on said premises. In the event of a multistory dwelling unit, the ground floor area, exclusive of open porches and garages, shall not be less than Three Thousand (3000) square feet of living area, and

No garage or carport shall face and open to "Lake Conroe Drive" at less than ninety degree angle except that at the sole option of the Architectural Control Committee

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Page 2 of 5 pages

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- (G) All roads and driveways off "Lake Conroe Drive" are to be concrete, asphalt, crushed limestone, or better grade rock, to all buildings.
- (H) No housing for garage, servant's quarters, or other service function of the dwelling establishment shall be erected or placed upon any building site until construction of the dwelling proper has been started and is actually underway. All residences must be completed within one year of starting date, and builders must be of good standing in their profession, must be known to do quality work and be approved by the Architectural Control Committee. Owner is to allow a five-foot)easement on side lines of subject homesite for underground utilities.
- (I) At all times those areas of "Lake Conroe Drive" easement right-of-way and utility easements shall be maintained from encumbrances by personal or private property or parking of passenger vehicles and service vehicles relating to subject homesite during and after construction of any improvements on this tract No campers, boats, trailers, motor homes, recreational vehicles of any type of non-running vehicle are to be parked or stored within view of "Lake Conroe Drive."
- (J) No animals, livestock, horses or poultry of any kind shall be raised, bred or kept on the property except that dogs, cats or other common household pets may be kept provided that they are not kept, bred or maintained for commercial purposes. Common household pets must be kept on the tract or on a leash at all times.
- (K) No spirious, vinous or malt liquors, illegal or prescription drugs or medicated bitters, capable of producing intoxication or addiction, shall ever be sold or offered for sale on any residential tract nor shall said premises or any part hereof be used for violation of the laws of the State of Texas, or of the United States, or of police, health, sanitary, building or fire code regulation, San Jacinto River Authority or Conroe E.T. J. rules or regulations or instruction relating to or affecting the use, occupancy or possession of any tract.

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Page 3 of 5 pages

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- (L) No signs consisting of advertising display or devices of any kind shall be in public view, except for builder's signs during the construction and sales period only, or to advertise a house for sale. In which laster case one installation on the building site of not more than five (5) square feet of sign space shall be allowed.
- (M) No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted, nor shall oil walls, tanks, tunnels, mineral excavations or shall be permitted. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted.
- (N) No portion of any tract shall be used, or maintained as a camping ground or for the dumping of rubbish, trash, garbage or other weetes; rubbish, trash, garbage or other weetes shall not be kept except in sanitary containers for frequent removal by the owner. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition, in no case shall any of the above be located within fifty (50) feet of any property line, nor visible from "Lake Conros Drive."
- (O) All fences, mail boxes and any other object constructed or placed along the "Lake Conroe Drive" road easement, shall require the permission and written approved of the Architectural Control Committee prior to construction, it is the intent that all fences be constructed out of brick, wood, PVC, or wrought iron only, es in contrast for example to all types of wire fences.

  In no case shall outside clothes line be maintained within sight of "Lake Course Conroe Drive."
- (P) No single family dwelling shall be occupied for residence purposes unless the exterior and interior of such dwelling is entirely finished to the exterior required by the Architectural Control Committee, whose approval in writing is required before any residence which is not entirely completed shall be occupied.
  - (Q) Firearms discharged are expressly prohibited.

Exhibit		
	Page 4 of 5 pages	, O
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(R)No sight-line limitations may be created by new plants or ferces or other new obstructions which obstruct sight lines at elevations between two and six feet, above the roadways within the triangular area formed by any driveway and points twersty-five feet from the intersection. No tree would remain within such distances, unless the foliage line is maintained at sufficient height to prevent obstruction on sight lines.

- (S) The Architectural Control Committee and assigns shall have the right to enforce, by any proceeding at law or in equity, all coverients, conditions, restrictions, essements and reservations now or hereafter imposed by the provisions of this declaration. Failure to enforce any coverient or restriction herein contained shall in no event be deemed a waiver of the right to do so.
- (T) invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provisions which shall remain in full force and effect.
- (U) The covenants, conditions, restrictions, and easements of this declaration shall run with and bind the property and shall insure to the benefit of and be enforceable by any property owner within the said 63.61 acres subdivision unless amended as provided herein, shall be effective for a term of twenty years from the date this declaration is recorded. After which time said covenants, conditions and restrictions shall be automatically extended for successive periods of ten years.

(V) Owners of subject \_\_\_\_\_\_acre treat agree that should be seller decide or be required to file a subdivision revision plat for any resson, owners will join in same by their approval.

(VV) No type of helicopter landing facility.

(X) Use only masonry posts Control Committee and placed at I Precinct County Commissioner.	il receptacle, approved first by the ocation approved by presiding P	a Architectural ostmaster and
Exhibit		

Page 5 of 5 pages MM

Return to and Mailing address of grantee:

**Donald Schrock** Theresa Schrock

7445 ENCHANTED STRAM CONROE, TX 77304

GF 610854-K

FILED FOR RECORD

07 APR -3 AM 10: 20

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.

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.

APR - 3 2007

