

5.935-acre Tract Property Owners Approval of  
Steve and Marie Harkness Construction Project

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

THAT WHEREAS, in order to correct the nonconforming conditions of proposed improvements on a tract of land 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, but otherwise conform according to the deed restrictions for said tract of land as recorded in Clerk's file no. 2007030474,

AND WHEREAS, said deed restrictions require plans, specifications and plot plans be approved by the Architectural Control Committee (ACC); but, an ACC no longer exists, all fourteen (14) property owners of the other seven (7) properties in the 5.935-acre tract are being petitioned to approve variances to the said nonconforming conditions and agree that said property owners, and their successors shall take no action now or in the future with regard to these variances of the improvements,

NOW THEREFORE, the undersigned property owner hereby acknowledges and consents to the encroachment referenced above, and hereby specifically authorizes the following variances:

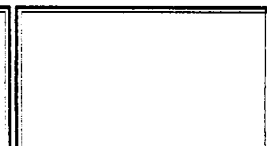
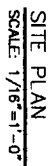
1. Encroachment into the side and rear fifteen (15) feet building set-back lines of eight (8) and five (5) feet, respectively, as reflected in EXHIBIT "A" which is attached hereto and made a part thereof, for all purposes.
2. Variance that all buildings shall be constructed with brick, stone or Hardie material or a combination of the three covering at least sixty (60) percent of the outside wall area.

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 instrument.

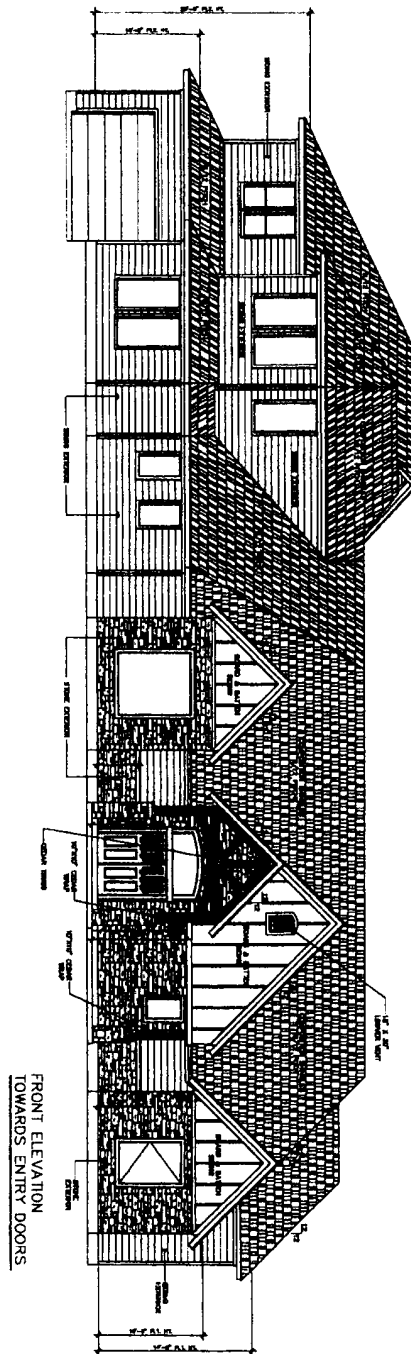


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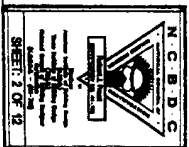
COPYRIGHT © 2019 DESIGN ORIGINALS Custom Home Plans, LLC.



COPYRIGHT © 2019 DESIGN ORIGINALS Custom Home Phone, LLC.



FRONT & REAR  
ELEVATIONS  
SCALE: 3/16" = 1'-0"



JOB # 114028
DATE MAY 21, 2018
REV. 05
DRAWING BY: R.L.F.

THE  
HARKNESS  
RESIDENCE

**Robert J. Faust, C.P.B.D.**  
Residential Designer

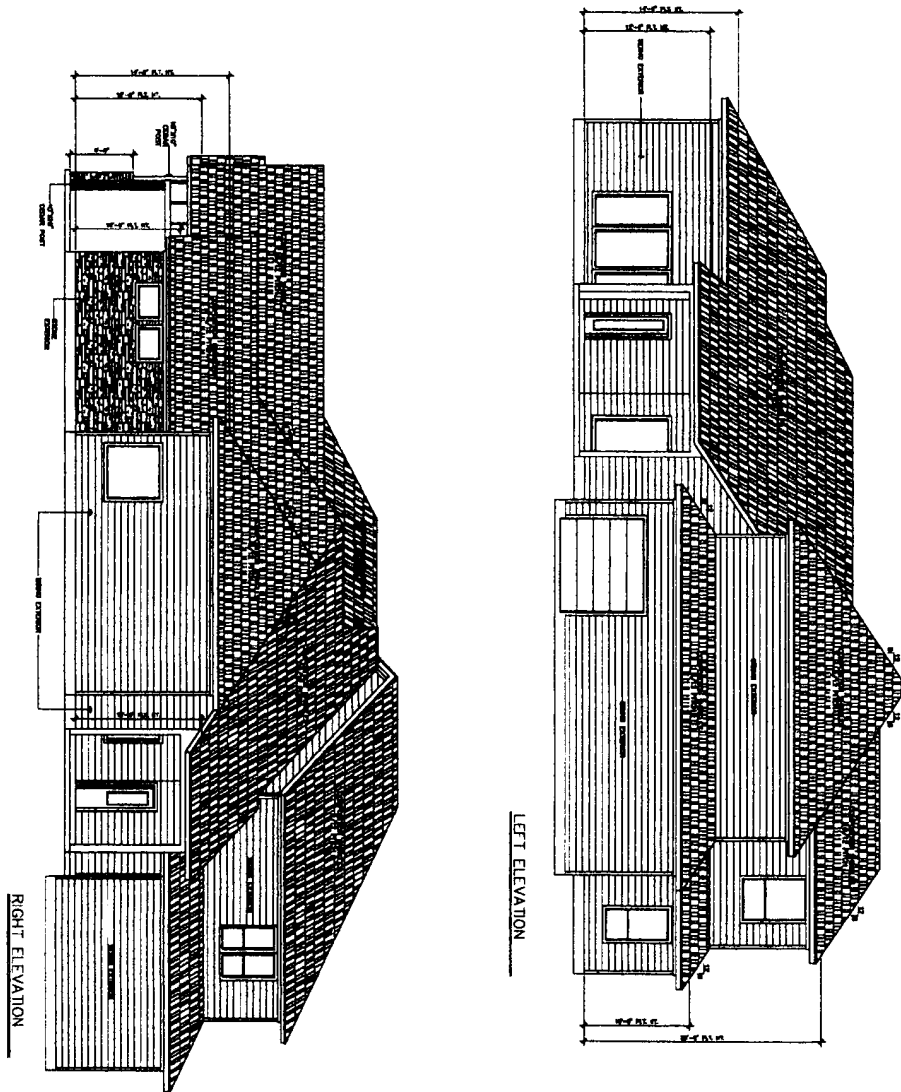
3421 W. DAVIS, STE. 130  
OCEANROCK, TX. 77204  
832-955-4700

**J. Chase Dame, Sr.**  
Residential Designer

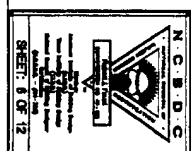
**DESIGN ORIGINALS**  
Custom Home Plans, LLC.

10718 FM H 400, STE. 413  
ALBERTA, TX 76220  
OFFICE (817) 287-1775

# Exhibit "A"



SIDE ELEVATIONS  
SCALE: 3/16" = 1'-0"



228 S. HARRIS  
DATE: MAY 14, 2018  
REV: 00  
DRAWN BY: F.J.F.

THE  
HARKNESS  
RESIDENCE

Robert J. Faust, C.P.B.D.  
Residential Designer

J. Chase Deme, Sr.  
Residential Designer

DESIGN ORIGINALS  
Custom Home Plans, LLC.

801 W. DAVIS, 675, 101  
COLUMBUS, TX 77004  
832-488-4776

18713 HILL HILLS, 675L 412  
AUSTIN, TX 78748  
OFFICE: (512) 851-1776

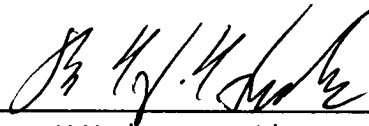
Property Owners	Property Address	Yes	No
	Lake Conroe Drive Conroe, Texas 77304		
Bruce Harkness & Alice Brown	9224	Yes	
John and Diana Rabbit	9145	Yes	
Darin and Valarie Cesan	9151	Yes	
David Layton and Suzanne Goetz	9155	Yes	
Steve and Marie Harkness	9167	Yes	
Earl and Barbara Williams	9215	Yes	
Kenneth and Deborah Bitgood	9229		No
Steve and Marie Harkness	9239	Yes	

Percentages:

7 of 8 YES votes represents 87.5% of total property owners

After recording, return to:  
Steve and Marie Harkness  
9167 Lake Conroe Dr  
Conroe Tx 77304  
(972) 571-0252

Signed this 20 day of JUNE, 2019

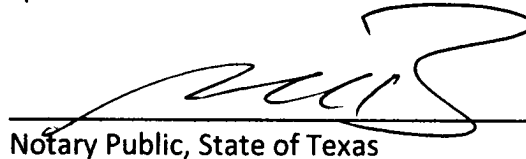
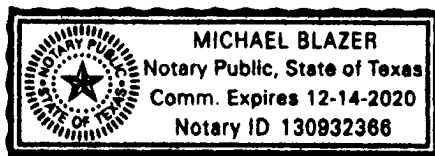


Bruce H Harkness, resident  
9224 Lake Conroe Drive  
Conroe, TX 77304

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

Bruce H HARKNESS, 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.

  
Notary Public, State of Texas

Signed this 22nd day of JUNE, 2019



Alice A Brown, resident  
9224 Lake Conroe Drive  
Conroe, TX 77304

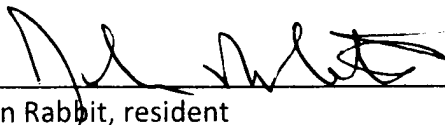
STATE OF TEXAS §

COUNTY OF MONTGOMERY §

ALICE A BROWN, 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.

  
Notary Public, State of Texas

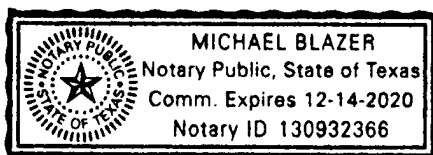
Signed this 20 day of JUNE, 2019

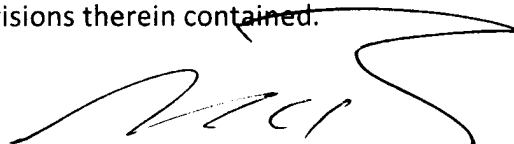
  
\_\_\_\_\_  
John Rabbit, resident  
9145 Lake Conroe Drive  
Conroe, TX 77304

STATE OF TEXAS §


COUNTY OF MONTGOMERY §

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.



  
\_\_\_\_\_  
Notary Public, State of Texas

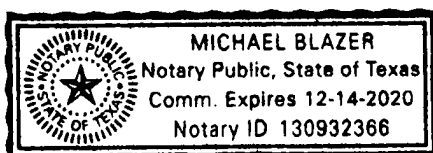
Signed this 20 day of JUNE, 2019

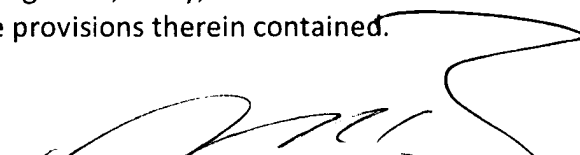
  
\_\_\_\_\_  
Diana Rabbit, resident  
9145 Lake Conroe Drive  
Conroe, TX 77304

STATE OF TEXAS §

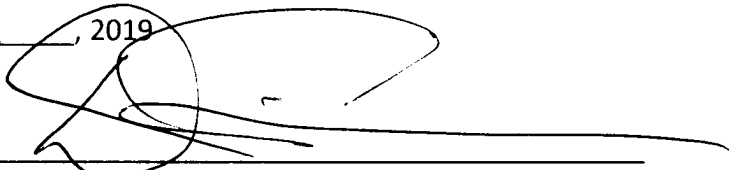
COUNTY OF MONTGOMERY §

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.



  
\_\_\_\_\_  
Notary Public, State of Texas

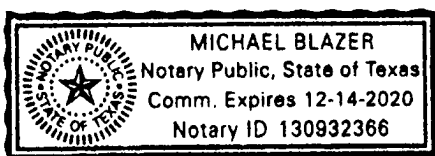
Signed this 20 day of JUNE, 2019

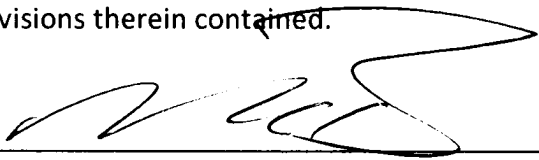
  
Darin Earl Cesan, resident  
9151 Lake Conroe Drive  
Conroe, TX 77304

STATE OF TEXAS §


COUNTY OF MONTGOMERY §

DARIN EARL CESAN, 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.



  
Notary Public, State of Texas

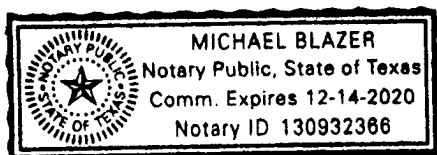
Signed this 20 day of JUNE, 2019

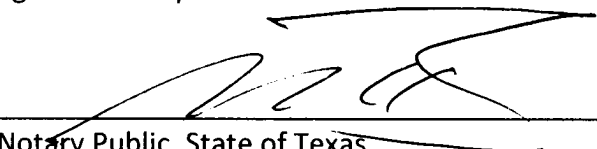
  
Valerie Ann Cesan, resident  
9151 Lake Conroe Drive  
Conroe, TX 77304

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

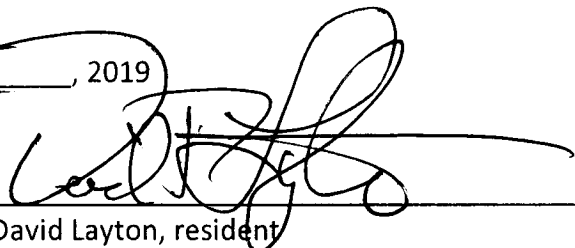
VALARIE ANN CESAN, personally appeared before me, and being first duly sworn declared that she signed this instrument in the capacity designated, if any, and further states that she has read the above instrument and agrees to the provisions therein contained.



  
Notary Public, State of Texas



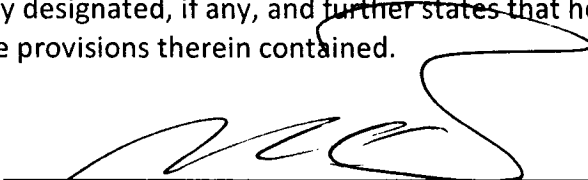
Signed this 20 day of JUNE, 2019

  
\_\_\_\_\_  
David Layton, resident  
9155 Lake Conroe Drive  
Conroe, TX 77304

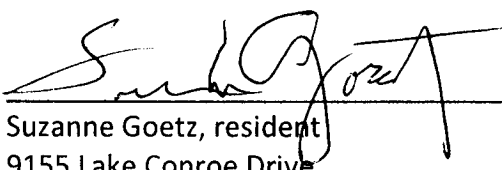
STATE OF TEXAS §

COUNTY OF MONTGOMERY §

DAVID LAYTON, 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.

  
\_\_\_\_\_  
Notary Public, State of Texas

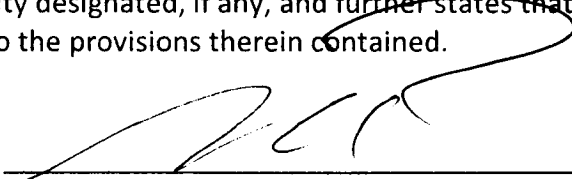
Signed this 20 day of JUNE, 2019

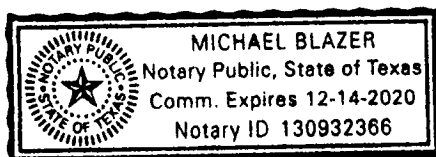
  
\_\_\_\_\_  
Suzanne Goetz, resident  
9155 Lake Conroe Drive  
Conroe, TX 77304

STATE OF TEXAS §

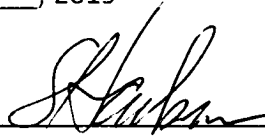
COUNTY OF MONTGOMERY §

SUZANNE GOETZ, 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.

  
\_\_\_\_\_  
Notary Public, State of Texas



Signed this 20 day of JUNE, 2019

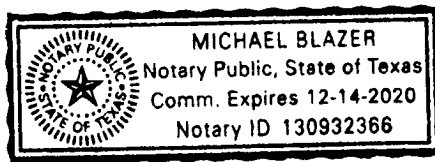


Stephen S Harkness, resident  
9167 Lake Conroe Drive  
Conroe, TX 77304

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

STEPHEN S HARKNESS, 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~~.



Notary Public, State of Texas

Signed this 20 day of JUNE, 2019

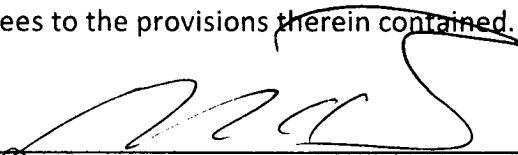
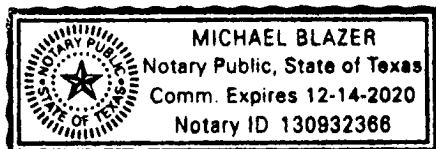


Anna M Harkness, resident  
9167 Lake Conroe Drive  
Conroe, TX 77304

STATE OF TEXAS §

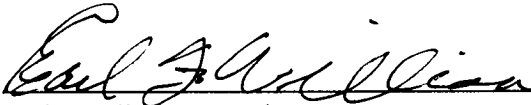
COUNTY OF MONTGOMERY §

ANNA M HARKNESS, 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~~.



Notary Public, State of Texas

Signed this 19<sup>th</sup> day of June, 2019


  
Earl F Williams, resident  
9215 Lake Conroe Drive  
Conroe, TX 77304

STATE OF TEXAS §

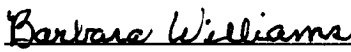
COUNTY OF MONTGOMERY §

EARL F WILLIAMS, 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.



  
Notary Public, State of Texas

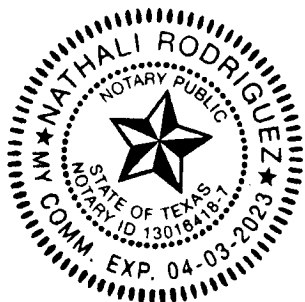
Signed this 19<sup>th</sup> day of June, 2019

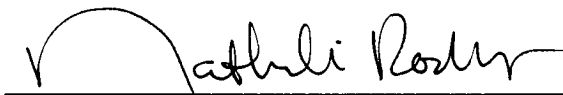
  
Barbara Williams, resident  
9215 Lake Conroe Drive  
Conroe, TX 77304

STATE OF TEXAS §

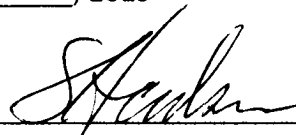
COUNTY OF MONTGOMERY §

BARBARA WILLIAMS, 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.



  
Notary Public, State of Texas

Signed this 6 day of JULY, 2019

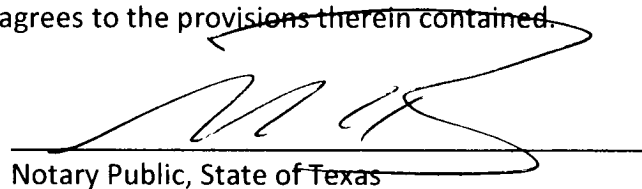
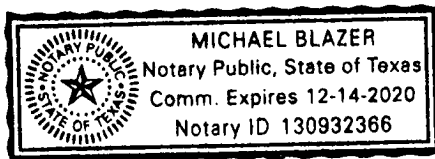


Stephen S Harkness, owner  
9239 Lake Conroe Drive  
Conroe, TX 77304

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

STEPHEN S HARKNESS, 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.



Notary Public, State of Texas

Signed this 6 day of JULY, 2019

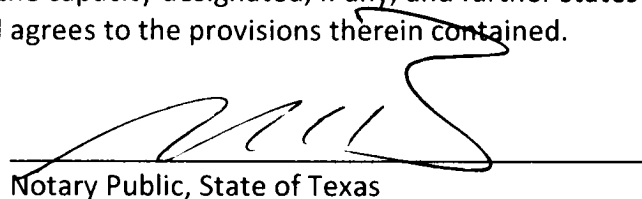
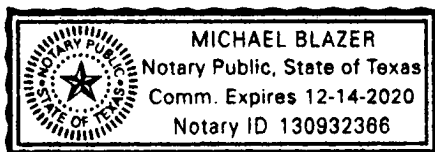


Anna M Harkness, owner  
9239 Lake Conroe Drive  
Conroe, TX 77304

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

ANNA M HARKNESS, 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.



Notary Public, State of Texas

FILED FOR RECORD  
02/18/2020 04:03PM

*Mark Turnbull*

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.

02/18/2020



*Mark Turnbull*

County Clerk  
Montgomery County, Texas