

PROBSTFELD & ASSOCIATES

PROFESSIONAL LAND SURVEYORS

515 PARK GROVE DRIVE ▲ SUITE 102 ▲ KATY, TEXAS 77450 ▲ 281.829.0034 ▲ 281.829.0233 FAX

June 2, 2021

Board of Adjustment
City of Piney Point Village
7676 Woodway, Suite 300
Houston, TX 77063

ATTENTION: BOARD OF ADJUSTMENT

On behalf of our clients, **AJAY DAMANI AND RUCHIRA DAMANI**, Probstfeld & Associates, Inc. respectfully requests a hearing **JUNE 10, 2021 at 7:00 PM**, now being held online, using Zoom Meeting Platform. We are seeking approval for the following:

VARIANCE REQUEST

PLAT NAME: PRELIMINARY PLAT OF DAMANI ESTATE

HCAD: 0806170000014

AT: 210 Merrie Way Lane ~ City of Piney Point Village

LGL: Lot 14 & TR 15A, Shadowood Unrecorded (25,351 S.F.)

APPLICANT: Probstfeld & Associates, Inc.

DATE SUBMITTED: 6/2/21

SPECIFIC VARIANCES ARE BEING SOUGHT AND EXTENT OF VARIANCES:

- 1) To allow a 35.0 feet front building line along Merrie Way Lane a 40' private road easement as allowed in Shadowood unrecorded subdivision by deed restrictions dated June 1, 1953. Deed restrictions are attached in **Exhibit #1**. Proposed residence will be located at 35 feet from the private road easement.
- 2) To allow 20.8 feet side yards for proposed residence instead of the 25.7 feet required by city ordinance. Deed restrictions allow 15 feet side yards. Proposed residence will be located at 20.8 feet from side property lines.

CODE OF ORDINANCE CHAPTER 74 ~ ZONING:

Sec. 74-244 – Regulations

(c) Area regulations; size of yards

- (1) Front yard: There shall be a front yard having a depth a not less than 50 feet, where all or part of a lot abuts on the turnaround portion of a cul-de-sac street, that portion of such lot fronting upon the turnaround portion of such cul-de-sac shall have a front yard depth of not less than 25 feet.

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- (2) Side yards: There shall be two side yards on each lot, neither of which shall be less than 15 percent of the lot width at the building line; however, in no event shall a side yard be less than 15 feet or be required to be more than 30 feet.

STATEMENTS OF FACTS:

(1a) The imposition of the terms, rules, conditions, policies and standards of this code of ordinance would create an undue hardship by depriving the applicant of the reasonable use of the land;

All the lots in the Shadowood unrecorded subdivision are non-conforming lots because of their sizes and are grandfathered by city ordinance since they existed as separate lots/tracts prior to May 12, 1955. Lot 14 & TR 15A are a total of 25,351 S.F., and It is required by the City of Piney Point Village that this lot/tact must be platted since Shadowood is an unrecorded subdivision. Thus, owners already obtained a preliminary plat approval by the Planning and Zoning commission on March 25, 2021. Preliminary plat of Damani Estate is attached in **Exhibit #8**.

The Damani family purchased the lot/tract with the intention of demolishing the existing residence and building a new residence located at 35 feet from the private road easement, and 20.8 feet from side property lines as allowed by deed restrictions to maximize the use of the buildable area of the lot. Existing conditions survey is attached in **Exhibit #4**.

The Damani family intends to build the home they have always dreamed. They contracted the professional services of Merge Architects and together designed a residence with a 35 feet front setback and 20.8 feet side setbacks based on the deed restrictions, survey exhibit of the most recent residences built (past 20 years) with the last one built in 2018, and a buildable area & side yards exhibit. Survey exhibit and summary table of existing front setbacks along Merrie Way Lane, as well as a buildable area & side yard exhibit and summary table are attached in **Exhibits #2, #3, #5 & #6**. The proposed residence will comply with the current city ordinance rear building line. Proposed site plan of residence is attached in **Exhibit #7**.

Considering the existing physical constraints of the lot/tract with a 40' private road easement with the front property line at the center of the road, thus depraving them of the use of the 20 feet within the private road, irregular shape (pie shape) of the lot with average width of 143.48 feet (front 214.03 and rear 72.92 feet), front property line being 3 times longer than the rear property line by only 167.54 feet in depth, and being a non-conforming lot in size, less than 40,000 S.F., which are inherent hardships not created by the owner. The imposition of a 50 feet front setback line from the 40' private road easement will only leave 77 feet of buildable depth, and the 25.7 feet side setbacks, will only leave a buildable area that is less than 1/3 of the total

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are of the lot (32.4%), which is not enough buildable area for the residence they desire and will deprive them of the reasonable use of the land.

We are hereby respectfully requesting that these variances are granted to the owners considering the following facts:

- **During the notification period for the approval of the preliminary plat there were no objections from any of the residents within the notification distance or along Merrie Way Lane.**
- **The proposed residence will conform to the existing 35 feet front building line along Merrie Way Lane, which will preserve the aesthetical physical characteristics and character of the neighborhood, the main the purpose of the Code of Ordinances of the City of Piney Point Village.**
- **100% (6 of 6) of the most recent built residences (2000-2018) conform to the 35 feet front building line as shown in Exhibits #2 & #3. 213 Merrie Way Lane was the latest built in 2018.**
- **65% (11 of 17) of all existing residences (1952-2018) conform to the 35 feet front building line as shown in Exhibits #2 & #3.**
- **100% (4 of 4) of the plats approved by the Planning & Zoning Commission were grandfathered 35 feet front building line without the approval of the Board of Adjustment in the period of 2011-2013 as shown in Exhibit #7.**
- **Variances were granted by the Board of Adjustment on March 11 & April 8, 2021 for 201-205 & 245 Merrie Way Lane to allow a 35' front building line.**
- **Per the current ordinances the side yards will be 25.7' from the property lines, we are requesting a variance to adjust the side yards to 20.8' a deviation of only 4.9 feet. Due to the unique "Pie Shape" of the property of 210 Merrie Way Ln. the current side yard restrictions limit the buildable area of the site beyond reason when compared to the other lots on the same street.**
- **The total lot area for 210 Merrie Way Ln. is 25,351 SF. The current buildable area of the site as determined by the front, side, and rear yard lines is 8,211 SF, 32.4% of the total lot area. The variance request if granted will change the buildable area of the lot to 9,175 SF, 36.2% of the total Lot Size.**

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- **As a comparison, 209 Merrie Way Lane has a total area of 27,257 SF, side yard lines of 17.0', and has a buildable area of 14,154 SF, 51.9% of the total lot area. 209 and 210 are on opposite sides of the same street but due to side yard lines being determined by the length of the front property lines, 210 Merrie Way Ln, loses a considerable amount of buildable area.**
- **On the private street of Merrie Way Ln., the average total lot area is 27,361 SF, the average side yard lines are 22.9', and the average buildable area is 10,961 SF, 40.1% of the total buildable area.**
- **Based on this data we believe that the requested variances are within reason to allow for the owners of 210 Merrie Way Ln. a comparable opportunity to design their home with similar restrictions as their neighbors**

The following documents are included to support our variance request:

EXHIBITS:

- Exhibit 1 Deed restrictions (6/1/1953), which allows 35 feet front yard for lots located along Merrie Way Lane a 40' Private Road Easement and 15 feet side setbacks.
- Exhibit 2 Survey exhibit of front setbacks of existing residences along Merrie Way Lane.
- Exhibit 3 Summary Table of existing front setbacks along Merrie Way Lane.
- Exhibit 4 Existing conditions Survey.
- Exhibit 5 Exhibit buildable areas and side yards along Merrie Way Lane.
- Exhibit 6 Summary Table of Exhibit buildable areas and side yards along Merrie Way Lane.
- Exhibit 7 Site plan of proposed residence.
- Exhibit 8 Preliminary Plat of Damani Estate.
- Exhibit 9 Previously approved Plats & Insets (2011-2013) with 35' front Building Lines.
- Exhibit 10 Harris County Appraisal District Detail Sheet.
- Exhibit 11 Harris County Appraisal District Map.
- Exhibit 12 Panoramic picture of existing residence.

ATTACHMENTS:

- Attachment 1 List of property owners within notification distance
- Attachment 2 Sample Copy of letters to property owners

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Thank you for your attention in this matter.

Respectfully,



MARIO COLINA, P.E.

Probstfeld & Associates, Inc.

EXHIBITS

- Exhibit 1** Deed restrictions (6/1/1953), which allows 35 feet front yard for lots located along Merrie Way Lane a 40' Private Road Easement and 15 feet side setbacks.
- Exhibit 2** Survey exhibit of front setbacks of existing residences along Merrie Way Lane.
- Exhibit 3** Summary Table of existing front setbacks along Merrie Way Lane.
- Exhibit 4** Existing conditions Survey.
- Exhibit 5** Exhibit buildable areas and side setbacks along Merrie Way Lane.
- Exhibit 6** Summary Table of Exhibit buildable areas and side setbacks along Merrie Way Lane
- Exhibit 7** Site plan of proposed residence.
- Exhibit 8** Preliminary Plat of Damani Estate
- Exhibit 9** Previously approved Plats & Insets (2011-2013) with 35' front Building Lines.
- Exhibit 10** Harris County Appraisal District Detail Sheet.
- Exhibit 11** Harris County Appraisal District Map.
- Exhibit 12** Panoramic picture of existing residence.

EXHIBIT #1

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THE STATE OF TEXAS:

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HARRIS:

THAT NORMAN WAY, hereinafter called GRANTOR, is the owner of 12.600 acres of land in the John D. Taylor Survey, in Harris County, Texas, being all of that certain 15.83 acre tract described in Deed from C. C. Brown, et ux, to J. T. Rather, Jr., dated February 1, 1944, recorded in Volume 1316, Page 504, Harris County Deed Records, LESS, SAVE AND EXCEPT that certain tract of three (3) acres, more or less, conveyed by J. T. Rather, Jr. and wife, Mary Stokes Rather to Francis J. Niven as evidenced by deed dated March 1, 1944, of record in Volume 1320, Page 76, Harris County Deed Records and Correction Deed dated August 3, 1944, of record in Volume 1337, Page 294, Harris County Deed Records.

AND WHEREAS, the said Grantor has subdivided said 12.600 acre tract into a residential subdivision known as "SHADOWOOD", and is desirous of subjecting said subdivision to uniform building and usage restrictions as a part of the plan and scheme of development of said subdivision and is further desirous of dedicating for the benefit of all owners of tracts in said subdivision, streets or roads for access to the various tracts:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That said Grantor does hereby dedicate, for the use and benefit of the owners, their heirs and assigns, of any or all of the sites or tracts in said subdivision the following easements for street and road purposes:

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EASEMENT "A" Being a strip of land 40 feet wide, being 20 feet on either side of the following described center line;
BEGINNING at a point in the West line of Memorial Drive, said point being N 24° 10' E 170 feet from the South corner of said 12.600 acre tract;
THENCE N 65° 50' W parallel to and 170 feet from the South line of said tract, 200.49 feet to a point of curve of a curve to the right;
THENCE with said curve, whose radius is 150 feet and central angle is 65° 28', 171.40 feet to a point of tangent;
THENCE N 0° 22' W 372.42 feet to a point of curve of a curve to the right;
THENCE with said curve, whose radius is 75 feet and central angle is 90° 00', 117.81 feet to a point of tangent;
THENCE N 89° 38' E 450.33 feet to a point of curve of a curve to the right;
THENCE with said curve, whose radius is 140.80 feet and central angle is 27° 45', 68.56 feet to a point in the West line of Memorial Drive.

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EASEMENT "B" Being a tract of land out of said 12.600 acre tract described as follows:

BEGINNING at a point in the West side of Memorial Drive, said point being N 24° 10' E 500 feet from the South corner of said 12.600 acre tract;

THENCE N 65° 50' W 84.02 feet;

THENCE with a curve to the right, said curve being tangent at its beginning point to a line bearing S 54° 10' W said curve having a radius of 30 feet and a central angle of 300° for a distance of 157.08 feet to a point;

THENCE S 65° 50' E parallel to and 30 feet from the first line above described 84.02 feet to a point in the West line of said Memorial Drive.

THENCE S 24° 10' W with the Westerly line of Memorial Drive 30 feet to the Place of Beginning.

All sites or lots resulting from the subdivision of the above described 12.600 acre tract shall hereafter be conveyed subject to the foregoing easements for streets or roadways and subject to the easements and restrictions hereinafter set forth, all of which are in the nature of, and intended as, covenants running with the land as herein provided. By the acceptance of a deed to any site in said subdivision, the Grantee in said deed covenants and agrees that he will not obstruct the private roadway hereinabove dedicated, and that he will use it for ingress and egress, and drainage purposes only, and in such a way as not to prevent or interfere with its use for similar purposes by the other owners of any sites in said subdivision.

For the purpose of creating and carrying out a uniform plan for the improvement and sale of said subdivision and sites of land therein contained as a high class, restricted district, the following restrictions, covenants, reservations, liens and charges upon the use of said property are hereby established and shall be referred to, adopted and made part of each and every contract and deed executed by or on behalf of Grantor conveying said property or any part thereof by appropriate reference to the restrictions, making the same part of such conveyance to all intents and purposes as though incorporated at length, therein; and said restrictions shall be, and are hereby imposed upon each tract or parcel of land in said subdivision for the benefit not only of Grantor, his heirs and assigns, but of each and every purchaser of lands in said subdivision, their heirs and assigns; and said restrictions constitute covenants running with the land and every contract and deed conveying said land or any part thereof shall be conclusively deemed to have been executed, delivered and accepted upon the express conditions, covenants and restrictions herein contained, to-wit:

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(1) There is excepted from these covenants and restrictions and none of same shall apply to the following portion of the hereinabove described 12.600 acre tract of land, to-wit:

BEGINNING at the Northwest corner of said 12.600 acre tract;
THENCE East with the North line of said 12.600 acre tract 30'
to a point for the Northeast corner of this tract;
THENCE South parallel to the West line of said 12.600 acre
tract 30' to a point for the Southeast corner of this tract;
THENCE West parallel with the North line of said 12.600 acre
tract 30' to a point in the West line of said 12.600 acre
tract;
THENCE North with the West line of said 12.600 acre tract 30'
to the Place of Beginning,

which said 30' tract of land is reserved out of said restrictive covenants by Grantor for use as a water well site for this subdivision.

(2) No business house, sanitarium, hospital, saloon, place of public amusement or entertainment, livery stable, factory, warehouse, duplex, business of any kind (either similar or dissimilar to the sorts hereinabove enumerated) shall be constructed, built, kept or maintained on any site or sites in said subdivision, nor shall any building on any site or sites in said subdivision be used for any such purpose, but shall be used for residence purposes only.

(3) None of the sites in said subdivision shall ever be sold, conveyed, leased, or demised to, or occupied by any person or persons other than of the Caucasian race, except that bona fide servants of any owners of all or any part of said subdivision may occupy servants quarters on said owners' land.

(4) No garage erected in the subdivision may face or open towards the street or roadway on which the lot such garage is situated upon has frontage.

(5) No trash, ashes, or other refuse may be placed or deposited on any vacant site, or upon any roadway, drive or street in said subdivision.

(6) No building material of any kind or character shall be placed in any roadway, drive or street, it being distinctly agreed and understood that all building material to be used in the construction of improvements shall be placed, upon delivery, within the property lines of the site or sites upon which the improvements are to be constructed. Furthermore, no building material shall be placed or stored upon any site or sites until the owner thereof is ready to commence construction of improvements, and upon completion of the improvements, all surplus materials shall be promptly removed from the premises.

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(7) No temporary structure, and no garage or outbuildings shall be used as a residence or living quarters except by servants engaged on the premises, or except during the construction period of the main residence, and then only for a period not exceeding six months. No nuisance shall ever be erected or suffered to remain upon any site or sites in said subdivision, provided, however, that the "Shadowood" Committee hereinafter created, shall be the sole and exclusive judge as to what constitutes a nuisance.

(8) No sheep, goats, horses, cattle, swine, chickens or livestock of any kind shall ever be kept or harbored on any part of said property, except that bona fide domestic pets may be kept, unless and until such pet or pets shall be determined to be a nuisance by the "Shadowood" Committee as provided in Section Seven above.

(9) No signs, billboards, posters or advertising devices of any character shall be erected on this property without the written consent of the "Shadowood" Committee hereinafter created, and such consent shall be revocable at any time. EXCEPT THAT Grantor or his Agent may place one "FOR SALE" sign on any unsold lot in the addition.

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(10) No fence, wall, hedge or gas meter shall be placed on any site in said subdivision nearer to the streets or roadways hereinabove dedicated than is permitted for the main residence on such site; except that a fence erected on any site fronting on Memorial Drive may extend to the nearest boundary of such private roadway, provided same conforms to the following provisions with reference to fences on sites fronting on Memorial Drive. No fence, wall or hedge shall be placed on any site in said subdivision fronting on Memorial Drive nearer to Memorial Drive than is permitted for the main residence of such site unless such fence, wall or hedge does not exceed four (4) feet in height and has been approved by the "Shadowood" Committee hereafter created.

(11) No privy or cess pool shall be erected or maintained on any lot in this subdivision and effluent from septic tank may be disposed of in any manner approved by said "Shadowood" Committee, but in no case may such effluent be discharged into any open or surface drainage.

(12) At such time as Seventy-Five per cent (75%) of the said subdivision be sold, on an area basis, a majority of the then owners may, by vote, appoint or elect a committee composed of three (3) members to be known as the Shadowood Committee. The number of votes of each owner is to be determined on the basis of the proportion which the amount of the land in said subdivision to which the owner holds legal title bears to the whole of said subdivision. For example, if an owner holds legal title to 1.764 acres, he will be entitled to 1.764 votes. The appointment or election of the Shadowood Committee shall be evidenced by the recording of an appropriate instrument properly signed and acknowledged by a majority of the then owners of said subdivision, in the Deed Records of Harris County, Texas, and such instrument will serve as sufficient authority for said Committee to:

(a) Collect and expend, in the interest of the subdivision as a whole, the Maintenance Fund hereinafter created.

(b) Enforce, by appropriate proceedings, these covenants and restrictions.

(c) Enforce or release any lien imposed on any part of this subdivision by reason of a violation of any of these covenants or restrictions, or by reason of any provision contained herein.

(d) Approve or disapprove plans and specifications for improvements in said subdivision submitted to it in accordance with these restrictions.

(13) Members of said Shadowood Committee may, at any time, be relieved of their position and substitute members therefore appointed by vote and evidence thereof as above set out. Until such time as said Shadowood Committee has been formed, as above provided for, Grantor specifically reserves unto itself, and any one unto whom it may assign the right, the right to act within the authority granted the Shadowood Committee under these restrictions and covenants.

(14) Only one single family residence and its usual accessories shall be constructed or permitted on each site or separate parcel of land hereafter conveyed out of said subdivision, but the owner or owners of any of said sites may subdivide or resubdivide his or their property into smaller sites with the provision of placing or constructing one single family residence and its usual accessories, on each such smaller tract, provided that no such subdivision or resubdivision results in any lot or site containing less than 18,000 square feet.

(15) No buildings or structures or any additions thereto, or any alterations thereof, shall be erected, renovated, or re-constructed, placed or suffered to remain upon said premises until the Shadowood Committee shall have approved in writing the architect's detailed plans and specifications, which must accurately reflect the size, location, type and cost of structure, including the materials to be used in any improvements contemplated, together with an accurate plot plan showing the location of same with respect to the lot lines, and front and side setback lines, and the outside color scheme to be used on any improvements to be erected in said addition. A true copy of all such plans

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and specifications and details shall be lodged permanently with the Shadowood Committee, and any buildings or improvements which are thereafter erected shall conform in detail to such plans and specifications, PROVIDED HOWEVER, that the Shadowood Committee must give its disapproval of such plans and specifications in writing within fifteen (15) days after submission of same or its approval shall be implied.

(a) The minimum cost of the main residence which may be erected on any site in this subdivision shall be TWENTY THOUSAND AND NO/100 (\$20,000.00) DOLLARS. The minimum cost or improvements hereinabove designated refers to the cost of construction at the time this instrument is filed for record and will vary up or down with the changes, if any, of the unit cost of construction in the future; for example, should construction cost at a given date of Ten (10%) per cent less than that prevailing at the time of this instrument, improvements costing \$18,000.00 would satisfy the requirement of \$20,000.00 minimum, whereas should such construction cost have advanced 10%, an \$22,000.00 expenditure would be required to fulfill the \$20,000.00 minimum requirement expressed herein. Grantor specifically reserves the right to increase the minimum requirement herein expressed, on any unsold site or sites in said subdivision.

(16) No garage or servants quarters shall be erected or placed on any site with roof or outside walls not in harmony with the roof or outside walls of the main residence on the tract.

(17) The following building line restrictions are hereby imposed on all sites in said subdivision, and Grantor will designate in its deed to each site, the front line of such site for the application of these restrictions:

(a) No building shall be built within 50 feet of the boundary line of Memorial Drive.

(b) No main residence shall be built within 35 feet of the nearest boundary of the private roadways referred to above, within 15 feet of any side property line, nor within 10 feet of any back property line.

(c) No outbuildings or structures detached from the main residence shall be built on any lot within 90 feet of the nearest boundary of the private roadways hereinabove created or within 90 feet of the North line of Memorial Drive, nor within 5 feet of any side or back property line.

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Grantor reserves the right to modify the building setback lines herein contained on any unsold sites in said subdivision.

(18) The main residence on any tract shall face the front line of such tract, and such front line shall be designated by Grantor as hereinabove provided in Paragraph 17 of these restrictions.

(19) In the event any person acquires title to any two or more adjoining tracts in said subdivision and desires to consolidate any adjoining tracts, or fractions thereof, into one homestead, all of the building setback restrictions herein imposed shall be deemed to apply to such consolidated tracts as if they were one tract. In other words, the building setback restrictions shall be applied with reference to the exterior boundary lines of the tracts so consolidated into one homestead conforming to the provisions of paragraph Fourteen (14) hereof.

(20) All tracts in said subdivision are hereby subjected to an annual maintenance charge for a period of 25 years, beginning July 1, 1953, for the purpose of creating a fund to be known as the "Maintenance Fund", to be paid by the owners of each and all of the sites in said subdivision, annually, in advance, upon the first day of July of each year, beginning July 1, 1953. Said maintenance charge shall not exceed \$100.00 per acre for

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any one year. The amount of said charge will be determined by the Shadowood Committee during the month next preceding the due date of said charge. Said sums shall be paid to the Shadowood Committee as hereinafter provided and shall be held by it in trust to be expended for any and all of the following: Lighting, improving and maintaining the roadways, collecting and disposing of garbage, ashes and other refuse, employing policemen and watchmen, caring for vacant lots, operating, maintaining, repairing and replacing the water system serving the subdivision, and doing any other thing necessary or desirable in the opinion of the Shadowood Committee to keep the property neat and in good order, or anything which it considers of benefit to the owners and occupants of said subdivision. Grantor agrees to pay the proper proportions of said fund for unsold tracts or sites in said subdivision.

(21) These covenants and restrictions shall run with the land, and shall be binding on Grantor, his successors and assigns, and all persons or parties claiming under him, for a period of Twenty-Five (25) years from the date hereof, at which time they shall be automatically extended for successive periods of ten (10) years each, unless prior to the expiration of such ten (10) year period the then owners of a majority, on an area basis, of this subdivision shall execute and record an instrument changing these covenants and restrictions in whole or in part, the provisions of said instrument to become operative at the expiration of the ten year period in which it is executed and recorded.

(22) There is specifically reserved in favor of Grantor, his heirs and assigns, and to and for the use and benefit of public utilities and all present and future owners of property in said subdivision, easements, in, under and on the tract of land hereinabove dedicated as private roadways, said easements to be for the following purposes only:

Construction, maintenance, operation and repair of drainage ditches, sewer lines, gas lines and water lines and such purposes incident thereto to insure the development and use of said property as a residential community.

(23) No culvert, driveway or drainage structure shall be constructed in said subdivision until the size, design and location thereof has been approved in writing by the Shadowood Committee.

(24) Grantor reserves, the right to impose further restrictions and dedicate additional easements and roadway right-of-way on any unsold sites in said subdivision, such restrictions to be imposed and such easements and rights-of-way to be dedicated either by instrument in writing duly recorded in the office of the County Clerk of Harris County, Texas, or incorporated in the deed from Grantor conveying the site to be so restricted or subjected to such easement or right-of-way.

(25) If the Grantor herein, or any of its successors or assigns, shall violate or attempt to violate any of the restrictions and covenants herein contained, it shall be lawful for any other person or persons owning property in said subdivision, or for the Shadowood Committee on their behalf, to prosecute any proceedings at law or in equity against the persons or persons violating or attempting to violate any such restriction or covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation, for the benefit of any owners of sites in said subdivision as their interests may appear.

(26) Every Grantee accepting any conveyance of any tract or tracts in said subdivision shall be conclusively deemed by such acceptance to agree and consent to all of the within and foregoing restrictions, covenants, easements and reservations and to the maintenance charge hereinabove established, and to secure the payment of said maintenance charge, a vendor's lien is hereby retained against each lot in this subdivision.

(27) Invalidation of any one of these covenants and restrictions by judgment, court order or other proceedings shall in no wise affect any other of the provisions hereof, which shall remain in full force and effect.

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J. T. Rather, Jr. and wife, Mary Stokes Rather, the holders of a lien on the 12.600 acre tract hereinabove referred to hereby joins in the execution of this instrument to evidence their consent and agreement to the imposition of the easements, covenants and restrictions hereby placed on said property and does hereby declare that said liens shall be and are hereby made subject to all of the provisions herein contained. It is agreed by and between the parties hereto and for and on behalf of their heirs and assigns that in the event said lien holders reacquire said 12.600 acre tract, or the unsold portion thereof, by foreclosure or otherwise, then, and in that event, all of the rights powers and reservations herein contained in favor of the said Norman Way shall inure to the benefit of the said J. T. Rather, Jr. and wife, Mary Stokes Rather their heirs and assigns.

EXECUTED this, the 27th day of April, A. D., 1953.

Norman Way
Norman Way

J. T. Rather, Jr.
J. T. Rather, Jr.

Mary Stokes Rather
Mary Stokes Rather

THE STATE OF TEXAS:

COUNTY OF HARRIS:

BEFORE ME, the undersigned authority, on this day personally appeared NORMAN WAY, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 27th day of April, A. D., 1953.

Robert Newkirk (ROBERT NEWKIRK)
Notary Public in and for Harris County, Texas.

THE STATE OF TEXAS:

COUNTY OF HARRIS:

BEFORE ME, the undersigned authority, on this day personally appeared J. T. RATHER, JR. and wife, MARY STOKES RATHER, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed. And the said MARY STOKES RATHER, wife of the said J. T. RATHER, JR., having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said MARY STOKES RATHER acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 27th day of April, A. D., 1953.

Robert Newkirk (ROBERT NEWKIRK)
Notary Public in and for Harris County, Texas.

Filed for Record Apr. 29, 1953, at 10:55 o'clock A.M

Recorded June 1, 1953, at 1:13 o'clock P.M

W. D. MILLER, Clerk County Court, Harris County, Texas.

BY Chas. R. Adams Deputy

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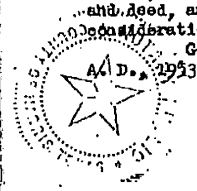
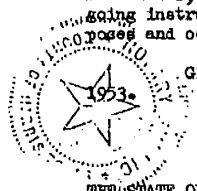
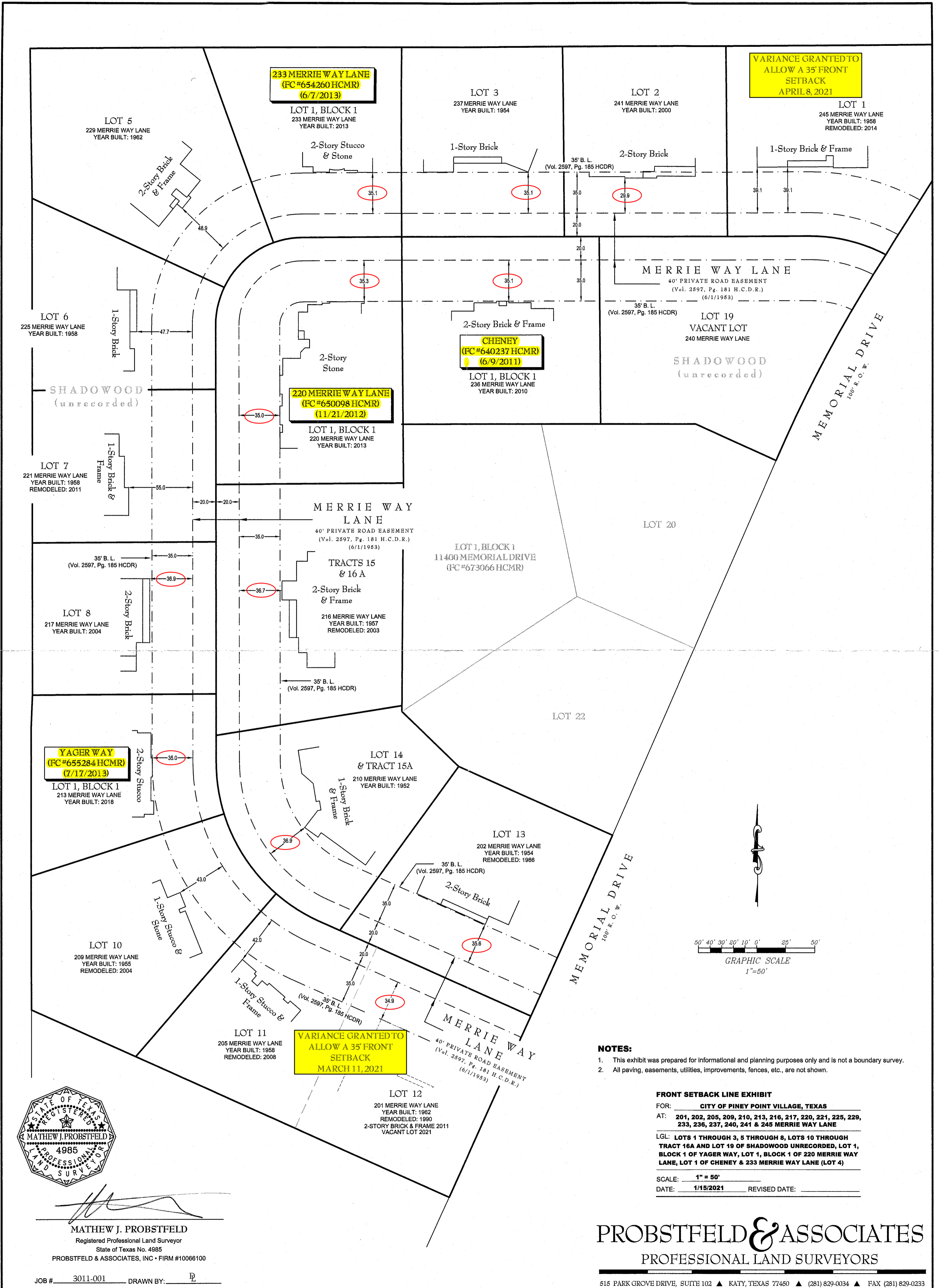


EXHIBIT #2



VARIANCE GRANTED TO ALLOW A 35' FRONT SETBACK APRIL 8, 2021

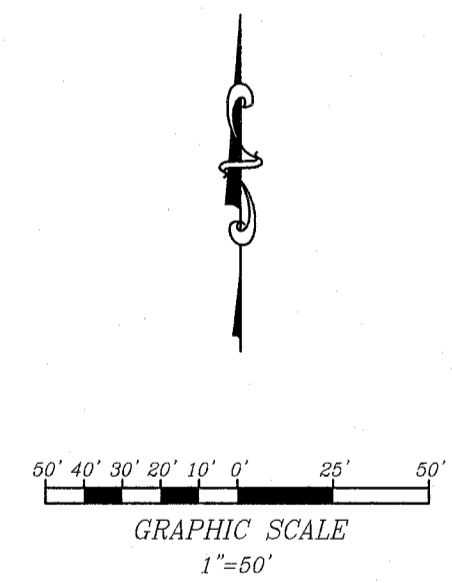
233 MERRIE WAY LANE (FC #654260 HCMR) (6/7/2013)

CHENEY (FC #640237 HCMR) (6/9/2011)

220 MERRIE WAY LANE (FC #650098 HCMR) (11/21/2012)

YAGER WAY (FC #655284 HCMR) (7/17/2013)

VARIANCE GRANTED TO ALLOW A 35' FRONT SETBACK MARCH 11, 2021



- NOTES:**
- This exhibit was prepared for informational and planning purposes only and is not a boundary survey.
 - All paving, easements, utilities, improvements, fences, etc., are not shown.

FRONT SETBACK LINE EXHIBIT
 FOR: CITY OF PINEY POINT VILLAGE, TEXAS
 AT: 201, 202, 205, 209, 210, 213, 216, 217, 220, 221, 225, 229, 233, 236, 237, 240, 241 & 245 MERRIE WAY LANE
 LGL: LOTS 1 THROUGH 3, 5 THROUGH 8, LOTS 10 THROUGH TRACT 16A AND LOT 19 OF SHADOWOOD UNRECORDED, LOT 1, BLOCK 1 OF YAGER WAY, LOT 1, BLOCK 1 OF 220 MERRIE WAY LANE, LOT 1 OF CHENEY & 233 MERRIE WAY LANE (LOT 4)
 SCALE: 1" = 50'
 DATE: 1/15/2021 REVISED DATE:



MATHEW J. PROBSTFELD
 Registered Professional Land Surveyor
 State of Texas No. 4985
 PROBSTFELD & ASSOCIATES, INC • FIRM #10066100

PROBSTFELD & ASSOCIATES
 PROFESSIONAL LAND SURVEYORS

EXHIBIT #3

SUMMARY TABLE OF EXISTING FRONT SETBACKS ALONG MERRIE WAY LANE			
ADDRESS	YEAR BUILT	EXIST. RESIDENCES FRONT SET BACK	FRONT SETBACKS DEED RESTRICTIONS (6/1/1953)
201 Merrie Way Lane	1950'S**	34.9	35
202 Merrie Way Lane	1954	35.6	35
205 Merrie Way Lane	1958	42.0	35
209 Merrie Way Lane	1955	43.0	35
210 Merrie Way Lane	1952	36.9	35
213 Merrie Way Lane	2018*	35.0	35
216 Merrie Way Lane	1957	36.7	35
217 Merrie Way Lane	2004	36.9	35
220 Merrie Way Lane	2013*	35.0	35
221 Merrie Way Lane	1958	55.0	35
225 Merrie Way Lane	1958	47.7	35
229 Merrie Way Lane	1962	48.9	35
233 Merrie Way Lane	2013*	35.1	35
236 Merrie Way Lane	2010*	35.1	35
237 Merrie Way Lane	1954	35.1	35
240 Merrie Way Lane	VACANT	-	35
241 Merrie Way Lane	2000	29.9	35
245 Merrie Way Lane	1958	39.1	35

100 % of residences built between 2000-2018 conform to the 35 feet front building line

65 % of residences built between 1952-2018 conform to the 35 feet front building line

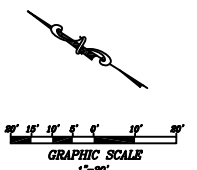
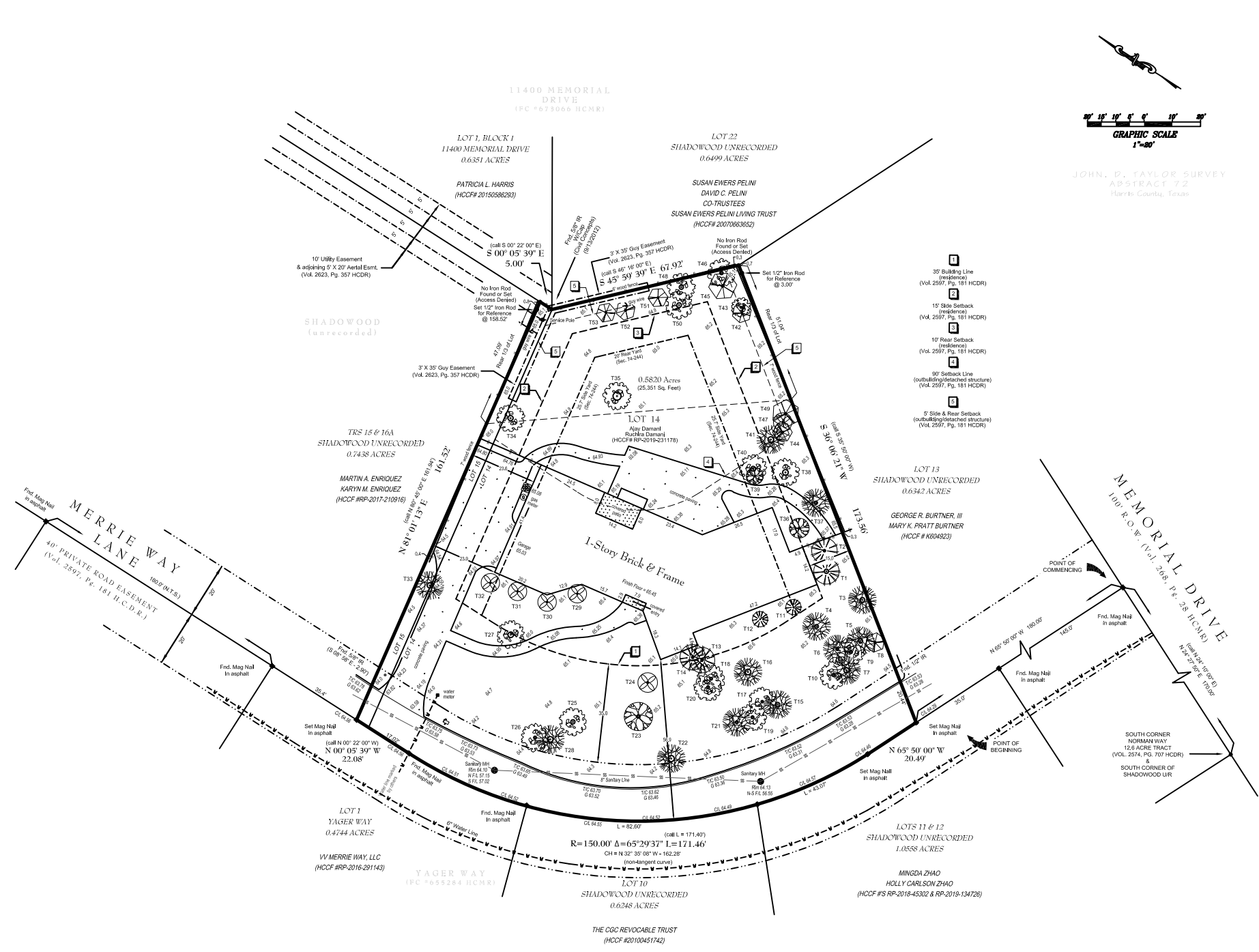
***100% of the only plats approved by the Planning & Zoning Commission were grandfathered 35 feet front building lines without the approval from the Board of Adjustment**

** Lot is vacant. Residence was demolished since last surveyed

Variances were granted by BOA on March, 11 & April 8 2021 for 201 - 205 & 245 Merrie Way Lane to allow a 35' Front Set Back

EXHIBIT #4

Tree #	Trunk Diameter Common Name	Canopy Radius
T1	10" Oak Tree	25'
T2	10" Oak Tree	25'
T3	20" Pine Tree	30'
T4	18" Pine Tree	25'
T5	18" Pine Tree	25'
T6	12" Pine Tree	15'
T7	12" Pine Tree	15'
T8	8" Oak Tree	15'
T9	8" Oak Tree	15'
T10	8" Oak Tree	15'
T11	8" Oak Tree	15'
T12	8" Oak Tree	15'
T13	8" Oak Tree	15'
T14	8" Oak Tree	15'
T15	8" Oak Tree	15'
T16	8" Oak Tree	15'
T17	8" Oak Tree	15'
T18	8" Oak Tree	15'
T19	8" Oak Tree	15'
T20	8" Oak Tree	15'
T21	8" Oak Tree	15'
T22	8" Oak Tree	15'
T23	8" Oak Tree	15'
T24	8" Oak Tree	15'
T25	8" Oak Tree	15'
T26	8" Oak Tree	15'
T27	8" Oak Tree	15'
T28	8" Oak Tree	15'
T29	8" Oak Tree	15'
T30	8" Oak Tree	15'
T31	8" Oak Tree	15'
T32	8" Oak Tree	15'
T33	8" Oak Tree	15'
T34	8" Oak Tree	15'
T35	8" Oak Tree	15'
T36	8" Oak Tree	15'
T37	8" Oak Tree	15'
T38	8" Oak Tree	15'
T39	8" Oak Tree	15'
T40	8" Oak Tree	15'
T41	8" Oak Tree	15'
T42	8" Oak Tree	15'
T43	8" Oak Tree	15'
T44	8" Oak Tree	15'
T45	8" Oak Tree	15'
T46	8" Oak Tree	15'
T47	8" Oak Tree	15'
T48	8" Oak Tree	15'
T49	8" Oak Tree	15'
T50	8" Oak Tree	15'
T51	8" Oak Tree	15'
T52	8" Oak Tree	15'
T53	8" Oak Tree	15'
T54	8" Oak Tree	15'
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T56	8" Oak Tree	15'
T57	8" Oak Tree	15'
T58	8" Oak Tree	15'
T59	8" Oak Tree	15'
T60	8" Oak Tree	15'
T61	8" Oak Tree	15'
T62	8" Oak Tree	15'
T63	8" Oak Tree	15'
T64	8" Oak Tree	15'
T65	8" Oak Tree	15'
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T67	8" Oak Tree	15'
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T69	8" Oak Tree	15'
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T71	8" Oak Tree	15'
T72	8" Oak Tree	15'
T73	8" Oak Tree	15'
T74	8" Oak Tree	15'
T75	8" Oak Tree	15'
T76	8" Oak Tree	15'
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T78	8" Oak Tree	15'
T79	8" Oak Tree	15'
T80	8" Oak Tree	15'
T81	8" Oak Tree	15'
T82	8" Oak Tree	15'
T83	8" Oak Tree	15'
T84	8" Oak Tree	15'
T85	8" Oak Tree	15'
T86	8" Oak Tree	15'
T87	8" Oak Tree	15'
T88	8" Oak Tree	15'
T89	8" Oak Tree	15'
T90	8" Oak Tree	15'
T91	8" Oak Tree	15'
T92	8" Oak Tree	15'
T93	8" Oak Tree	15'
T94	8" Oak Tree	15'
T95	8" Oak Tree	15'
T96	8" Oak Tree	15'
T97	8" Oak Tree	15'
T98	8" Oak Tree	15'
T99	8" Oak Tree	15'
T100	8" Oak Tree	15'



JOHN, P. TAYLOR SURVEY
ABSTRACT 72
HARRIS COUNTY, TEXAS

210 Merrie Way Lane
A tract or parcel of land containing 0.5820 acres (25,351 square feet) located in the John D. Taylor Survey, Abstract 72, and being out of and a part of that certain 12.6 acre tract of land conveyed to Norman Way as recorded in Volume 2574, Page 707 of the Deed Records of Harris County, Texas, said 0.5820 acre tract being known as all of Lot 14, and the adjacent 5 feet of Lot 15 of Shadowwood, an unrecorded addition in the City of Piney Point Village, Harris County, Texas, said 0.5820 acre tract being those same certain two tracts of land conveyed to Ajay Damani and Ruchira Damani as recorded under Harris County Clerk's File No. RP-2016-21176, said 0.5820 acre tract being more particularly described by metes and bounds as follows with bearings based on the centerline of Merrie Way Lane:

COMMENCING at a found mag nail in asphalt marking the intersection of the West right of way line of Memorial Drive, (100 feet in width as recorded in Volume 268, Page 28 of the Map Records of Harris County, Texas), and the centerline of Merrie Way Lane, (a 40 foot private roadway easement as recorded in Volume 2597, Page 181 of the Deed Records of Harris County, Texas), said found mag nail marking the East corner of Lot 12 of said Shadowwood UIR, conveyed to Mingda Zhao and Holly Carlson Zhao as recorded under Harris County Clerk's File No. RP-2019-134726, same being the East corner of Lot 13 of said Shadowwood UIR, conveyed to George R. Burtner, III and Mary K. Pratt Burtner as recorded under Harris County Clerk's File No. K604923, said found mag nail lying North 24 degrees 27 minutes 50 seconds East, a distance of 170.00 feet from the South corner of said Norman Way 12.6 acre tract, and also the South corner of said Shadowwood UIR;

THENCE North 65 degrees 50 minutes 00 seconds West, along the said centerline of Merrie Way Lane, and with the common line of said Lot 12 and Lot 13, passing at 145.00 feet a found mag nail marking the North corner of said Zhao Lot 12, same being the East corner of Lot 11, conveyed to Mingda Zhao and Holly Carlson Zhao as recorded under Harris County Clerk's File No. RP-2019-134726, continuing for a total distance of 150.00 feet to a set mag nail in asphalt marking the West corner of said Burtner Lot 13, same being the South corner of Lot 14, said set mag nail also marking the **POINT OF BEGINNING** and the South corner of the herein described tract;

THENCE North 65 degrees 50 minutes 00 seconds West, continuing along the said centerline of Merrie Way Lane, and with a Westerly line of said Lot 14, a distance of 20.49 feet to a set mag nail in asphalt marking the beginning of a non-tangent curve to the right;

THENCE in a Northerly direction continuing along the said centerline of Merrie Way Lane, and also with a Westerly line of said Lot 14, passing at 43.07 feet a point for corner being the North corner of said Zhao Lot 11, same being the East corner of Lot 10, conveyed to The CGC Revocable Trust as recorded under Harris County Clerk's File No. 20100451742, passing at 125.07 feet a found mag nail in asphalt marking the North corner of said CGC Revocable Trust Lot 10, same being the South corner of Lot 1 of Yager Way, an addition in Harris County, Texas, according to the map or plat thereof as recorded in Film Code No. 652284 of the Map Records of Harris County, Texas, and being that same certain tract of land conveyed to VV Merrie Way, LLC as recorded under Harris County Clerk's File No. RP-2016-291143, said non-tangent curve to the right having a radius of 150.00 feet, a central angle of 65 degrees 29 minutes 37 seconds, an arc length of 171.46 feet, (call length 171.40 feet), a chord that bears North 32 degrees 55 minutes 09 seconds West, a distance of 162.28 feet to a found mag nail in asphalt marking the end of the curve;

THENCE North 00 degrees 05 minutes 39 seconds West, (call North 00 degrees 22 minutes 00 seconds West), continuing along the said centerline of Merrie Way Lane with the common line of said Lot 14 and Lot 1 of Yager Way, passing at 17.02 feet a point for corner being the North corner of said Lot 14, same being the West corner of Lot 15, continuing for a total distance of 22.08 feet to a set mag nail in asphalt marking the Southwest corner of that certain 0.7438 acre tract of land conveyed to Martin A. Enriquez and Karyn M. Enriquez as recorded under Harris County Clerk's File No. RP-2017-210916, said set mag nail also marking the North corner of the herein described tract;

THENCE North 81 degrees 01 minutes 13 seconds East, (call North 80 degrees 45 minutes 45 seconds East), along the South line of said Enriquez 0.7438 acre tract, and being 5.00 feet North of and parallel to the common lot line of said Lot 14 and Lot 15, passing at 18.60 feet a found 5/8 inch iron rod that bears South 00 degrees 58 minutes 00 seconds East, a distance of 2.90 feet, passing at 20.24 feet a point in the East right of way line of Merrie Way Lane, passing at 159.52 feet a set 1/2 inch iron rod for reference, continuing for a total distance of 161.52 feet, (call 161.94 feet), to a point for corner lying in the East line of said Lot 15, same being the West line of Lot 1, Block 1 of 11400 Memorial Drive, an addition in Harris County, Texas, according to the map or plat thereof as recorded in Film Code No. 673066 of the Map Records of Harris County, Texas, and being that same certain tract of land conveyed to Patricia L. Harris as recorded under Harris County Clerk's File No. 2015058203, said point for corner being the Southeast corner of said Enriquez 0.7438 acre tract, said point for corner also being the most Northerly corner of the herein described tract;

THENCE South 00 degrees 05 minutes 39 seconds East, (call South 00 degrees 22 minutes 00 seconds East), along the common line of said Lot 15 and Lot 1 of 11400 Memorial Drive, a distance of 5.00 feet to a found 5/8 inch iron rod with cap (Call Concepts) marking the South corner of said Lot 1 of 11400 Memorial Drive, same being the West corner of Lot 22 of Shadowwood UIR, conveyed to Susan Ewers Pelini and David C. Pelini, Co-Trustees of the Susan Ewers Pelini Living Trust as recorded under Harris County Clerk's File No. 20070663652, said found 5/8 inch iron rod with cap marking the common East corner of said Lot 14 and Lot 15, said found 5/8 inch iron rod with cap also marking a point for angle of the herein described tract;

THENCE South 45 degrees 59 minutes 39 seconds East, (call South 46 degrees 16 minutes 00 seconds East), along the common line of said Pelini Lot 22 and Lot 14, a distance of 67.92 feet to a point for corner being the East corner of said Lot 14, said point for corner being the North corner of said Burtner Lot 13, said point for corner also being the East corner of the herein described tract;

THENCE South 36 degrees 06 minutes 21 seconds West, (call South 35 degrees 50 minutes 00 seconds West), along the common line of said Lot 13 and Lot 14, passing at 3.00 feet a set 1/2 inch iron rod for reference, passing at 153.11 feet a point in the said East right of way line of Merrie Way Lane, passing at 153.59 feet a point in the said East right of way line of Merrie Way Lane, passing at 153.59 feet a found 1/2 inch iron rod, continuing for a total distance of 173.56 feet to the **POINT OF BEGINNING** and comprising 0.5820 acres (25,351 square feet), of land.

PLAT OF PROPERTY
FOR: **AJAY DAMANI & RUCHIRA DAMANI**
AT: **210 MERRIE WAY LN. - PINEY POINT VILLAGE, TX**
LOC: **A TRACT OR PARCEL OF LAND CONTAINING 0.5820 ACRES, (25,351 SQ. FT.), BEING KNOWN AS LOT FOURTEEN (14) & THE ADJOINING FIVE FEET (5') OF LOT FIFTEEN (15) OF SHADOWWOOD, AN UNRECORDED ADDITION LOCATED IN THE JOHN D. TAYLOR SURVEY, ABSTRACT 72, CITY OF PINEY POINT VILLAGE, HARRIS COUNTY, TEXAS. (metes & bounds attached)**
SCALE: **1" = 20'**
DATE: **12/12/2019** REVISED DATE: **1/5/2021**
THIS PROPERTY DOES NOT LIE WITHIN THE DESIGNATED 100 YEAR FLOODPLAIN.
PANEL NO: **48201C 0645 L**
ZONE: **X** EFF. DATE: **6/18/07**
BASE FLOOD ELEVATION: **NA**
LOCATED BY GRAPHIC PLOTTING ONLY AND NOT RESPONSIBLE FOR ACTUAL DETERMINATION.
THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH TITLE COMMITMENT PROVIDED BY: **ATRACTS SERVICES OF HOUSTON**
GPR: **CP - 791620316 (02/19/2020)**

SURVEY REVISIONS: November 20, 2020 to reflect appropriate location of a portion of a utility easement, aerial easement & guy easement along a Northerly portion of the above shown tract. No field work was performed.

NOTES:
1. Elevations shown based on City of Piney Point Village Benchmark No. 5 Elevation = 61.48 NAVD88 (2001 adjustment)
2. Fences do not follow boundary lines as shown above.
3. Lot subject to any and all zoning ordinances or proposed zoning ordinances including those by the City of Piney Point Village, Texas. Side and Rear Yards shown above for main residence only as set forth under Article IV, Section 74-244 of the Code of Ordinances. No building or structure, or any part thereof, shall exceed 35 feet in height above the natural grade of the existing lot. The building area, exclusive of driveways and uncovered walkways, shall not exceed 30 percent of the lot area, exclusive of roadway easements; and the building area, inclusive of all structures (including driveways, tennis or other play courts, uncovered walkways, swimming pools, wood decking, all other structures and impervious surfaces), shall not exceed 50 percent of the lot area. Additional provisions and setback requirements for accessory structures, sports courts, swimming pools, generators, etc. are not shown and should be verified prior to any planning or construction.
4. Shadowwood is a deed restricted community, 40 foot private road easement together with front, side and rear setbacks for the main residence and outbuildings/detached structures shown above as recorded under Volume 2597, Page 181 of the Deed Records of Harris County, Texas. Additional provisions may apply. It is the responsibility of the property owner to determine the deed restriction status of their property and to comply with restrictive covenants prior to any planning or construction.
5. Utility, aerial and guy easements shown as set forth under Volume 2023, Page 357 of the Deed Records of Harris County, Texas.
6. Surveyor has not abstracted subject tracts. This survey was performed without the benefit of a current title opinion and is subject to any facts a full and accurate title search may disclose. All easements, building lines, zoning setbacks, restrictions and covenants of record may not be shown.
7. All bearings are based on the centerline of Merrie Way Lane, (N 65° 50' 00" W)

THIS SURVEY IS THE PROPERTY OF PROBSTFELD & ASSOCIATES, INC., IS CERTIFIED FOR THIS TRANSACTION ONLY, AND IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR OWNERS.

I hereby certify that the above plat correctly represents the facts found at the time of the survey made on the ground, under my supervision, and there are no apparent encroachments at the time of this survey, unless shown or noted otherwise.

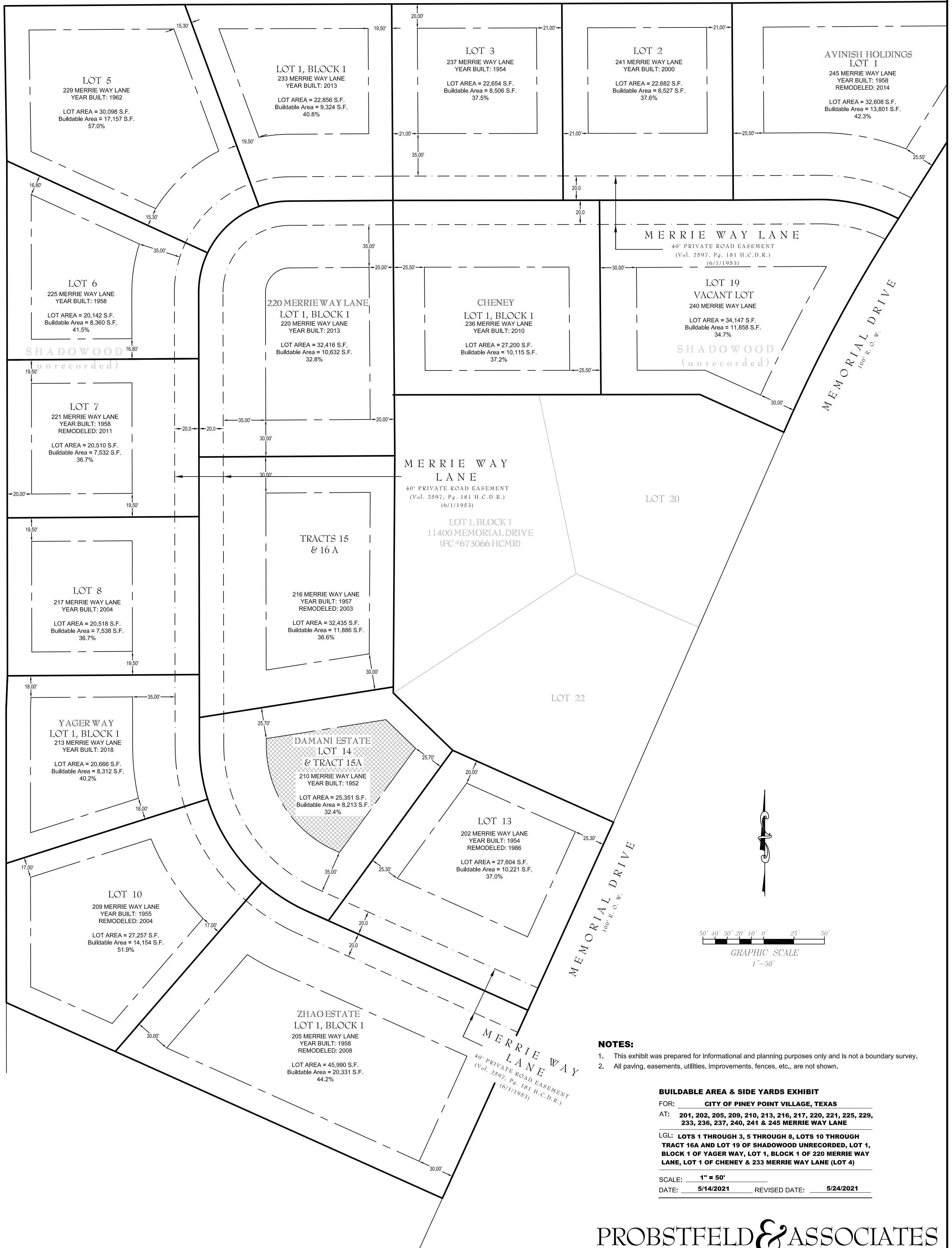


MATTHEW J. PROBSTFELD
Registered Professional Land Surveyor
State of Texas No. 4985
PROBSTFELD & ASSOCIATES, INC. - FRM #10066100
JOB # **3011-001** DRAWN BY: **PJ/MCC**

PROBSTFELD & ASSOCIATES
PROFESSIONAL LAND SURVEYORS

614 PARK GROVE DRIVE, SUITE 103 KATY, TEXAS 77450 (817) 838-0034 (817) 838-0233

EXHIBIT #5



- NOTES:**
- This exhibit was prepared for informational and planning purposes only and is not a boundary survey.
 - All paving, easements, utilities, improvements, fences, etc., are not shown.

BUILDABLE AREA & SIDE YARDS EXHIBIT
 FOR: **CITY OF PINEY POINT VILLAGE, TEXAS**
 AT: **201, 202, 205, 209, 210, 213, 216, 217, 220, 221, 225, 229, 233, 236, 237, 240, 241 & 245 MERRIE WAY LANE**
 LGL: **LOTS 1 THROUGH 3, 5 THROUGH 8, LOTS 10 THROUGH TRACT 16A AND LOT 19 OF SHADOWWOOD UNRECORDED, LOT 1, BLOCK 1 OF YAGER WAY, LOT 1, BLOCK 1 OF 220 MERRIE WAY LANE, LOT 1 OF CHENEY & 233 MERRIE WAY LANE (LOT 4)**
 SCALE: **1" = 50'**
 DATE: **5/14/2021** REVISED DATE: **5/24/2021**

PROBSTFELD & ASSOCIATES
 PROFESSIONAL LAND SURVEYORS

EXHIBIT #6

SUMMARY TABLE OF BUILDABLE AREAS AND SIDE SETBACKS ALONG MERRIE WAY LANE			
ADDRESS	BUILDABLE AREA %	CITY ORDINACE SIDE SETBACKS	SIDE SETBACKS DEED RESTRICTIONS (6/1/1953)
201 Merrie Way Lane	44.2	30.0	15
202 Merrie Way Lane	37.0	25.3	15
205 Merrie Way Lane	44.2	30.0	15
209 Merrie Way Lane	51.9	17.0	15
210 Merrie Way Lane	32.4	25.7	15
213 Merrie Way Lane	40.2	18.0	15
216 Merrie Way Lane	36.6	30.0	15
217 Merrie Way Lane	36.7	19.5	15
220 Merrie Way Lane	32.8	N/A	15
221 Merrie Way Lane	36.7	19.5	15
225 Merrie Way Lane	41.5	16.8	15
229 Merrie Way Lane	57.0	15.3	15
233 Merrie Way Lane	40.8	19.5	15
236 Merrie Way Lane	37.2	25.5	15
237 Merrie Way Lane	37.5	21.0	15
240 Merrie Way Lane	34.7	30.0	15
241 Merrie Way Lane	37.6	21.0	15
245 Merrie Way Lane	42.3	25.5	15
AVG.	40.1	22.9	-

AVERAGE BUILDABLE AREA = 40.1 % OF TOTAL LOT AREA

AVERAGE SIDE SETBACKS = 22.9

EXHIBIT #9

THE STATE OF TEXAS
COUNTY OF HARRIS

7/17/2013 12:51 PM 201303566-8
7/17/2013 Item# 568.00
Sta Street
COUNTY CLERK

We, SAMUEL H. YAGER, III and JENNIFER M. YAGER, hereinafter referred to as Owners of the 0.4744 acre tract (20,866 square feet) described in the above and foregoing plat of YAGER WAY do hereby make and establish said subdivision of said property according to all laws, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backflow and in no instance have a drainage opening of less than one and three quarters square feet (18-inch diameter) with culvert or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operation and maintenance of the drainage facility and that such obstructions shall not be permitted to drain directly into this easement, except by means of an approved drainage structure.

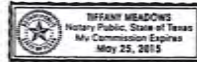
WITNESS our hand in the City of Piney Point Village, Texas, this 2nd day of July, 2013.

SAMUEL H. YAGER, III
JENNIFER M. YAGER
OWNERS

STATE OF TEXAS
COUNTY OF HARRIS
BEFORE ME, the undersigned authority, on this day personally appeared SAMUEL H. YAGER, III and JENNIFER M. YAGER, Owners, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 2 day of July, 2013.

Tiffany Meadows
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES: May 25, 2015



STATE OF TEXAS
COUNTY OF HARRIS
I, MATTHEW J. PROBSTFELD am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'); and that the plat boundary corners have been tied to the nearest survey corner.

MATTHEW J. PROBSTFELD
Registered Professional Land Surveyor
State of Texas No. 4985



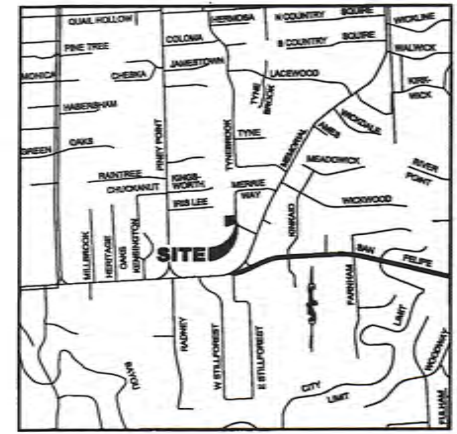
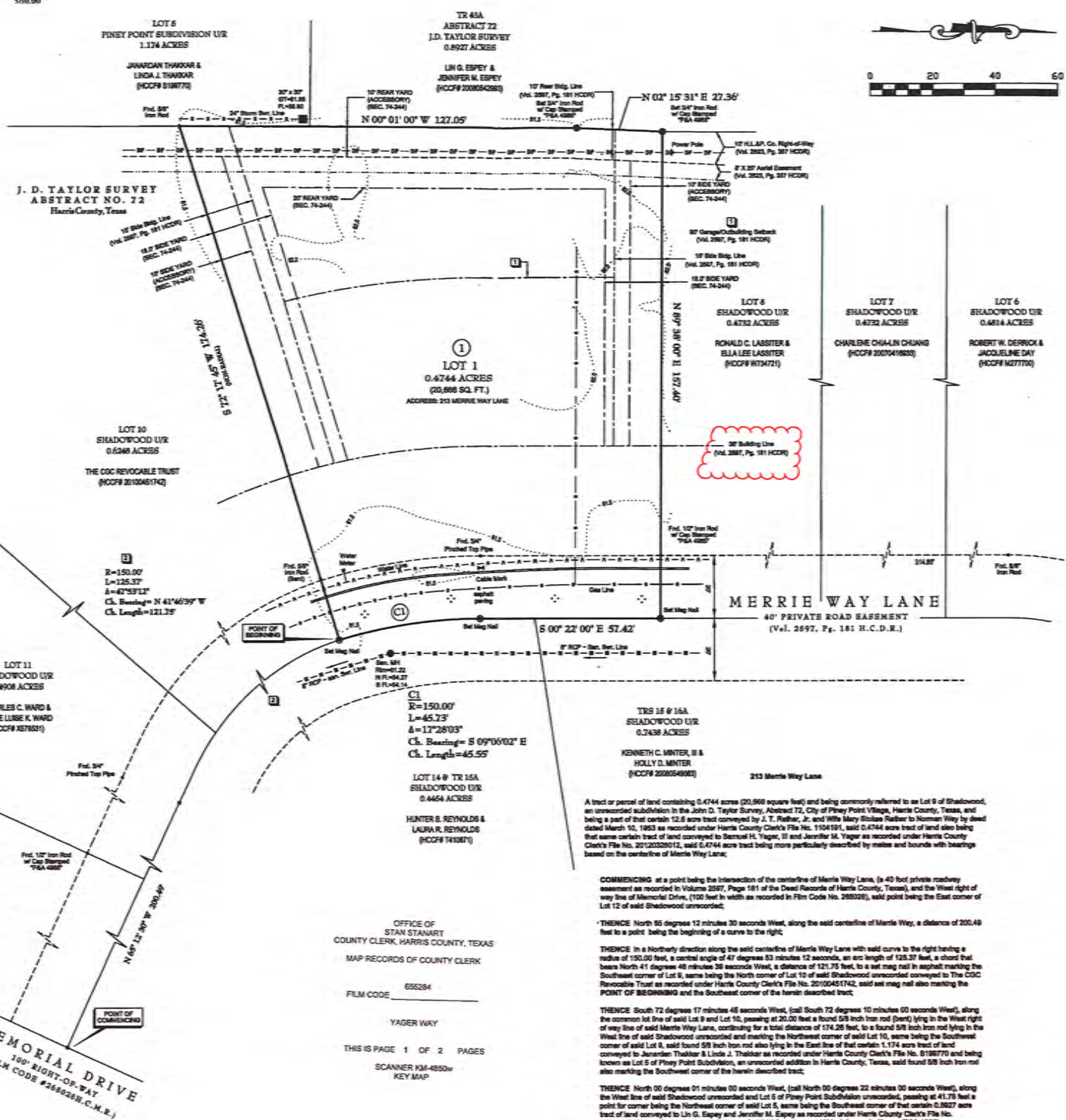
This is to certify that the Planning and Zoning Commission of the City of Piney Point Village, Texas, has approved this plat and subdivision of YAGER WAY in conformance with the laws of the State of Texas and the ordinances of the City of Piney Point Village as shown hereon and authorized the recording of this plat this 2nd day of July, 2013.

VINCENT L. MARINO
CHARMAN
ANNETTE L. ARRIGOA
SECRETARY

I, STAN STANART, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificates of authentication was filed for registration in my office on July 17, 2013, at 12:51 o'clock P.M., and in File Code Number 655284 of the map records of Harris County for said County and duly recorded on July 18, 2013, at 7:05 o'clock A.M.

Witness my hand and seal of office, at Harris County, Texas, the day and date last above written.
By: STAN STANART
EX OFFICIO CLERK OF HARRIS COUNTY, TEXAS
By: EDWENA V. MACK
DEPUTY

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE GEODESIC REAL PROPERTY RECORDING OF COLOR OR TONE IS HEREBY AND UNENFORCEABLE UNDER FEDERAL LAW



VICINITY MAP
KEY MAP 480Q

- GENERAL NOTES & LEGEND
1. H.C.M.R. denotes HARRIS COUNTY MAP RECORDS.
2. H.C.D.R. denotes HARRIS COUNTY DEED RECORDS.
3. H.C.C.F. No. denotes HARRIS COUNTY CLERK'S FILE NUMBER.
4. UTIL. ESMT. OR U.E. denotes UTILITY EASEMENT.
5. BLDG. LINE OR B.L. denotes BUILDING LINE.
6. W.L.E. denotes WATER LINE EASEMENT.
7. S.S.E. denotes SANITARY SEWER EASEMENT.
8. O.P.R.O.R.P. denotes OFFICIAL PUBLIC RECORDS OF REAL PROPERTY.
9. A.E. denotes AERIAL EASEMENT.
10. (1) denotes BLOCK NUMBER.
11. Subject Tract DOES NOT LIE within the designated 100 year flood plain as shown on FEMA Flood Insurance Rate Map 48201C 0443 L, Dated 8/18/2007. (ZONE X) (Shown by graphic plotting only)
12. Information shown on this plat was based on City Planning Letter issued by American Title Company, GP# 7910-12-5838 with an effective date of August 9, 2012.
13. Elevations shown based on City of Piney Point Village Benchmark No. 3 Elevation = 64.81 NAVD88 (2001 Adjustment)
14. The Owners further acknowledge and agree that this plat does not attempt to alter or remove any restrictive covenants as filed in Volume 2597, Page 181 H.C.D.R.

NOTES ON EXISTING PIPELINES
There are no existing pipelines or pipeline easements within this subdivision.

YAGER WAY
A SUBDIVISION BEING OUT AND PART OF CERTAIN TRACT OF LAND COMMONLY REFERRED TO AS LOT 9 OF SHADOWOOD, AN UNRECORDED SUBDIVISION IN HARRIS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF THAT CERTAIN 12.6 ACRE TRACT OF LAND CONVEYED TO NORMAN WAG AS RECORDED IN HARRIS COUNTY CLERK'S FILE NO. 1104191 IN THE OFFICE OF THE COUNTY CLERK OF HARRIS COUNTY, TEXAS.

BEING A PLAT OF 0.4744 ACRES, (20,866 SQUARE FEET) LOCATED IN THE JOHN D. TAYLOR SURVEY, ABSTRACT 72, CITY OF PINEY POINT VILLAGE, HARRIS COUNTY, TEXAS.

1 LOT 1 BLOCK NO RESERVE
REASON FOR PLATTING:
TO CREATE ONE SINGLE FAMILY RESIDENTIAL LOT IN AN UNRECORDED SUBDIVISION
OWNER:
SAMUEL H. YAGER, III and JENNIFER M. YAGER
213 MERRIE WAY LANE
HOUSTON, TX 77024
CITY OF PINEY POINT VILLAGE, TEXAS
JUNE 27, 2013

PROBSTFELD & ASSOCIATES
PROFESSIONAL LAND SURVEYORS

STATE OF TEXAS
COUNTY OF HARRIS

WE, ARIF KHAN AND SABEEN NAJAM, OWNERS HERINAFTER REFERRED TO AS OWNERS OF THE 0.5247 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF 233 MERRIE WAY LANE, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LAWS, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE FEET IN WIDTH FROM A PLANE TWENTY FEET (20') ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND IN NO INSTANCE HAVE A DRAINAGE OPENING OF LESS THAN ONE AND THREE QUARTERS SQUARE FEET (1 3/4" DIAMETER) WITH CULVERT OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, GULLEY, CREEK OR NATURAL DRAINAGEWAY SHALL HEREBY BE RESTRICTED TO KEEP SUCH DRAINAGEWAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ADJUTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT, EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

WITNESS OUR HAND IN THE CITY OF PINEY POINT VILLAGE, TEXAS, THIS 27th DAY OF March, 2013.

BY: Arif Khan
ARIF KHAN
BY: Sabeen Najam
SABEEN NAJAM

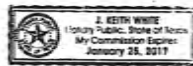
STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ARIF KHAN AND SABEEN NAJAM TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 27th DAY OF March, 2013.

PRINTED NAME J Keith White

J Keith White
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES January 25th, 2017



THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF PINEY POINT VILLAGE, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF 233 MERRIE WAY LANE IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF PINEY POINT VILLAGE AS SHOWN HEREON AND

AUTHORIZED THE RECORDING OF THIS PLAT THIS 27th DAY OF March, 2013.

BY: Vincent L. Ranao
CHAIRMAN OR VICE CHAIRMAN
VINCENT L. RANAO

BY: Annette Arriaga
SECRETARY
ANNETTE ARRIAGA

I, EDILBERTO V. BARRIENTOS, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE-QUARTER INCH (3/4") AND A LENGTH OF NOT LESS THAN THREE FEET (3'); AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

Edilberto V. Barrientos
EDILBERTO V. BARRIENTOS
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5364



STATE OF TEXAS
COUNTY OF HARRIS

All that certain 0.5247 acre (22,854 square-foot) tract of land situated in the John D. Taylor Survey, Abstract No. 72, in Harris County, Texas, commonly known as Lot 4, of Shadowwood, an unrecorded subdivision of that certain 12.6 acre tract conveyed in Deed to Harmon Way filed for record in Volume 2574, Page 707 Harris County Deed Records (H.C.D.R.). Said 0.5247 acre tract being the portion of said Shadowwood Deed to Sabeen Najam and Arif Khan, filed for record under Harris County Clerk's File (H.C.C.F.) No. 20120489130 and being more particularly described by metes and bounds as follows:

[Bearings are based in Texas South Central Zone No. 4204 State Plane Grid Coordinates (NAD83)]

COMMENCING for reference at the northeast corner of said Shadowwood 12.6 acre tract:

Thence North 87°31'35" East, a distance of 150.00 feet to a capped 1/2" iron rod found marking the northeast corner and POINT OF BEGINNING of the herein described tract, said corner also being in the South line of Tynewood (Volume 48, Page 51 Harris County Map Records) and the North line of said 12.6 acre tract and the Northeast corner of the Chung Shin Sung and wife, Chin Fong Pui, Lot 5 (H.C.C.F. No. 1446228);

Thence North 87°31'35" East along the South line of Tynewood and the North line of said 12.6 acre tract, a distance of 172.32 feet to a capped 1/2" iron rod set at the Northeast corner of the Eugene C. Liu and wife, Sandy S. Ho Lot 3 (H.C.C.F. No. M214707) for the Northeast corner of the herein described Lot 4, from which a fence post found for reference bears South 72°44'37" West, 0.89 feet;

Thence South 02°21'25" East along the West line of Lot 3, at a distance of 141.70 feet passing an 1/2" iron rod found for reference in the North line of Merrie Way Lane (a 40-foot Roadway Easement, Volume 2597, Page 181 H.C.D.R.), and continuing for a total distance of 181.70 feet to a mag nail found in the centerline of said Merrie Way Lane for the Southeast corner of the herein described Lot 4 and the southeast corner of said Lot 3;

Thence South 87°36'25" West along the centerline of said Merrie Way Lane, a distance of 85.00 feet to a mag nail found at the beginning of a tangent curve to the left for corner;

Thence in a Southwesterly direction along the centerline of said Merrie Way Lane with said curve to the left, having a radius of 75.00 feet, a central angle of 19°48'00", a chord of 25.79 feet and a chord bearing of South 77°44'30" West and an arc length of 25.82 feet to a mag nail found at the East corner of Lot 5 for the Southwest corner of the herein described Lot 4;

Thence North 22°08'25" West along the Northeast line of said Lot 5, at a distance of 20.00 feet passing an 1/2" iron rod found for reference in the North line of said Merrie Way Lane, and continuing for a total distance of 178.52 feet to the POINT OF BEGINNING and containing 0.5247 acre or 22,854 square feet of land.

I, STAN STANART, COUNTY CLERK OF HARRIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON June 7, 2013, AT 12:46 O'CLOCK P., AND IN FILE CODE NUMBER 654260 OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY. And duly returned on June 10, 2013 at 7:10 AM

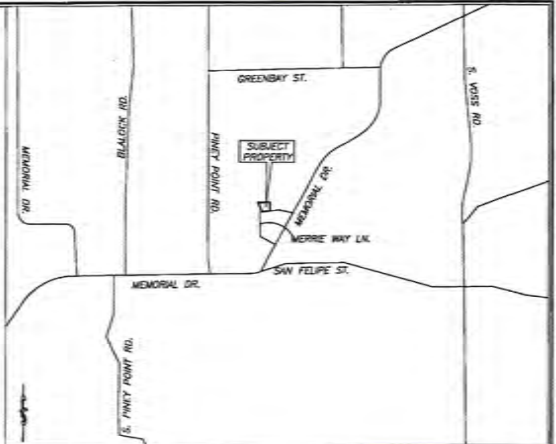
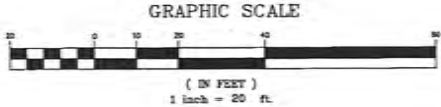
STAN STANART
STAN STANART
EX OFFICIO CLERK
OF HARRIS COUNTY, TEXAS



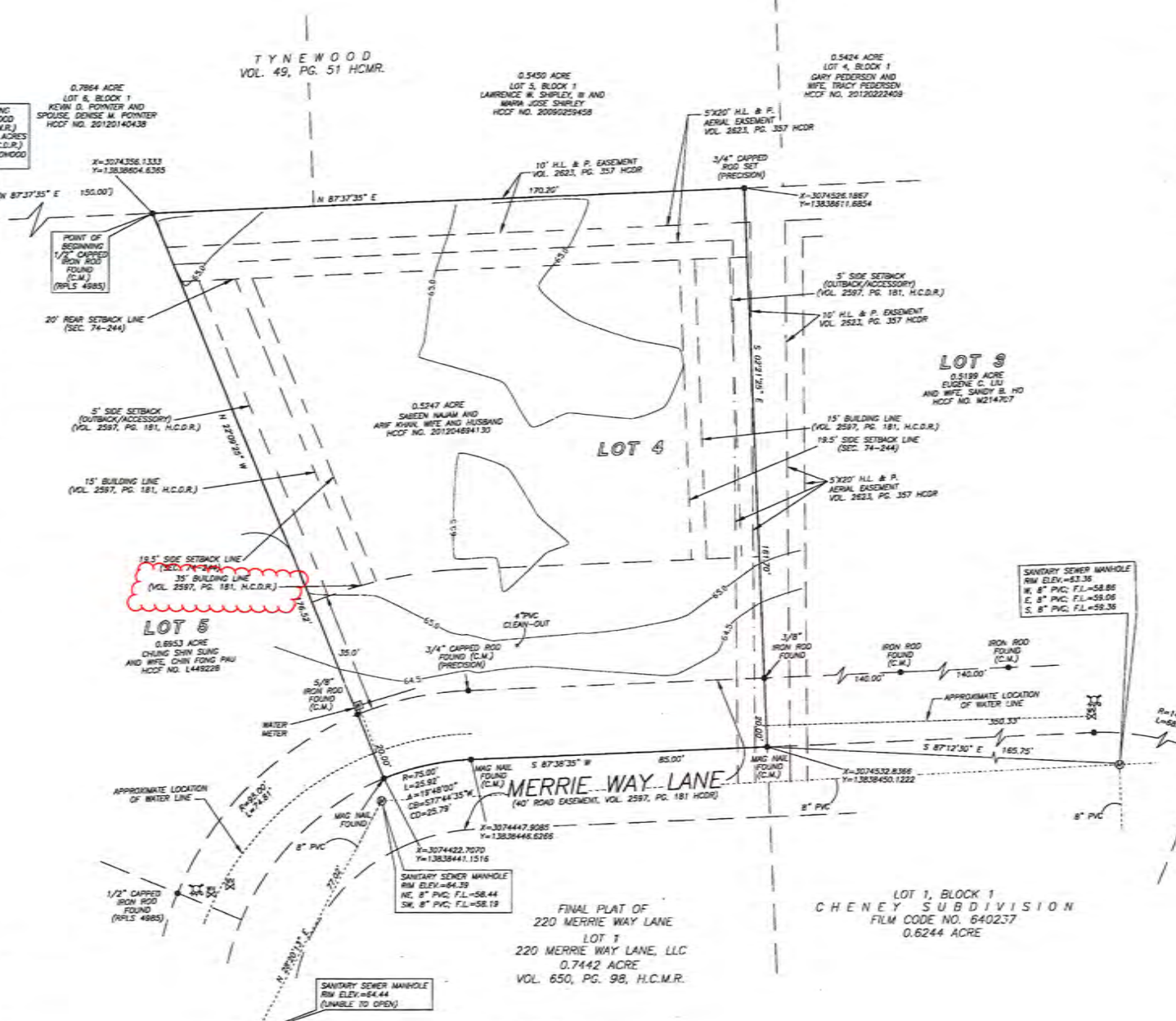
WHY PROCEED HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLLISION OR RACE IS VOID AND UNLAWFUL UNDER FEDERAL LAW

This certificate is valid only in the instrument in which the original signature is affixed and only if the seal of the signatory is not obliterated or changed after recording.

FILED
6/7/2013 12:46 PM
Stan Stanart
COUNTY CLERK
2013079890
6/7/2013 Hire2 \$48.00



- GENERAL NOTES:
1. THIS PROPERTY LIES WITHIN ZONE "X" AS PER FLOOD INSURANCE RATE MAP, MAP NUMBER 48201C 0645 L, DATED JUNE 18, 2007.
 2. "H.C.D.R." INDICATES HARRIS COUNTY DEED RECORDS
 3. "H.C.M.R." INDICATES HARRIS COUNTY MAP RECORDS
 4. "H.C.C.F." INDICATES HARRIS COUNTY CLERK'S FILE NUMBER
 5. "C.M." INDICATES CONTROL MONUMENT
 6. NOTHING IN THIS PLAT IS INTENDED TO AMEND OR REMOVE ANY COVENANTS OR RESTRICTIONS, AND THIS PLAT SHALL NEVER BE CONSTRUED AS HAVING SUCH AN EFFECT.
 7. ANY YARDS SETBACKS, OR BUILDING LINES SHOWN ON THIS PLAT ARE THE MINIMUM AREAS ESTABLISHED FOR SUCH PURPOSES. THE ZONING ORDINANCE AND OTHER ORDINANCES OF THE CITY OF PINEY POINT VILLAGE, AS FROM TIME TO TIME, MAY REQUIRE LARGER OR DIFFERENT YARDS, SETBACKS, OR BUILDING LINES, AND SUCH ORDINANCE SHALL APPLY TO THE AREA OF THIS PLAT, REGARDLESS OF ANYTHING TO THE CONTRARY SHOWN ON THIS PLAT.
 8. INFORMATION SHOWN ON THIS PLAT WAS BASED ON THE COMMITMENT FOR TITLE ISSUED BY TEXAS AMERICAN TITLE COMPANY, FILE NO. 7910-13-1224, CITY PLANNING LETTER DATED JANUARY 04, 2012.
 9. ELEVATIONS ARE BASED ON PINEY POINT VILLAGE BENCHMARK NO. 3. ELEVATION: 64.81' NAVD 88; 2001 ADJ.
 10. THE OWNERS FURTHER ACKNOWLEDGE AND AGREE THAT THIS PLAT DOES NOT ATTEMPT TO ALTER OR REMOVE ANY RESTRICTIVE COVENANTS AS FILED IN VOLUME 2597, PAGE 181, H.C.D.R.
- NOTES ON EXISTING PIPELINES:
THERE ARE NO EXISTING PIPELINES OR PIPELINE EASEMENTS WITHIN THIS SUBDIVISION.



**FINAL PLAT OF
233 MERRIE WAY LANE**
BEING 0.5247 ACRES (22,854 SQUARE FEET) KNOWN AS
LOT 4, SHADOWWOOD, AN UNRECORDED SUBDIVISION
SITUATED IN THE JOHN D. TAYLOR SURVEY, ABSTRACT NO. 72
OF HARRIS COUNTY, TEXAS
MARCH 28, 2013
REASON FOR PLAT:
TO CREATE ONE SINGLE FAMILY RESIDENTIAL LOT
1 LOT, 1 BLOCK, NO RESERVE
OWNERS:
ARIF KHAN AND SABEEN NAJAM
ADDRESS: 233 MERRIE WAY LANE
HOUSTON, TEXAS 77024
PHONE NO. (281) 870-1100

OFFICE OF
STAN STANART
COUNTY CLERK, HARRIS COUNTY, TEXAS
MAP RECORDS OF COUNTY CLERK
FILE CODE 654260
233 MERRIE WAY LANE FINAL PLAT
THIS IS PAGE 1 OF 2 PAGES
SCANNER KM-850W
KEY MAP

SURVEYOR:
PRECISION SURVEYORS, INC.
PROFESSIONAL LAND SURVEYS
1-800-LANDSURVEY
www.precisionlandsurvey.com
281-495-1586 FAX 281-495-1857
380 THUNDERBOLT STREET SUITE 100 HOUSTON, TEXAS 77058
210-829-4541 FAX 210-825-1555
1777 HE LOOP 410 SUITE 600 SAN ANTONIO, TEXAS 78217

RECORDS REMOVAL NOTICE
As the title of this instrument, this instrument was recorded in the public records of Harris County, Texas, and is hereby removed from the public records of Harris County, Texas, effective as of the date of this notice. All other instruments and charges are preserved in the title block and returned to the grantor.

J. D. TAYLOR SURVEY - ABSTRACT NO. 72
Harris County, Texas

I, ALAN SADEGHPOUR, Manager, being an officer of 220 MERRIE WAY LANE, LLC, hereinafter referred to as Owners of the 0.7442 acre tract described in the above and foregoing plat of 220 MERRIE WAY LANE, do hereby make and establish said subdivision of said property according to all laws, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements and public places shown thereon for the purposes and considerations therein expressed, and do hereby bind myself, my heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet (5') in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters square feet (1-3/4 square feet) with culvert or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operation and maintenance of the drainage facility and that such obstructions shall not be permitted to drain directly into this easement, except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, the 220 MERRIE WAY LANE, LLC, has caused these presents to be signed by ALAN SADEGHPOUR, its Manager, on this 17th day of October, 2012.

220 MERRIE WAY LANE, LLC

BY: *Alan Sadeghpour*
ALAN SADEGHPOUR
MANAGER

STATE OF TEXAS
COUNTY OF HARRIS

I, MATTHEW J. PROBSTFELD, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct, was prepared from an actual survey of the property made under my supervision on the ground, that all boundary corners, single points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'); and that the plat boundary corners have been set to the nearest survey corner.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9th day of October, 2012.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES: 2016



I, MATTHEW J. PROBSTFELD, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct, was prepared from an actual survey of the property made under my supervision on the ground, that all boundary corners, single points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'); and that the plat boundary corners have been set to the nearest survey corner.

BY: *Matthew J. Probstfeld*
MATTHEW J. PROBSTFELD
Registered Professional Land Surveyor
State of Texas No. 4995



This is to certify that the Planning and Zoning Commission of the City of Piney Point Village, Texas, has approved the plat and subdivision of 220 MERRIE WAY LANE in conformance with the laws of the State of Texas and the ordinance of the City of Piney Point Village as shown hereon and authorized the recording of this plat this 18th day of November, 2012.

BY: *U. Callaway*
CHAIRMAN OR VICE CHAIRMAN

BY: *Annette Arriaga*
SECRETARY

I, STAN STAMART, County Clerk of Harris County, Texas, do hereby certify that the within instrument is the certificate of recording as registered in my office on Nov. 21, 2012, at 12:50 o'clock P.M., and in File Code 450099 of the map records of Harris County for said County and duly recorded on Nov. 21, 2012, at 12:50 o'clock P.M.

WITNESS MY HAND AND SEAL OF OFFICE, AT HARRIS COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

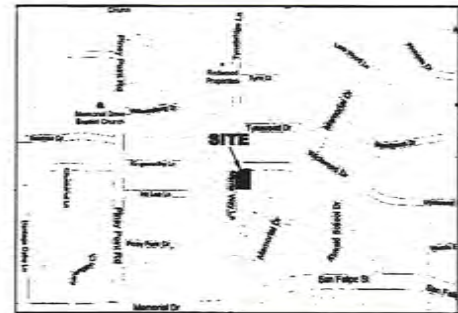
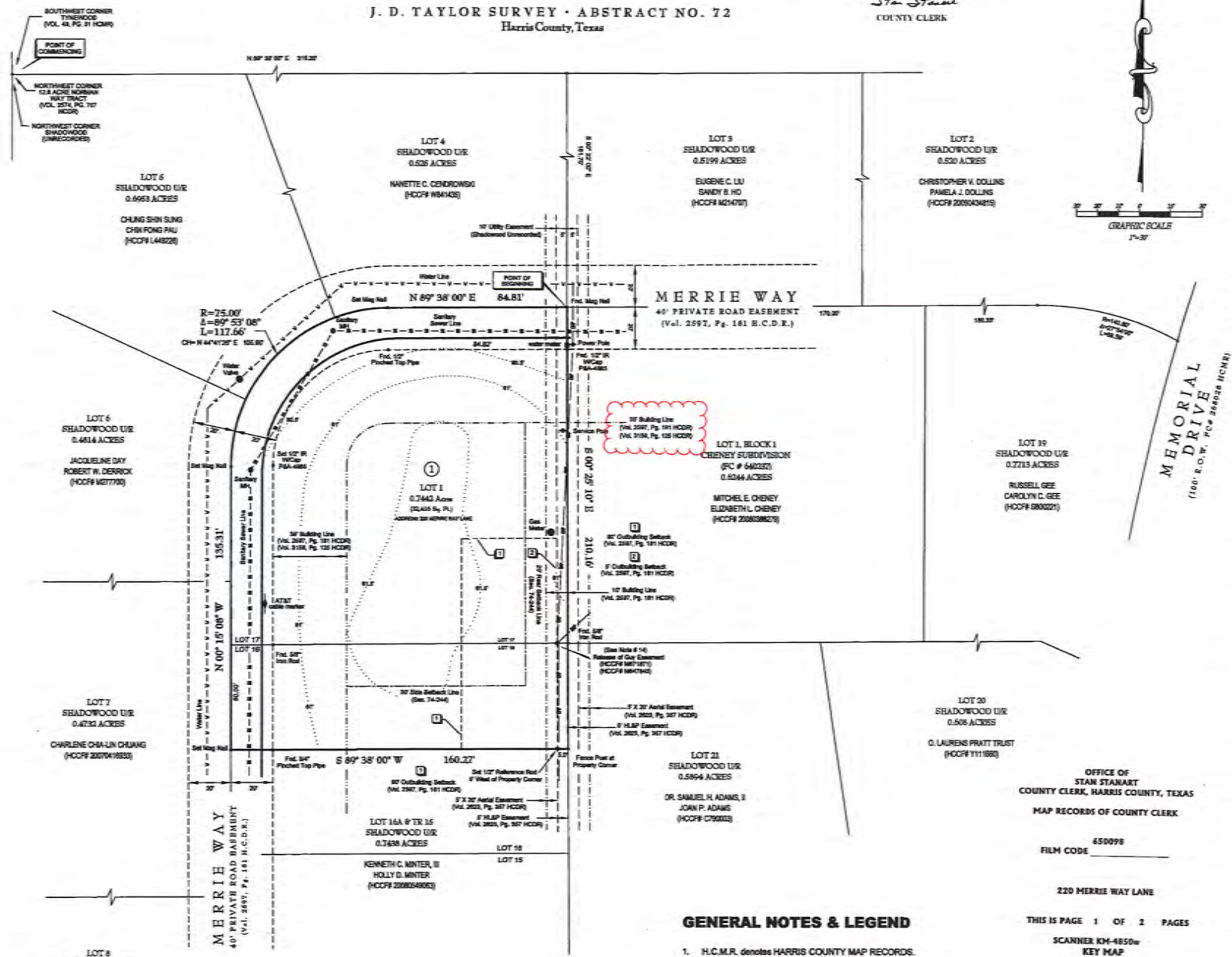
BY: *Stan Stant*
STAN STAMART
COUNTY CLERK OF HARRIS COUNTY, TEXAS

BY: *Erna Umack*
ERNA UMACK
DEPUTY COUNTY CLERK
Harris County, Texas



ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS HEREBY AND HEREAFTER VOID.

This certificate is valid only as to the instrument on which the original signature is affixed and any change in the name of the instrument or the instrument after recording.



VICINITY MAP
220 Merrie Way Lane

A tract or parcel of land containing 0.7442 acres (32,416 square feet) and being commonly referred to as Lot 17 and the North 50 feet of Lot 16 of Shadowwood, an unrecorded subdivision in the John D. Taylor Survey, Abstract 72, Harris County, Texas, and being a part of that certain 12.6 acre tract conveyed by J. T. Taylor, Jr. and Wife Mary Shiras Taylor to Norman Way by deed dated March 10, 1953 as recorded under Harris County Clerk's File No. 1104191, said 0.7442 acre tract also being that same certain tract of land conveyed to Alan G. Levine and Shelley Levine as recorded under Harris County Clerk's File No. W032054, said 0.7442 acre tract being more particularly described by metes and bounds with bearings based on the centerline of Merrie Way;

COMMENCING at a point for corner being the Northwest corner of the Norman Way 12.6 acre tract, as recorded in Volume 2574, Page 707 of the Deed Records of Harris County, Texas, said point for corner being the Southwest corner of Tynewood, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 49, Page 51 of the Map Records of Harris County, Texas, said point for corner also being the Northwest corner of Shadowwood Unrecorded;

THENCE North 89 degrees 38 minutes 00 seconds East, along the common line of Tynewood and Shadowwood Unrecorded and with the North line of said Norman Way 12.6 acre tract, a distance of 319.20 feet to a point for corner being the common North corner of Lots 3 and 4 of Shadowwood Unrecorded;

THENCE South 00 degrees 22 minutes 00 seconds East, along the common line of said Lot 3 and Lot 4, a distance of 191.70 feet to a found iron nail lying in the centerline of Merrie Way, (a 40 foot private roadway easement as recorded in Volume 2557, Page 151 of the Deed Records of Harris County, Texas), said found iron nail marking the common South corner of said Lot 3 and Lot 4, said found iron nail marking the Northwest corner of Lot 1, Block 1, Cheney Subdivision, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in File Code No. 840227 of the Map Records of Harris County, Texas, same being the Northeast corner of Lot 17, said found iron nail also marking the POINT OF BEGINNING and the Northeast corner of the herein described tract;

THENCE South 00 degrees 25 minutes 10 seconds East, (said South 00 degrees 22 minutes 00 seconds East), along the common line of said Lot 17 and said Lot 1, Cheney Subdivision, passing at 20.00 feet a found 1/2 inch iron rod with cap (PAA-4955), lying in the South right of way line of Merrie Way, passing at 190.00 feet a found 5/8 inch iron rod marking the common South corner of said Lot 17 and Lot 1, Cheney Subdivision, said found 5/8 inch iron rod also marking the common North corner of Lot 19 and Lot 21, continuing for a total distance of 210.16 feet, (said 210.00 feet), to a fence post at property corner being the Northeast corner of that certain tract of land conveyed to Kenneth C. Minter, III and Holly D. Minter as recorded under Harris County Clerk's File No. 20080549063, said fence post at property corner also being the Southeast corner of the herein described tract;

THENCE South 89 degrees 38 minutes 00 seconds West, along the North line of said Minter tract, passing at 5.00 feet a set 1/2 inch iron rod for reference, passing at 140.27 feet a found 3/4 inch pinched top pipe lying in the East right of way line of Merrie Way, continuing for a total distance of 190.27 feet, (said 190.00 feet), to a set iron nail lying in the said centerline of Merrie Way, said set iron nail marking the Northwest corner of said Minter tract, said set iron nail also marking the Southwest corner of the herein described tract;

THENCE North 00 degrees 15 minutes 08 seconds West, (said North 00 degrees 22 minutes 00 seconds West), along the said centerline of Merrie Way, passing at 50.00 feet the Northwest corner of said Lot 16, same being the Southwest corner of said Lot 17, continuing for a total distance of 135.31 feet, (said 135.00 feet), to a set iron nail marking the beginning of a curve to the right;

THENCE in a Northerly direction along the said centerline of Merrie Way with said curve to the right having a radius of 75.00 feet, a central angle of 89 degrees 53 minutes 28 seconds, an arc length of 117.82 feet, (said length 117.81 feet), a chord that bears North 44 degrees 41 minutes 29 seconds East, a distance of 105.96 feet to a set iron nail marking a point of tangency;

THENCE North 89 degrees 38 minutes 00 seconds East, along the said centerline of Merrie Way, a distance of 84.51 feet, (said 85.00 feet), to the POINT OF BEGINNING and containing 0.7442 acres, (32,416 square feet), of land.

GENERAL NOTES & LEGEND

- 1. H.C.M.R. denotes HARRIS COUNTY MAP RECORDS.
- 2. H.C.D.R. denotes HARRIS COUNTY DEED RECORDS.
- 3. H.C.C.F. No. denotes HARRIS COUNTY CLERK'S FILE NUMBER.
- 4. UTIL. ESMT. OR U.E. denotes UTILITY EASEMENT.
- 5. BLDG. LINE OR B.L. denotes BUILDING LINE.
- 6. W.L.E. denotes WATER LINE EASEMENT.
- 7. S.S.E. denotes SANITARY SEWER EASEMENT.
- 8. O.P.R.O.R.P. denotes OFFICIAL PUBLIC RECORDS OF REAL PROPERTY.
- 9. A.E. denotes AERIAL EASEMENT.
- 10. Subject Tract DOES NOT LIE within the designated 100 year flood plain as shown on FEMA Flood Insurance Rate Map 48261C 0645L, Dated 6/18/2007. (ZONE X)
- 11. Information shown on this plat was based on the City Planning Letter issued by Fidelity National Title Insurance Company, GF# 522500059, effective date, August 3, 2011.
- 12. Elevations shown based on City of Piney Point Village Benchmark No. 3. Elevation = 54.81' NAVD83 (2001 Adjustment).
- 13. The Owner further acknowledges and agrees that this plat does not attempt to alter or remove any restrictive covenants as filed in Volume 2597, Page 161 HCOR and Volume 3168, Page 125 HCOR.
- 14. Release of Easement for that certain 3 foot by 30 foot guy easement granted by H.L. & P. Co. as recorded under Harris County Clerk's File No. (a) M671871 and M647845.
- 15. Consent to Encroach granted by H.L. & P. Co. pertaining to that certain section of a 6 foot brick wall as recorded under Harris County Clerk's File No. (a) M717861 and M721172.

NOTES ON EXISTING PIPELINES

There are no existing pipelines or pipeline easements within this subdivision.

RECORDER'S REMOVAL
At the time of recording, this instrument was found to be in compliance with the best photographic reproduction because of legibility, color or other copy characteristics. All instruments, additions and changes were present at the time the instrument was recorded.

220 MERRIE WAY LANE
A SUBDIVISION BEING REFERRED TO AS LOT 17 AND THE NORTH 50.00 FEET OF LOT 16 OF SHADOWWOOD, AN UNRECORDED SUBDIVISION IN HARRIS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF THAT CERTAIN 12.6 ACRE TRACT OF LAND CONVEYED TO NORMAN WAY AS RECORDED IN HARRIS COUNTY CLERK'S FILE NO. 1104191 IN THE OFFICE OF THE COUNTY CLERK OF HARRIS COUNTY, TEXAS.

BEING A PLAT OF 0.7442 ACRES, (32,416 SQUARE FEET) LOCATED IN THE JOHN D. TAYLOR SURVEY, ABSTRACT 72, CITY OF PINEY POINT VILLAGE, HARRIS COUNTY, TEXAS.

1 LOT 1 BLOCK NO RESERVE

REASON FOR PLAT:
TO CREATE ONE SINGLE FAMILY RESIDENTIAL LOT FROM MULTIPLE TRACTS IN AN UNRECORDED SUBDIVISION

OWNERS:
220 MERRIE WAY LANE, LLC
701 SHEPHERD DRIVE, SUITE 200
HOUSTON, TX 77067

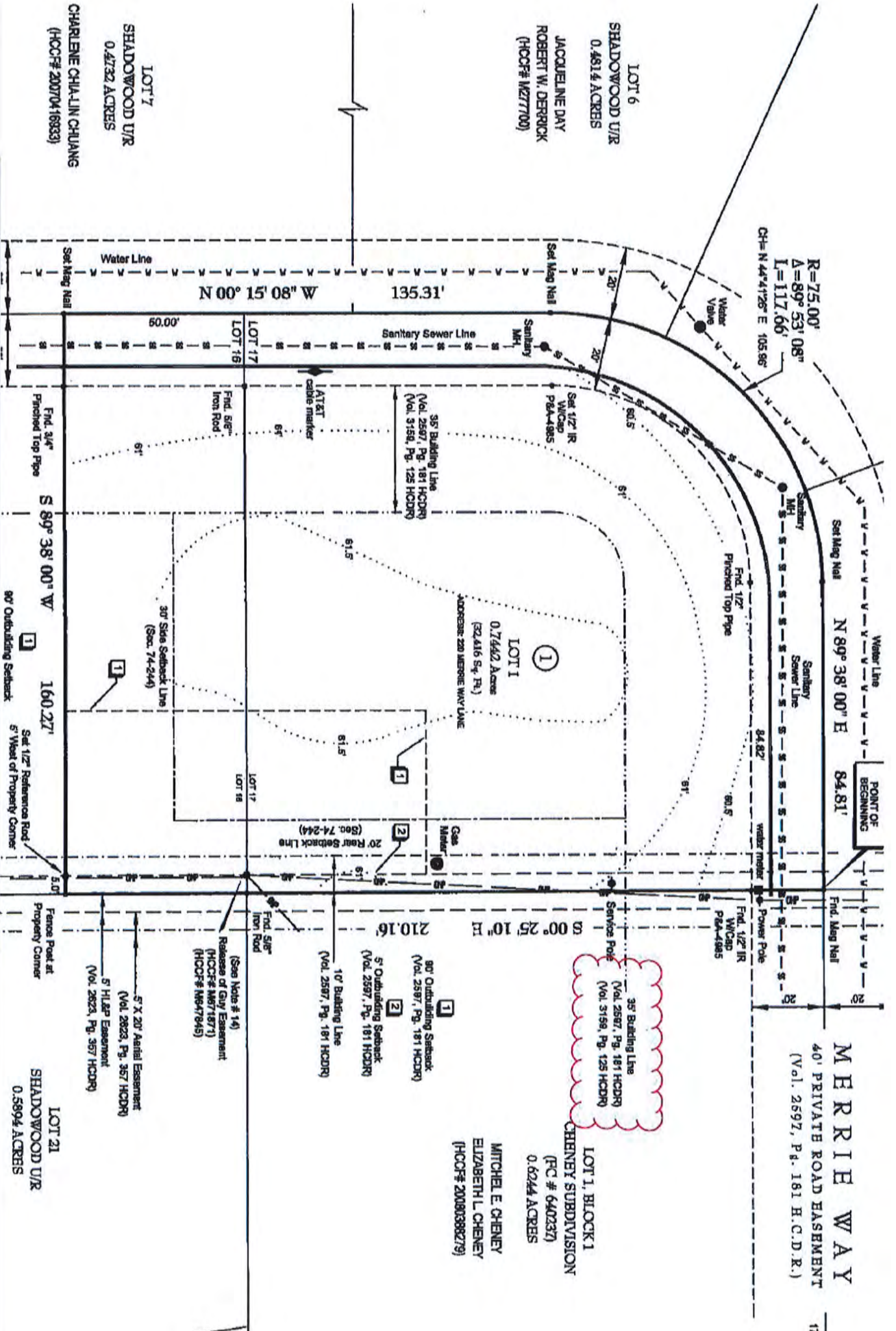
CITY OF PINEY POINT VILLAGE, TEXAS
SEPTEMBER 27, 2012

PROBSTFELD & ASSOCIATES
PROFESSIONAL LAND SURVEYORS

MERRIE WAY
 40' PRIVATE ROAD EASEMENT
 (Vol. 2597, Pg. 161 H.C.D.R.)

LOT 6
 SHADOWWOOD U/R
 0.4614 ACRES
 JACQUELINE DAY
 ROBERT W. DERRICK
 (HCCF# W27700)

LOT 7
 SHADOWWOOD U/R
 0.4732 ACRES
 CHARLENE CHIA-LIN CHUANG
 (HCCF# 20070416933)



LOT 1, BLOCK 1
 CHENEY SUBDIVISION
 (PC # 640237)
 0.6244 ACRES
 MITCHEL E. CHENEY
 ELIZABETH L. CHENEY
 (HCCF# 20080388279)

LOT 21
 SHADOWWOOD U/R
 0.5894 ACRES

(See Note # 14)
 Release of Guy Easement
 (HCCF# M671571)
 (HCCF# M647945)

5' X 20' Aerial Easement
 (Vol. 2823, Pg. 357 H.C.D.R.)
 5' H.L&P Easement
 (Vol. 2823, Pg. 357 H.C.D.R.)

35' Building Line
 (Vol. 2597, Pg. 181 H.C.D.R.)
 Services Pole
 (Vol. 3159, Pg. 125 H.C.D.R.)

90' Outbuilding Setback
 (Vol. 2597, Pg. 181 H.C.D.R.)
 5' Outbuilding Setback
 (Vol. 2597, Pg. 181 H.C.D.R.)
 10' Building Line
 (Vol. 2597, Pg. 181 H.C.D.R.)

Fence Post at
 Property Corner

90' Outbuilding Setback

Fnd. 3/4"
 Pinned Top Pipe

Fnd. 5/8"
 Front Road

Set Mag Nail

Water Line

Sanitary Sewer Line

Gas

Power Pole

Water Valve

Sanitary MH

Sanitary Sewer Line

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Water Valve

THE STATE OF TEXAS
COUNTY OF HARRIS

We, MITCHEL E. CHENEY and ELIZABETH L. CHENEY, owners hereinafter referred to as owners of the 0.5244 acre tract described in the above and foregoing CHENEY SUBDIVISION do hereby make and establish said subdivision of said property according to all laws, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters square feet (18-inch diameter) with culvert or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainages and easements clear of fences, buildings, planting and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement, except by means of an approved drainage structure.

WITNESS our hand in the City of Piney Point Village, Texas, this 1 day of June, 2011.

OFFICE OF STAN STANAKT
COUNTY CLERK, HARRIS COUNTY, TEXAS
MAP RECORDS OF COUNTY CLERK
440237
CHENEY SUBDIVISION
THIS IS PAGE 1 OF 1 PAGES
SCANNER KH-4650w
KEY MAP

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared MITCHEL E. CHENEY and ELIZABETH L. CHENEY, owners, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1 day of June, 2011.
Charlene Gregory
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES: Dec. 3, 2013

We, PROSPERITY BANK, owners and holders of a lien against the property described in the plat known as CHENEY SUBDIVISION, said lien being evidenced by instrument of record in Film Code Number 20090329969 of the Mortgage Records of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said plat and we hereby confirm that we are the present owners of said lien and have not assigned the same nor any part thereof.

By: David A. Elliott
AUTHORIZED REPRESENTATIVE OF PROSPERITY BANK

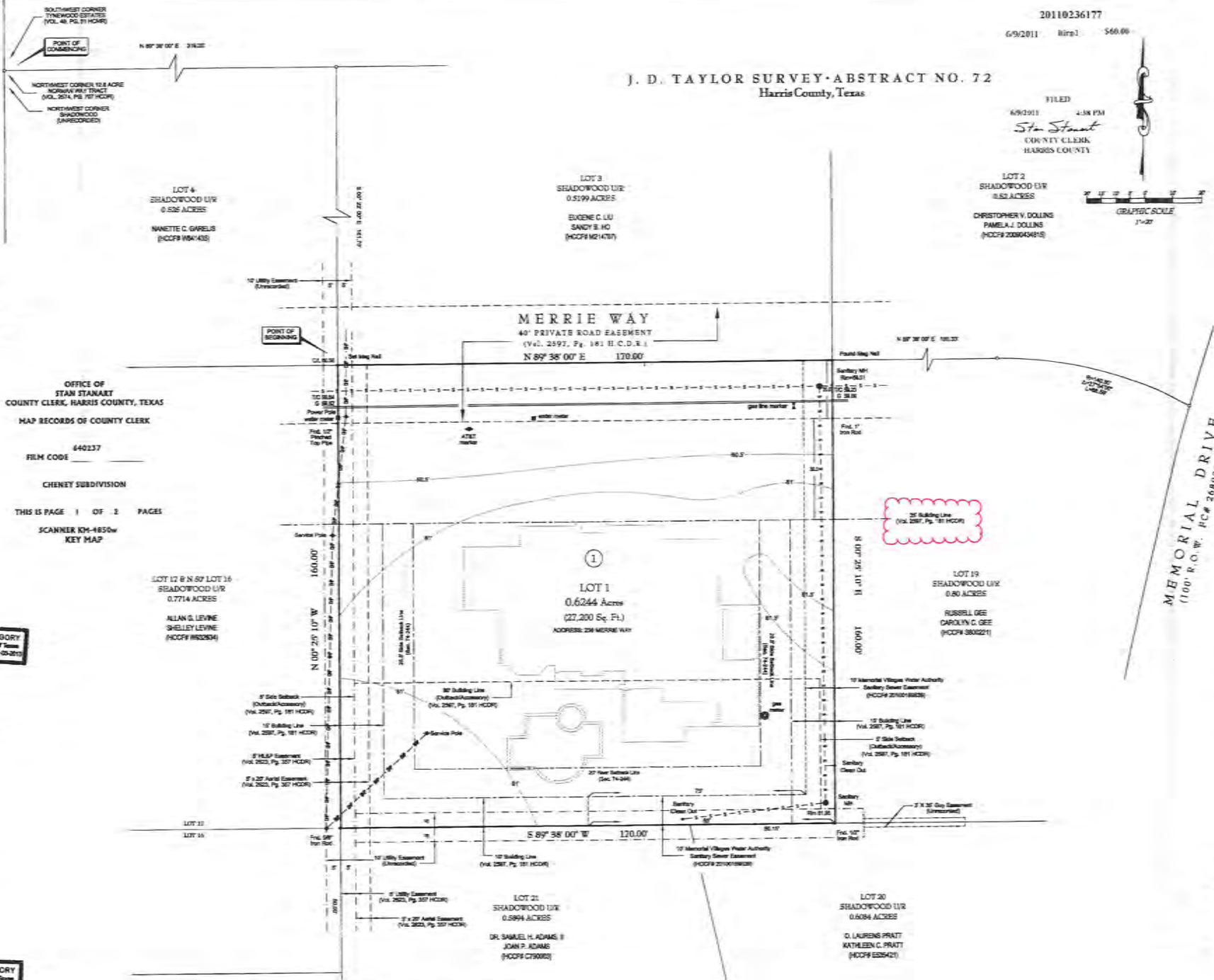
THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared DENISE E. NIHOFF known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1 day of June, 2011.
Charlene Gregory
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
My Commission Expires: Dec. 3, 2013

I, MATHEW J. PROBSTFELD am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct, was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'); and that the plat boundary corners have been tied to the nearest survey corner.

MATHEW J. PROBSTFELD
Registered Professional Land Surveyor
State of Texas No. 4365



This is to certify that the Planning Commission of the City of Piney Point Village, Texas, has approved this plat and subdivision of CHENEY SUBDIVISION in conformance with the laws of the State of Texas and the ordinances of the City of Piney Point Village as shown hereon and authorized the recording of this plat this 8 day of June, 2011.

By: [Signature]
CHAIRMAN OR VICE CHAIRMAN
By: Annette L. Arriaga
SECRETARY

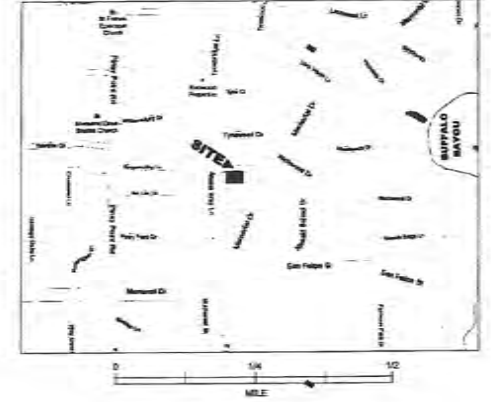
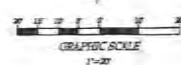
I, STAN STANAKT, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on June 9, 2011, at 4:28 o'clock P.M., and in Film Code Number 440237 of the map records of Harris County for said County. And duly recorded on June 10, 2011, at 7:37 AM.

Witness my hand and seal of office, at Harris County, Texas, the day and date last above written.
By: Stan Stanakt
EX OFFICIO CLERK OF HARRIS COUNTY, TEXAS
By: [Signature]
DEPUTY

J. D. TAYLOR SURVEY-ABSTRACT NO. 72
Harris County, Texas

20110236177
6/9/2011 8:01 AM \$40.00
FILED
6/9/2011 4:38 PM
Sta. Street
COUNTY CLERK
HARRIS COUNTY

LOT 2
SHADOWWOOD U/R
0.52 ACRES
CHRISTOPHER V. DOLINS
PAMELA J. DOLINS
(HCCF# 200849495)



234 Merrie Way
A tract or parcel of land containing 0.5244 acres (27,200 square feet) located in the John D. Taylor Survey, Abstract 72, Harris County, Texas, and being known as Lot 18 of Shadowwood, an unrecorded addition in the City of Piney Point Village, Texas, said 0.5244 acre tract being the same certain tract of land conveyed to Mitchell E. Cheney and Elizabeth L. Cheney as recorded under Harris County Clerk's File No. 20090329969, said 0.5244 acre tract also being out of and a part of that certain 12.5 acre tract of land conveyed to Norman Way as recorded in Volume 2574, Page 707 of the Deed Records of Harris County, Texas, said 0.5244 acre tract being more particularly described by metes and bounds as follows with bearings based on Harris County Clerk's File No. 20090329969:

COMMENCING at a point for corner being the Northwest corner of said Norman Way 12.5 acre tract, same being the Northwest corner of said Shadowwood (unrecorded), said point for corner also being the Southwest corner of Tynewood Estates, an addition in Harris County, Texas, according to the map or plat thereof as recorded in Volume 49, Page 21 of the Map Records of Harris County, Texas;

THENCE North 86 degrees 36 minutes 00 seconds East, along the common line of Shadowwood (unrecorded), and Tynewood Estates, a distance of 319.20 feet to a point for corner;

THENCE South 00 degrees 22 minutes 00 seconds East, a distance of 161.75 feet to a set iron nail lying in the center of Merrie Way, 140 foot private road easement as recorded in Volume 2587, Page 181 of the Deed Records of Harris County, Texas, said set iron nail marking the common corner of Lot 4, Lot 3, Lot 17 and Lot 18 of Shadowwood (unrecorded), said set iron nail also marking the POINT OF BEGINNING and the Northwest corner of the herein described tract;

THENCE North 00 degrees 36 minutes 00 seconds East, along the said centerline of Merrie Way and with the common lot line of Lot 3 and Lot 18, a distance of 170.00 feet to a found iron nail marking the common corner of Lot 3, Lot 2, Lot 18 and Lot 19, said found iron nail also marking the Northeast corner of the herein described tract;

THENCE South 00 degrees 25 minutes 10 seconds East, (and South 00 degrees 22 minutes 00 seconds East), along the common lot line of Lot 19 and Lot 18, passing at 20.00 feet a found 1 inch iron nail lying in the South right of way line of Merrie Way, continuing for a total distance of 180.00 feet to a found 1/2 inch iron nail lying in the North line of Lot 20, said found 1/2 inch iron nail marking the Southwest corner of said Lot 18, same being the Southwest corner of said Lot 15, said found 1/2 inch iron nail also marking the Southwest corner of the herein described tract;

THENCE North 00 degrees 25 minutes 10 seconds West, along the common lot line of said Lot 18 and Lot 20, passing at 50.15 feet a point for corner being the Northwest corner of said Lot 20, same being the Northwest corner of Lot 21, continuing for a total distance of 170.00 feet to a found 5/8 inch iron nail marking the common corner of Lot 15, Lot 21, Lot 18 and Lot 17, said found 5/8 inch iron nail also marking the Southwest corner of the herein described tract;

THENCE North 00 degrees 25 minutes 10 seconds West, (and North 00 degrees 22 minutes 00 seconds West), along the common lot line of said Lot 18 and Lot 17, passing at 140.00 feet a found 1/2 inch pitched top pipe lying in the said South right of way line of Merrie Way, continuing for a total distance of 180.00 feet to the POINT OF BEGINNING and containing 0.5244 acres (27,200 square feet), of land.

CHENEY SUBDIVISION

A SUBDIVISION BEING REFERRED TO AS LOT 18 OF SHADOWWOOD, AN UNRECORDED SUBDIVISION IN HARRIS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF THAT CERTAIN 12.5 ACRE TRACT OF LAND CONVEYED TO NORMAN WAY AS RECORDED IN VOLUME 2574, PAGE 707 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS.

BEING A PLAT OF 0.5244 ACRES, (27,200 SQUARE FEET) LOCATED IN THE JOHN D. TAYLOR SURVEY, ABSTRACT 72, CITY OF PINEY POINT VILLAGE, HARRIS COUNTY, TEXAS.

1 LOT 1 BLOCK NO RESERVE

REASON FOR PLAT:
TO CREATE A SINGLE FAMILY RESIDENTIAL LOT FROM A TRACT IN AN UNRECORDED SUBDIVISION
OWNER:
MITCHEL E. CHENEY
ELIZABETH L. CHENEY
234 MERRIE WAY LANE
HOUSTON, TX 77024

CITY OF PINEY POINT VILLAGE, TEXAS
APRIL 28, 2011

PROBSTFELD & ASSOCIATES
PROFESSIONAL LAND SURVEYORS

515 PARK GROVE DRIVE, SUITE 102 KATY, TEXAS 77405 | (281) 626-0054 | FAX (281) 626-0233

GENERAL NOTES & LEGEND

- 1. H.C.M.R. denotes HARRIS COUNTY MAP RECORDS.
- 2. H.C.D.R. denotes HARRIS COUNTY DEED RECORDS.
- 3. H.C.C.F. No. denotes HARRIS COUNTY CLERK'S FILE NUMBER.
- 4. UTL, ESMT, OR U.E. denotes UTILITY EASEMENT.
- 5. BLDG. LINE OR B.L. denotes BUILDING LINE.
- 6. W.L.E. denotes WATER LINE EASEMENT.
- 7. S.S.E. denotes SANITARY SEWER EASEMENT.
- 8. O.P.R.O.R.P. denotes OFFICIAL PUBLIC RECORDS OF REAL PROPERTY.
- 9. A.E. denotes AERIAL EASEMENT.
- 10. Subject Tract DOES NOT LIE within the designated 100 year flood plain as shown on FEMA Flood Insurance Rate Map 48261C 0645 L, Dated 6/18/2007. (ZONE X)
- 11. Information shown on this plat was based on the Commitment for Title issued by Charter Title Company, City Planning Letter dated September 25, 2010.
- 12. Elevations shown based on City of Piney Point Village Benchmark No. 3. Elevation = 64.81' NAVD83 (2001 Adjustment)

NOTES ON EXISTING PIPELINES

There are no existing pipelines or pipeline easements within this subdivision.

RECORDERS MEMORANDUM:
As the date of recording, this instrument was filed in the public records for the year photographic reproductions because of illegibility, carbon or plain copy, additional pages, etc. All locations, widths and changes were given as the best the recorder was able to record.

POINT OF BEGINNING

CL 80.55

Found Mang Nail

5' Side Setback

15' Building Line

5'14.83' Easement

1' x 20' Aerial Easement

Service Pole

25.5' Side Setback Line

30' Building Line

20' Rear Setback Line

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EXHIBIT #10

HARRIS COUNTY APPRAISAL DISTRICT
REAL PROPERTY ACCOUNT INFORMATION
080617000014

Tax Year: 2021



Owner and Property Information									
Owner Name & Mailing Address:					Legal Description:				
DAMANI AJAY DAMANI RUCHIRA 11601 BAYLEDGE DR PEARLAND TX 77584-8189					LT 14 & TR 15A SHADOWOOD U/R 210 MERRIE WAY LN HOUSTON TX 77024				
State Class Code		Land Use Code	Land Area	Total Living Area	Neighborhood	Neighborhood Group	Market Area	Map Facet	Key Map 1/2
A1 -- Real, Residential, Single-Family		1001 -- Residential Improved	19,400 SF	3,079 SF	7834	25501	392 -- ISD 25 - Memorial Villages South of I-10	5057C	490Q

Value Status Information		
Value Status	Notice Date	Shared CAD
Noticed	03/31/2021	No

Exemptions and Jurisdictions						
Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2020 Rate	2021 Rate
None	025	SPRING BRANCH ISD		Not Certified	1.307300	
	040	HARRIS COUNTY		Not Certified	0.391160	
	041	HARRIS CO FLOOD CNTRL		Not Certified	0.031420	
	042	PORT OF HOUSTON AUTHY		Not Certified	0.009910	
	043	HARRIS CO HOSP DIST		Not Certified	0.166710	
	044	HARRIS CO EDUC DEPT		Not Certified	0.004993	
	075	PINEY POINT VILLAGE		Not Certified	0.255140	
	707	MEMORIAL VILLAGES WA		Not Certified	0.026899	
Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at HCAD's information center at 13013 NW Freeway .						

Valuations			
Value as of January 1, 2020		Value as of January 1, 2021	
	Market	Appraised	
Land	1,088,340		Land
Improvement	114,668		Improvement
Total	1,203,008	1,203,008	Total

Land												
Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	1001 -- Res Improved Table Value	SF1	SF	19,400	1.02	1.00	1.00	--	1.02	55.00	56.10	1,088,340.00

Building						
Building	Year Built	Type	Style	Quality	Impr Sq Ft	Building Details
1	1952	Residential Single Family	Residential 1 Family	Good	3,079 *	Displayed

* All HCAD residential building measurements are done from the exterior, with individual measurements rounded to the closest foot. This measurement includes all closet space, hallways, and interior staircases. Attached garages are not included in the square footage of living area, but valued separately. Living area above *attached* garages is included in the square footage living area of the dwelling. Living area above *detached* garages is not included in the square footage living area of the dwelling but is valued separately. This method is used on all residential properties in Harris County to ensure the uniformity of square footage of living area measurements district-wide. There can be a reasonable variance between the HCAD square footage and your square footage measurement, especially if your square footage measurement was an interior measurement or an exterior measurement to the inch.

Building Data	
Element	Detail
Cost and Design	Econ Misimprovement
Cond / Desir / Util	Average
Foundation Type	Slab
Grade Adjustment	B-
Heating / AC	Central Heat/AC
Physical Condition	Average
Exterior Wall	Frame / Concrete Blk
Exterior Wall	Brick / Masonry
Element	Units
Room: Total	8
Room: Rec	1
Room: Full Bath	3
Room: Bedroom	4
Fireplace: Masonry Firebrick	1

Building Details (1)

Building Areas	
Description	Area
BASE AREA PRI	3,079
MAS/BRK GARAGE PRI	565
OPEN FRAME PORCH PRI	204

Extra Features					
Line	Description	Quality	Condition	Units	Year Built
1	Foundation Repaired	Average	Average	3,079.00	1952
2	500 SF MAS PATIO	Average	Average	1.34	1952

EXHIBIT #11



0 50 100 200 Feet

PUBLICATION DATE:
4/28/2020

Geospatial or map data maintained by the Harris County Appraisal District is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and only represents the approximate location of property boundaries.

MAP LOCATION

FACET
5057D5

3	4	1	2	3
7	8		6	7
11	12	9	10	11

Harris County Appraisal District

0 50 100 200 Feet

PUBLICATION DATE:
4/28/2020

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MAP LOCATION

EXHIBIT #12

205 Merrie Way Ln

Exit Street View



ATTACHMENTS

- Attachment 1** List of property owners within notification distance
- Attachment 2** Sample Copy of letters to property owners

ATTACHMENT #1

Damani Estate

210 MERRIE WAY LANE ~ PINEY POINT VILLAGE

ACAD ID	Owner Name 1	Owner Mail 1	Owner Mail City	Owner Mail State	Owner Mail ZIP	Legal Desc. 1	Legal Desc. 2	Property Address Number	Property Address Street	Property Address Suffix	Property Address ZIP
1	806170000013 BURNER GEORGE R III	202 MERRIE WAY LN	HOUSTON	TX	77024-7435	LT 13	SHADOWOOD U/R	202	MERRIE WAY	LANE	77024
2	806170000011 ZHAO MINGDA CARLSON ZHAO HOLLY	205 MERRIE WAY LN	HOUSTON	TX	77024-7407	LTS 11 & 12	SHADOWOOD U/R	205	MERRIE WAY	LANE	77024
3	410280020101 MIDANI AYMAN	11406 MEMORIAL DR	HOUSTON	TX	77024-527	TR 7-1	ABST 72 J D TAYLOR	11406	MEMORIAL	DR	77024
4	410280070005 JACOBS MARC S JACOBS ANA LEE	11302 PINEY POINT CIR	HOUSTON	TX	77024-7415	TR 5	ABST 72 J D TAYLOR	11302	PINEY POINT	CR	77024
5	806170000010 THE CGC REVOCABLE TRUST	209 MERRIE WAY LN	HOUSTON	TX	77024-7407	LT 10	SHADOWOOD U/R	209	MERRIE WAY	LANE	77024
6	1345330010001 VY MERRIE WAY LLC	5126 DOULVER DR	HOUSTON	TX	77056-2408	LT 1 BLK 1	YAGER WAY	213	MERRIE WAY	LANE	77024
7	410280020314 ESPEY LIN G & JENNIFER M	11305 IRIS LEE LN	HOUSTON	TX	77024-7410	TR 43A	ABST 72 J D TAYLOR	11305	IRIS LEE LN	LANE	77024
8	806170000008 LASSIER RONALD C	217 MERRIE WAY LN	HOUSTON	TX	77024-7407	LT 8	SHADOWOOD U/R	217	MERRIE WAY	LANE	77024
9	806170000007 CHUANG CHARLENE C	4550 SHELTON LN	HOUSTON	TX	77027-5518	LT 7	SHADOWOOD U/R	221	MERRIE WAY	LANE	77024
10	806170000015 ENRIQUEZ MARTIN A & KARYN M	216 MERRIE WAY LN	HOUSTON	TX	77024-7435	TRS 15 & 16A	SHADOWOOD U/R	216	MERRIE WAY	LANE	77024
11	1338840010001 LEE JAMES H & AMY M	220 MERRIE WAY LN	HOUSTON	TX	77024-7435	LT 1 BLK 1	220 MERRIE WAY LANE	220	MERRIE WAY	LANE	77024
12	1363750010001 HARRIS PATRICIA L	11400 MEMORIAL DR	HOUSTON	TX	77024-7513	LT 1 BLK 1	11400 MEMORIAL DRIVE	11400	MEMORIAL	DR	77024
13	806170000020 PRATT KATHLEEN C ESTATE OF C/O O LAURENS PRATT TRUST	202 MERRIE WAY LN	HOUSTON	TX	77024-7435	LT 20	SHADOWOOD U/R	11320	MEMORIAL	DRIVE	77024
14	806170000022 SUSAN EWERS PELINI LIVING TR	11402 MEMORIAL DR	HOUSTON	TX	77024-7513	LT 22	SHADOWOOD U/R	11402	MEMORIAL	DR	77024
15	1345330010001 VY MERRIE WAY LLC	213 MERRIE WAY LN	HOUSTON	TX	77024-7435	LT 1 BLK 1	YAGER WAY	213	MERRIE WAY	DR	77024
16	806170000007 CHUANG CHARLENE C	221 MERRIE WAY LN	HOUSTON	TX	77024-7435	LT 7	SHADOWOOD U/R	221	MERRIE WAY	LANE	77024
17	806170000020 PRATT KATHLEEN C ESTATE OF C/O O LAURENS PRATT TRUST	11320 MEMORIAL DR	HOUSTON	TX	77024-7513	LT 20	SHADOWOOD U/R	11320	MEMORIAL	DRIVE	77024

PROBSTFELD & ASSOCIATES

PROFESSIONAL LAND SURVEYORS

515 PARK GROVE DRIVE ▲ SUITE 102 ▲ KATY, TEXAS 77450 ▲ 281.829.0034 ▲ 281.829.0233 FAX

May 26, 2021

BURTNER GEORGE R III
202 MERRIE WAY LN
HOUSTON, TX, 77024-7435

To Whom It may Concern:

On behalf of our client, **AJAY DAMANI AND RUCHIRA DAMANI**, we respectfully invite you to attend the Board of Adjustment's hearing at 7:00 P.M. on **JUNE 10, 2021**, now being held online, using Zoom Meeting Platform.

We wish to inform you that we will be seeking 2 variances from the Board of Adjustments for the property at **210 Merrie Way Lane**:

- 1) We are requesting a variance to allow a 35.0 feet front building line along Merrie Way Lane a 40' private road easement as allowed in Shadowood unrecorded subdivision by deed restrictions dated June 1, 1953. Proposed residence will be located at 35 feet from the private road easement.
- 2) To allow 20.8 feet side yards for proposed residence instead of the 25.7 feet required by city ordinance. Deed restrictions allow 15 feet side yards. Proposed residence will be located at 20.8 feet from side property lines.

We are seeking variances to the following portion of the city of Piney Point Village Code of Ordinances:

Chapter 74 - Sec. 74-244 – Regulations

(c) Area regulations; size of yards

- 1) Front yard: There shall be a front yard having a depth a not less than 50 feet, where all or part of a lot abuts on the turnaround portion of a cul-de-sac street, that portion of such lot fronting upon the turnaround portion of such cul-de-sac shall have a front yard depth of not less than 25 feet.
- 2) Side yards: There shall be two side yards on each lot, neither of which shall be less than 15 percent of the lot width at the building line; however, in no event shall a side yard be less than 15 feet or be required to be more than 30 feet.

You're welcome to join the virtual meeting via the link or by phone as follows:

Join Zoom Meeting

<https://us02web.zoom.us/j/84787194697?pwd=aVNWTnRpZ0szdURBVWI3QlJGbGJldz09>

Meeting ID: 847 8719 4697

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515 PARK GROVE DRIVE ▲ SUITE 102 ▲ KATY, TEXAS 77450 ▲ 281.829.0034 ▲ 281.829.0233 FAX

Passcode: 690009

One tap mobile

+13462487799,,84787194697#,,,,*690009# US (Houston)

+16699006833,,84787194697#,,,,*690009# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 847 8719 4697

Passcode: 690009

Find your local number: <https://us02web.zoom.us/j/kcXNF4TYdV>

A full variance packet will be available at Piney Point City Hall during normal business hours, and also will be available online (www.cityofpineypoint.com) from Friday, June 4, 2021. If you have any questions or concerns, please feel free to contact myself at 281.829.0034.

Sincerely,

MARIO COLINA, P.E.

Probstfeld & Associates, Inc.

Attachments: Reduced copy of existing conditions survey & Site plan of proposed residence