

**11322 Coloma Lane
Piney Point, TX 77024**

VARIANCE PACKAGE

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THE MOZAFFAR FAMILY

Susan and Niko Mozaffar purchased 11322 Coloma Lane in order to build their dream home and retire with our two children - Shawyan (23), a Senior at UT Austin and Leila (16), a Junior at Village School and dog, Louie.

Niko is a Licensed Professional Engineer and President of I. S. Engineers, LLC and Susan is a MD and Licensed Professional Counselor. Our family previously lived in Lakes on Eldridge and loved our previous neighbors, resort like lakes and trails, for the past 21 years. Niko’s engineering business has been at San Felipe and Voss (7700 San Felipe) for the past eight years and he is now at 7670 Woodway Drive. We have been looking for a home in Piney Point for several years and finally decide to build one when we purchased 11322 Coloma Lane. We love Piney Point, the neighborhood and Tynewood Subdivision and hope to be a good neighbor to others and contribute to the neighborhood and the City of Piney Point.

VARIANCE REQUEST

The Mozaffar family is seeking a variance from the Piney Point Board of Adjustment for our property at 11322 Coloma Lane. We are requesting a variance to allow for a 42’-7” front setback to build a home and keep the existing pool that meets the standards of building in Piney Point. We are seeking a variance to the following portion of the City of Piney Point Village Code of Ordinances:

Chapter 74, Sec. 244. - Regulations.

- (c) Area regulations; size of yards.
- (1) Front yard. There shall be a front yard having a depth of not less than 50 feet. Where all or part of a lot abuts on the turnaround portion of a cut-de-sac street, that portion of such lot front upon the turnaround portion of such cul-de-sac shall have a front yard depth of not less than 25 feet.

Our variance request is to use a 42'-7" building line which is about 1' more than the existing home (41.8') setback. Please find attached (**Exhibit B**) the survey of the existing property and Subdivision Plat. We are not asking for relief on the side lot requirements.

EXECUTIVE SUMMARY

- **Ordinances were written for conforming lots**
- Conforming lots are 40,000 SF
- **11322 Coloma Lane is 22,525 SF and is a non-conforming, smaller lot**
- When we purchased the house, we were not aware of the 50' building setback requirements. We found out about the setback after we started planning for the new home. The realtor did not offer any information about additional setback to us.
- **A 50' building line would create an unnecessary hardship on a smaller, non-conforming lot, especially when the lot depth is 121'.**
- **There are very few lots (based on HCAD FACET MAPS) in Piney Point or Tynewood Subdivision with 121' of depth or less.**
- The 50' setback limits design
- Existing pool limits the house foot print
- We want a modern home that befits the neighborhood and is comparable to Piney Point and Tynewood Subdivision Standards.
- Owner's work in the area. Niko's Office is a few minutes from the house.
- Piney Point Road has noise so we would like to revise the floor plan to have the garage near the street, imposing more constraints on the design.
- Request is to have a 42'-7" setback which is about 1' behind the existing Building Line
- The portion of the existing home nearest the street is at 41.8' from the Right-of-way
- **Existing building is 16% past 50' setback with an area of 487.65 SF**
- **Proposed Building will be 7.5% past 50' setback with an area of 322 SF.**
- Existing structures and pool within the property currently encroach on front and rear setbacks (rear and front yard building lines)
- **Would like to keep existing pool.** Constructing a similar pool will cost approximately \$100,000 and is not even feasible with the setback requirements.
- Not requesting a variance to the side lot Building Lines
- Will remove the existing structures that are not in compliance
- **Our proposed impervious area is 43.6% of the total lot size, less than allowable impervious area (50%) per 72-244.C.1.**
- Drainage will be improved from the current condition and based on the new impervious area.
- Appeal of the street and City will remain intact.

NEIGHBOR NOTIFICATION LETTER

Please refer to **Exhibit A** for the Neighbor Notification Letter that was mailed to below addresses.

1. 11307 Coloma Lane
2. 11311 Coloma Lane
3. 11314 Coloma Lane
4. 11315 Coloma Lan
5. 11318 Coloma Lane
6. 11319 Coloma Lane
7. 11323 Coloma Lane
8. 380 Piney Point Road
9. 11325 Greenbay Street
10. 351 Tynebridge Lane
11. 347 Tynebridge Lane
12. 355 Tynebridge Lane
13. 343 Tynebridge Lane
14. 338 Tynebridge Lane
15. 334 Tynebridge Lane
16. 342 Tynebridge Lane

UNNECESSARY HARDSHIP

- Ordinances written for 40,000 Square Feet (SF) Lots/ Conforming Lots
- **11322 Coloma Lane is a 22,525 SF which is non-conforming**
- **Existing structure at the 41.8' building line**
 - Building Lines were granted to be at 35' on the north side and 40' on the south side of Coloma Lane according to Harris County records. Please refer to **Exhibits C and D.**
- 50' Building Line on a lot this size would not allow for a home, pool and backyard expected in an area of this caliber
- **50' Building Line would lead to no space to swimming pool. Existing pool is about 5'-7" from the existing building.**
- Existing pool limits the house footprint
- **Lot depth of 121' limits the house footprint with existing pool.**
- **Only a few homes in Piney Point or Tynewood Subdivision have depth of 121' or less.** Please refer to **Exhibit E** for lots highlighted in Tynewood, showing lot depths. Almost all lots except for Coloma Lane (north side) have depth more than 121'.
- It is not feasible to build another pool and maintain the front and rear setbacks.

- **We are in more compliance than the existing building by adding less impervious area beyond the 50' setback (322' SF vs 487 SF)**
- We do not want to build a box home
- **Multiple variances to the 50' ordinance have been approved on the Gingham/Calico/Jan Kelly loop and Coloma Lane (11307 Coloma Lane with 40' front setback built in 2004) due to the constrictions of a smaller / non-conforming lot.**

NON-CONFORMING CONDITION OF EXISTING HOUSE

Please refer to **Exhibit F** that depicts the current non-conforming conditions and **Exhibit G** for photographs that depict the encroachments listed below. A few photos are labeled with additional details.

1. Main House encroaches into 50' front building line by 8'-7"
2. Swimming pool encroaches into 20' rear setback by 7'-3"

DRAINAGE

While we understand that drainage is not a consideration of the Board of Adjustments and that drainage concerns should be presented to the City Council, we do want to mention the additional impervious area and will meet all requirements of the City of Piney Point.

Niko Mozaffar is a Licensed Civil Engineer (PE) and owner of his firm. His firm does roadway and drainage designs for City of Houston, Harris County and Texas Department of Transportation. Therefore, he understands any concerns that may arise due to additional impervious area.

Exhibit H is prepared for reference in identifying additional impervious area due to the proposed new building. Approximately, 2000 SF of additional impervious area will be added and will be handled thru a pipe system within the property before tying into the City's drainage system. The site plan with drainage design will be submitted to the City for approval.

OVERALL APPEAL

The overall beauty of the street, subdivision and City will be preserved at the proposed setback of 42'-7". Please find attached **Exhibits I and J** that shows the EXISTING building lines along Coloma Lane.

- Most of the homes are built at a 40' setback.
- Coloma Lane has a very generous Right-Of-Way (ROW) at 60'. This could easily accommodate 4 lanes of traffic with 6' shoulders or 5' sidewalks.
 - A larger ROW means that there is more grassy area and a larger distance on either side of the pavement. Therefore, the homes are further back than homes on a smaller ROW, regardless of the building line.
 - Coloma Lane has an approximate distance of 18' of grassy area from the edge of existing pavement to the ROW line.
 - Other similar neighborhoods within the city such as Lazywood U/R that encompasses the circle of Carolane Trail, have only a 40' ROW. This means that each side of the road has 10' less grassy area than that of Coloma Lane. Therefore, a home at a 50' setback on Carolane trail would have the same distance from the road to the home as a 40' setback on Coloma Lane.

ATTACHMENTS

- Exhibit A- Neighbor Notification Letter
- Exhibit B- Existing Survey and Original Subdivision Plat
- Exhibit C- Existing Homes along Coloma Lane
- Exhibit D- Approved Variance for Coloma Lane
- Exhibit E- HCAD Maps showing lot depths in Tynewood Subdivision that are more than 121'
- Exhibit F- Non-Conforming Conditions of Existing Structure
- Exhibit G- Photos of Existing Structure with notes
- Exhibit H- Existing and Proposed Buildings with impervious area calculations
- Exhibit I- Existing Setbacks from ROW line along Coloma
- Exhibit J- Existing Setbacks from Edge of Pavement along Coloma
- Exhibit K- Buildable Area Based on Code
- Exhibit L- Proposed Site Plan
- Exhibit M- Architectural Plans and Rendering

EXHIBIT A

Niko & Susan Mozaffar

11322 Coloma Lane, Piney Point, TX 77024

December 30, 2021

Dear Neighbor:

We wish to inform you that we will be seeking a variance from the Piney Point Board of Adjustment for our property at 11322 Coloma Lane. We are requesting a variance to allow for a 42'-7" front setback to build a home and keep the existing pool that meets the standards of building in Piney Point.

This variance is based on the following portion of the City of Piney Point Village Code of Ordinances:

Chapter 74, Section 244 – Regulations

(C) Area Regulations; size of yards

(1) Front yard. There shall be a front yard having a depth of 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.

We will be making the request for variance during the January 2022 meeting of the Board of Adjustments. The complete packet will be available online from January 7th thru January 13th. The meeting will take place on January 13th at 7:00 PM at City of Piney Point City Hall; 7676 Woodway Drive, Suite 300, Houston, TX 77063.

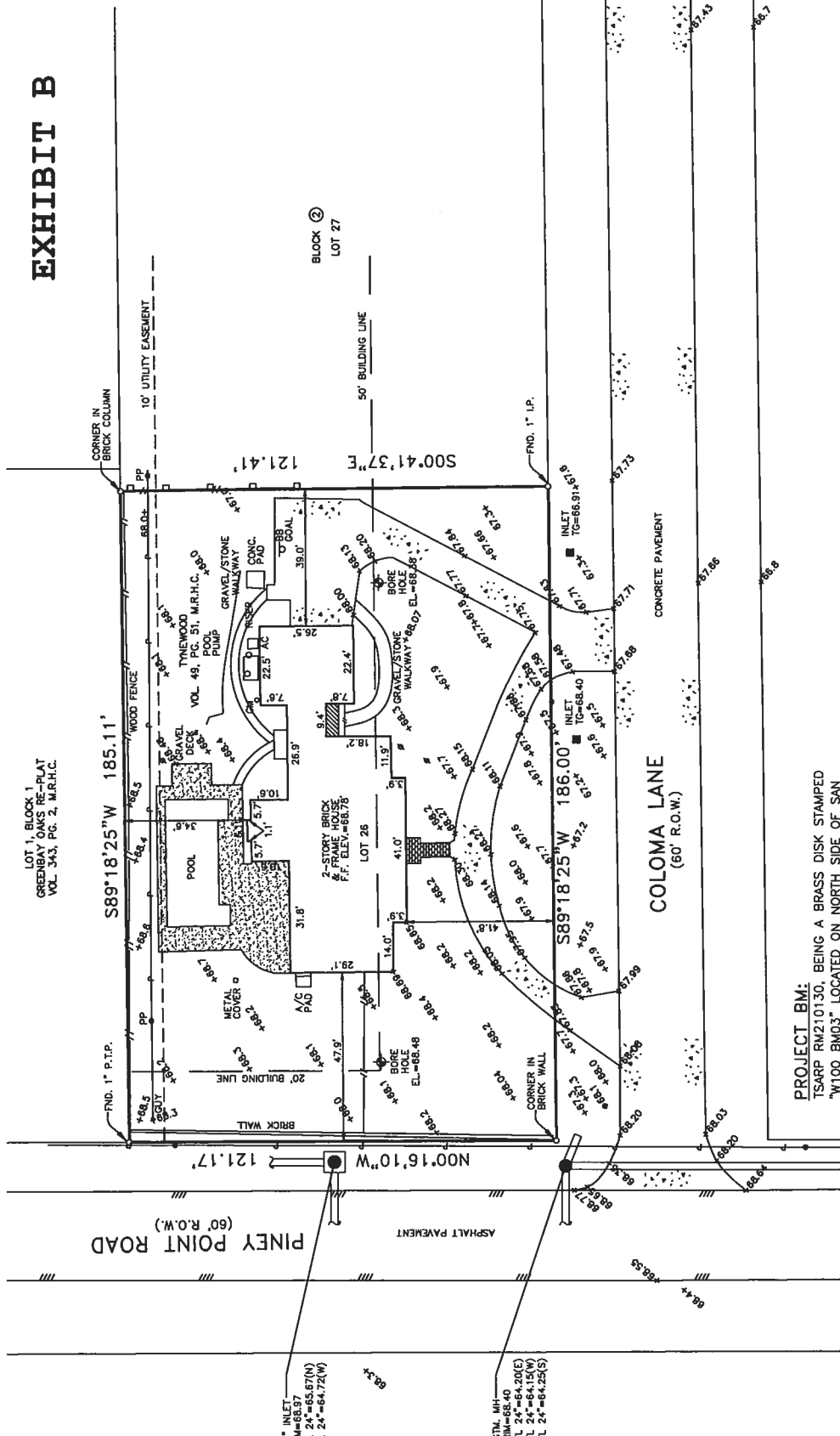
If you have any questions or concerns regarding this variance request, please contact me or our Architect by phone or email.

Architect: Jed Laver, Registered Architect and Interior Designer
Montgomery Roth Architecture and Interior Design, LLC
jlaver@montgomeryroth.com
713-654-9400 Ext 245

Niko Mozaffar, P.E.
President and Principal Engineer
I.S. Engineers, LLC
Niko.Mozaffar@is-engineers.com
832-524-0270

Sincerely,
Niko and Susan Mozaffar

EXHIBIT B



KEY MAP: 48ST
SCALE: 1" = 30'

LOT 1, BLOCK 1
GREENBAY OAKS RE-PLAT
VOL. 343, PG. 2, M.R.H.C.

PINEY POINT ROAD
(60' R.O.W.)

COLOMA LANE
(60' R.O.W.)

"E" INLET
RM=68.97
FL 24°=64.67(N)
FL 24°=64.72(W)

STL. MH
RM=68.40
FL 24°=64.20(E)
FL 24°=64.15(W)
FL 24°=64.25(S)

PROJECT BM:
TSAPP RM210130, BEING A BRASS DISK STAMPED "W100 BMO3" LOCATED ON NORTH SIDE OF SAN FELIPE DRIVE BRIDGE CROSSING BUFFALO BAYOU (W100-00-00) AT CENTER OF BRIDGE. ELEV.=57.28' (NAVD88 2001 ADJUSTMENT).

TBM: TOP OF NORTH RIM OF STORM SEWER MANHOLE LOCATED AT SOUTHWEST CORNER OF SUBJECT PROPERTY. ELEV.=68.40'

FLOODPLAIN INFO.:

THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE "X" (UNSHADED) BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP 48201C0645L, MAP REVISED JUNE 18, 2007.

NOTES:

- 1) THE COORDINATES SHOWN HEREON ARE BASED UPON TEXAS SOUTH CENTRAL ZONE NO. 4204, STATE PLANE GRID COORDINATES (NAD83).
- 2) FURTHER, THESE COORDINATES WERE SCALED TO SURFACE VALUES AND ARE NOW CONSIDERED PROJECT COORDINATES. MULTIPLY SURFACE (PROJECT) COORDINATES BY THE PROJECT SCALE FACTOR OF 0.99988482 TO OBTAIN GRID VALUES.
- 3) ALL DISTANCES SHOWN ARE SURFACE VALUES (U.S. SURVEY FEET).

SURVEYOR'S CERTIFICATION

I, RAYMOND A. RAHAMAN HEREBY CERTIFY THAT THIS TOPOGRAPHIC MAP CORRECTLY REPRESENTS THE FACTS FOUND AS A RESULT OF AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF MARCH, 2021.

RAYMOND A. RAHAMAN, R.P.L.S. NO. 4354

TOPOGRAPHIC SURVEY OF LOT 26, BLOCK 2 OF TYNEWOOD AS RECORDED UNDER VOLUME 49, PAGE 51, M.R.H.C., IN HARRIS COUNTY, TEXAS LOCATED AT 11322 COLOMA LANE, HOUSTON, TEXAS 77024

JOB NO.: 2021-282-020 SHEET: 1 OF 1 DATE: 03-14-21
DRAWN BY: WA SCALE: 1"=30' CHECKED BY: R.A.R.



WESTERN GROUP CONSULTANTS
11111 Katy Freeway, Suite 520
Houston, Texas 77079
Phone: 713/466-6666

EXHIBIT B
SUBDIVISION
PLAT

ROAD
POINT
PINEY

ACREAGE

BELL
OAKS
COLONIAL

ACREAGE

MEMORIAL
ACREAGE

ACREAGE

ACREAGE

ACREAGE TRACTS

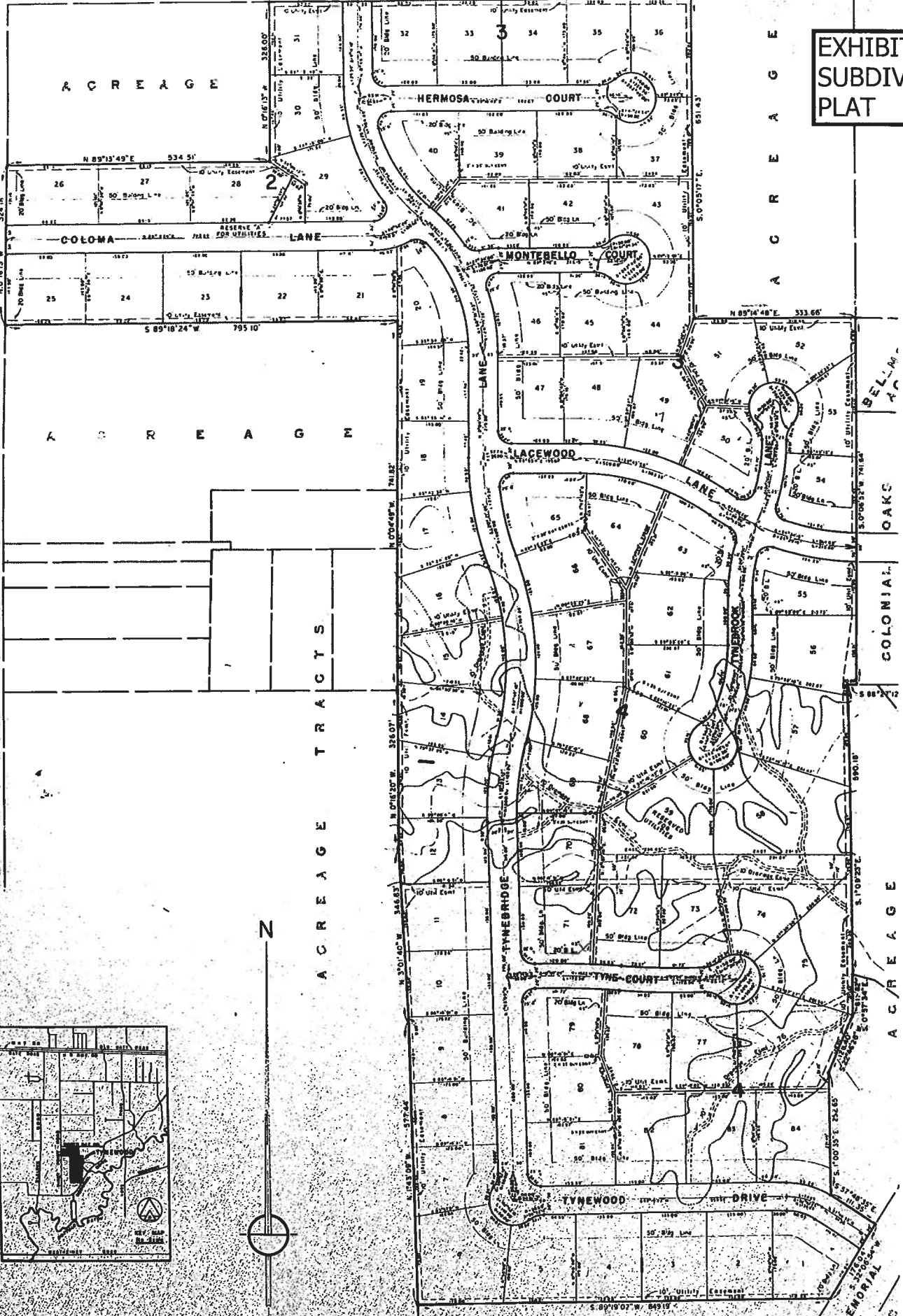
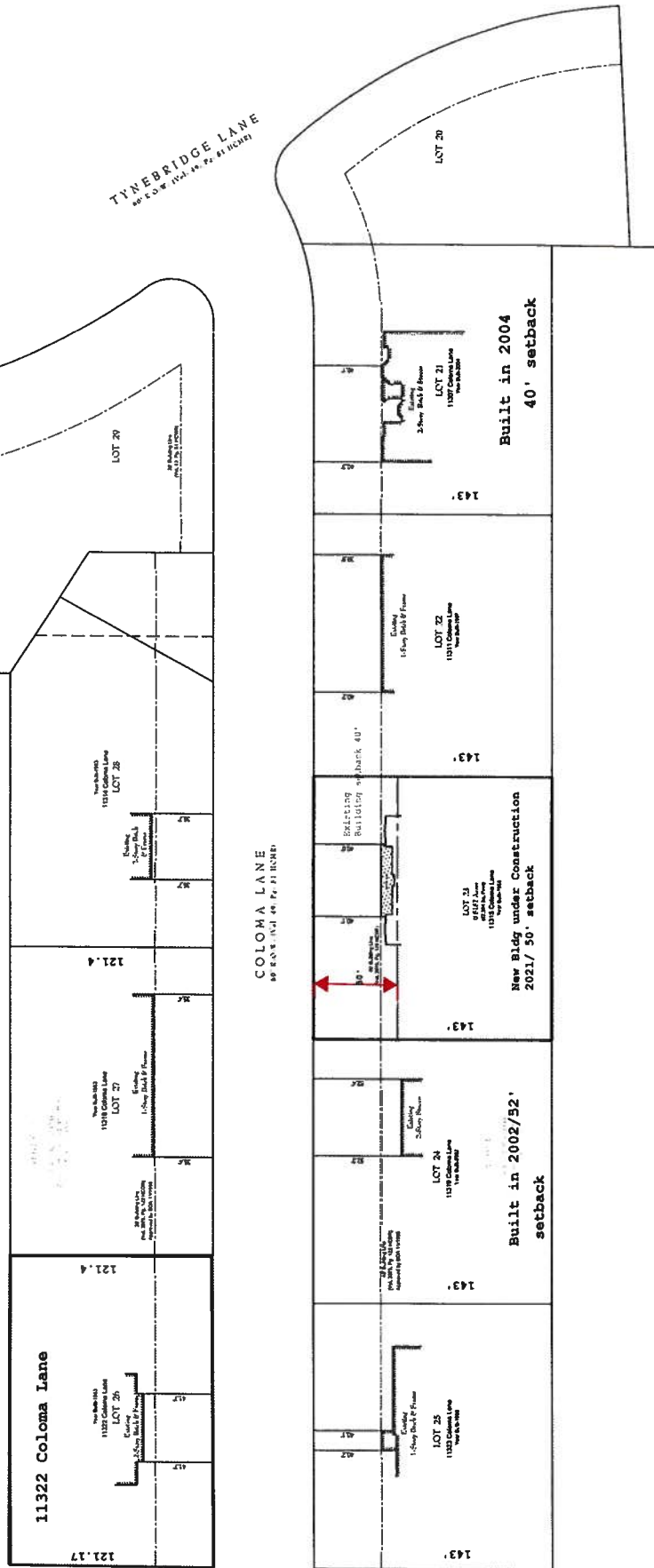


EXHIBIT C: EXISTING HOMES ALONG COLOMA LANE

Coloma Lane Building Lines altered and amended by the Board of Adjustment and Tynebridge Committee. Please refer to EXHIBIT D

South of Coloma: 40' Setback except for two residences/Lot depth 143'
 New building in 2002/52' setback
 New building in 2004/40' setback
 New building in 2021/50' setback

North of Coloma: 35' setback /Lot depth 121'
 11322 setback 41.7' setback/Lot depth 121.4'
 11322 Proposed setback 42.7'



PINEY POINT ROAD
 1/8" = 10' (1" = 120')

EXHIBIT D
Approved Variance for Coloma Lane

3015 / 122

1531683

THE STATE OF TEXAS
COUNTY OF HARRIS

KNOW ALL MEN BY THESE PRESENTS:

We, the undersigned, members of THE TYNEWOOD COMMITTEE, created within the terms of the Protective Control Document recorded in Volume 3053, Page 355 of the Deed Records of Harris County, Texas, after first having obtained written permission from the Board of Adjustment of Piney Point Village, Texas, do now desire to exercise the power to adjust building set back lines as hereinafter set forth;

NOW THEREFORE, We, Roy E. Harris and R. W. Simmer members of said committee and the Owners of all the lots in TYNEWOOD, a subdivision out of the John D. Taylor Survey, in Harris County, Texas according to the map or plat thereof filed for record in the office of the County Clerk of Harris County, Texas, under Clerk's file No. 1451384, do hereby alter and amend the building lines in the following manner:

Lots Twenty-One (21) through Twenty-Five (25) inclusive, Block One (1) of Tynewood, facing North on Coloma Lane shall have a front building set back line of Forty (40) feet in place of the fifty (50) feet shown on said recorded plat.

Lots Twenty-Six (26) through Twenty-Eight (28) inclusive, in Block Two (2) of Tynewood, facing south on Coloma Lane shall have a front building set back line of Thirty-Five (35) feet, in place of the fifty (50) feet shown on the recorded plat.

EXECUTED this the 1st day of November, 1955.

R. W. Simmer
R. W. SIMMER

Roy E. Harris
ROY E. HARRIS

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Roy E. Harris and R. W. Simmer, known to me to be the persons whose names are subscribed to the foregoing instrument and they each acknowledged to me that they executed the same for the purposes and considerations therein expressed.



GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 1st day of November, 1955.

W. D. Miller
Notary Public in and for
Harris County, TEXAS

Filed for Record Dec 20, 1955 at 4:15 o'clock P.M.

Recorded Jan 11, 1956 at 11:21 o'clock P.M.

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

Pauline McHugh Deputy

EXHIBIT E

Harris County Appraisal District



PUBLICATION DATE: 3/10/2020

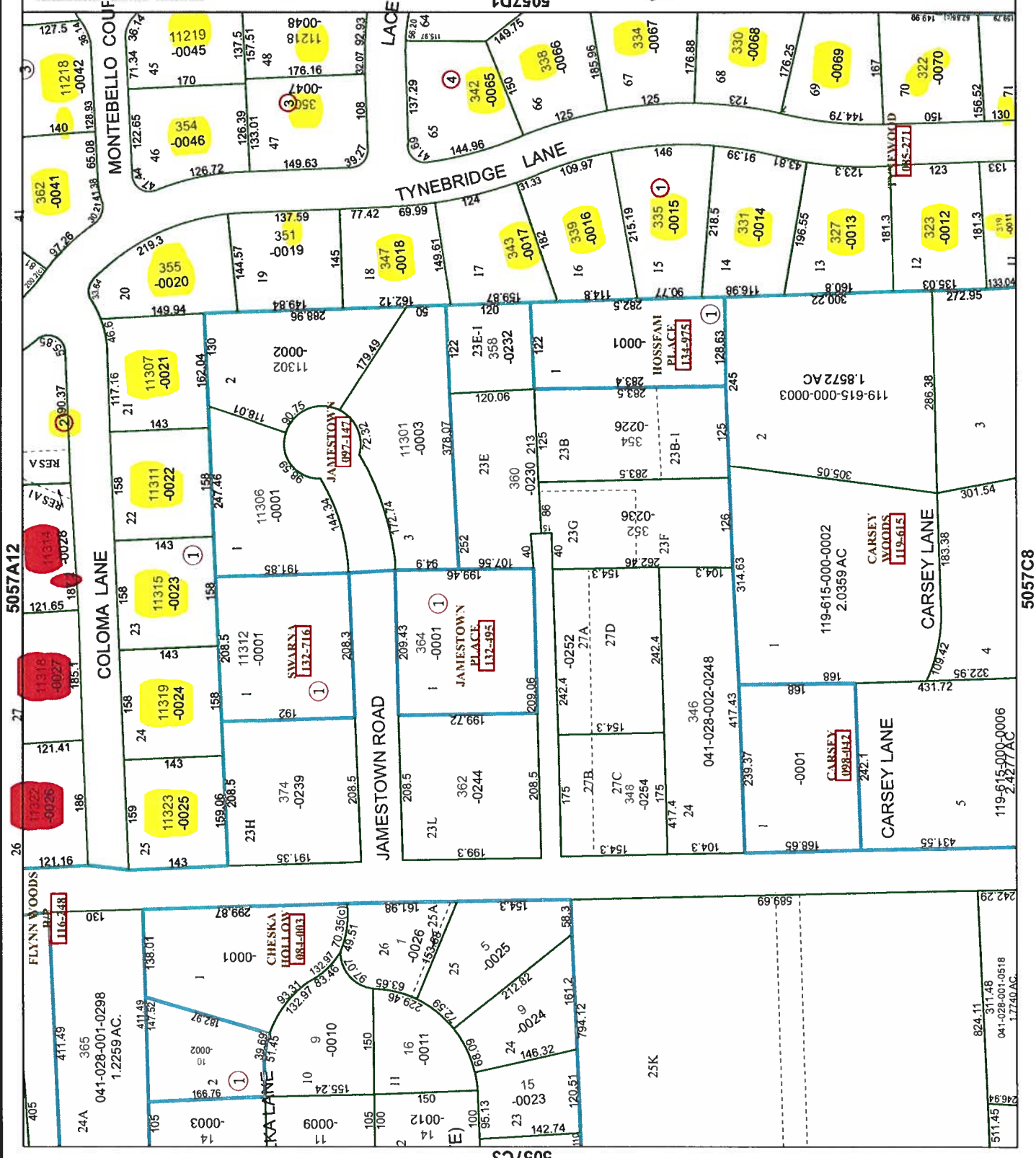
Geospatial or map data maintained by the Harris County Appraisal District is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and only represents the approximate location of property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

MAP LOCATION



FACET 5057C47

10	11	12	9	10
2	3	4	1	2
6	7	8	5	6



5057C3

5057C8

5057C47

EXHIBIT E

Harris County Appraisal District

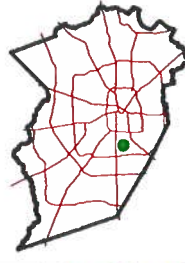


0 50 100 200 Feet

PUBLICATION DATE:
1/5/2021

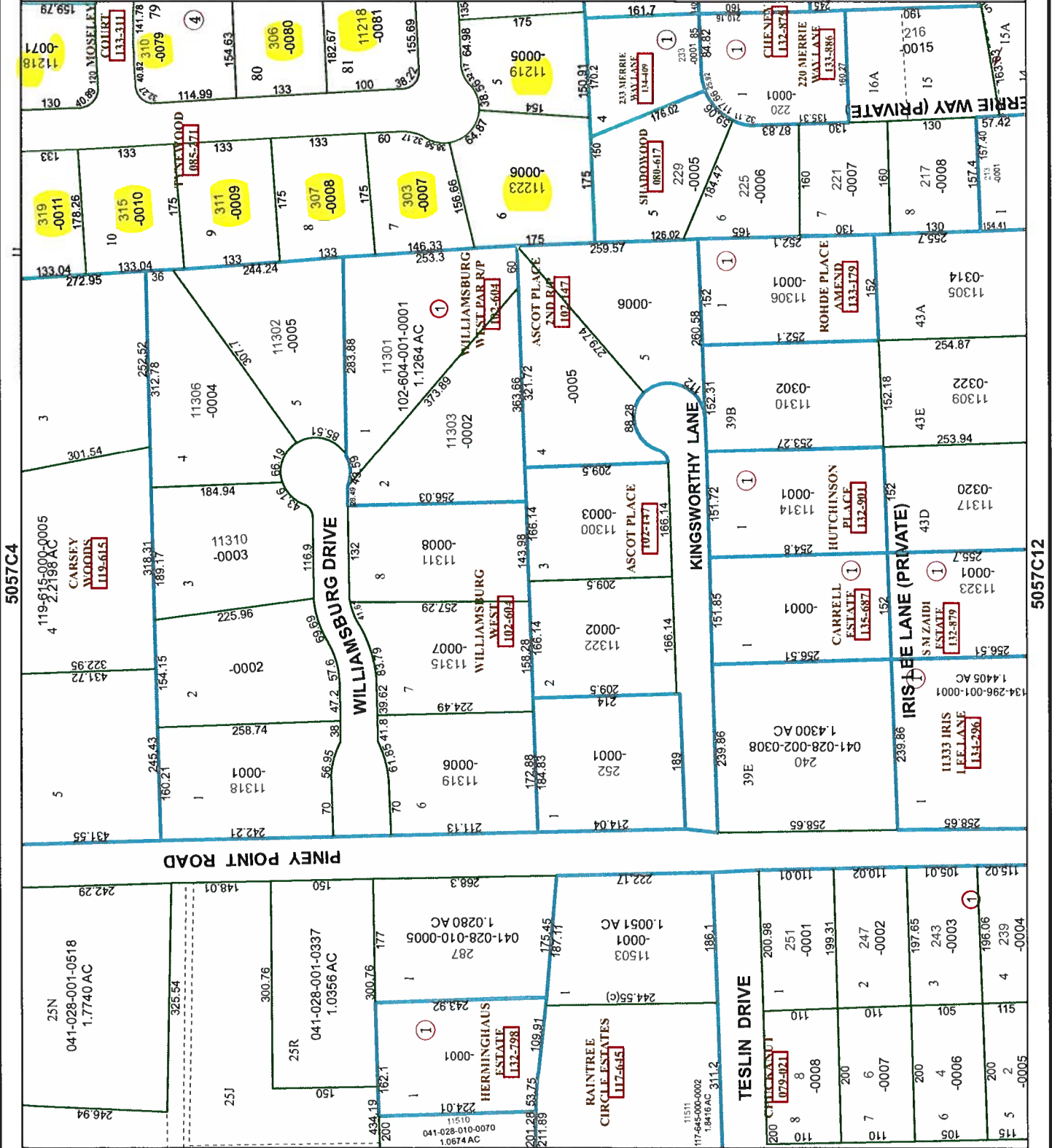
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MAP LOCATION



FACET 5057C8

2	3	4	1	2
6	7	8	5	6
10	11	12	9	10



5057C7

5057C4

5057C12

EXHIBIT E

Harris County Appraisal District

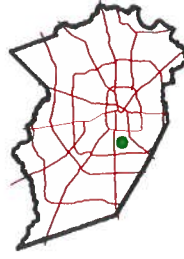


0 50 100 200 Feet

PUBLICATION DATE:
1/5/2021

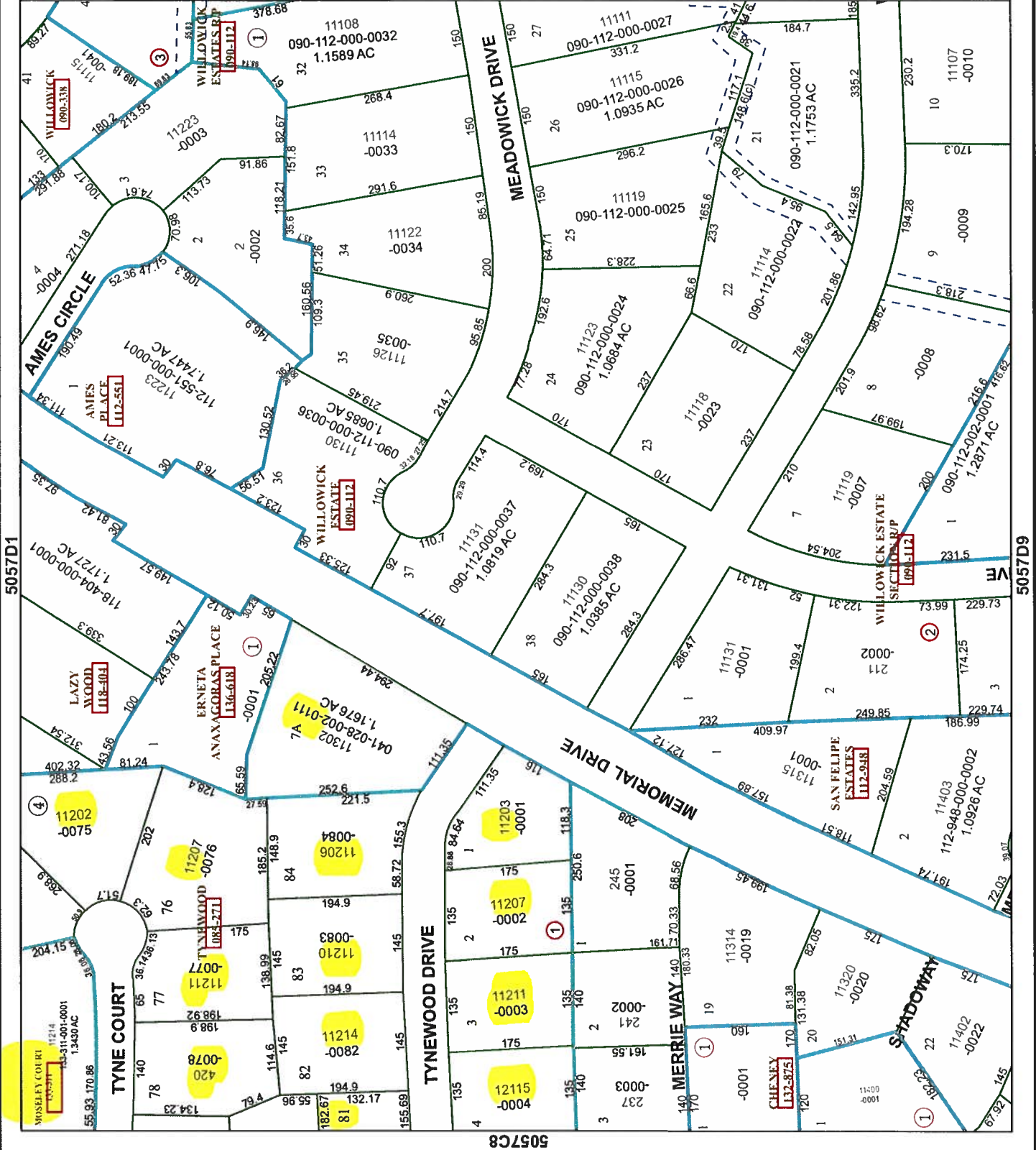
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MAP LOCATION



FACET 5057D5

3	4	1	2
7	8	5	6
11	12	9	10
		3	



5057D1

5057D9

5057D6

5057C8

EXHIBIT E

Harris County Appraisal District



0 50 100 200 Feet

PUBLICATION DATE:
3/10/2020

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MAP LOCATION

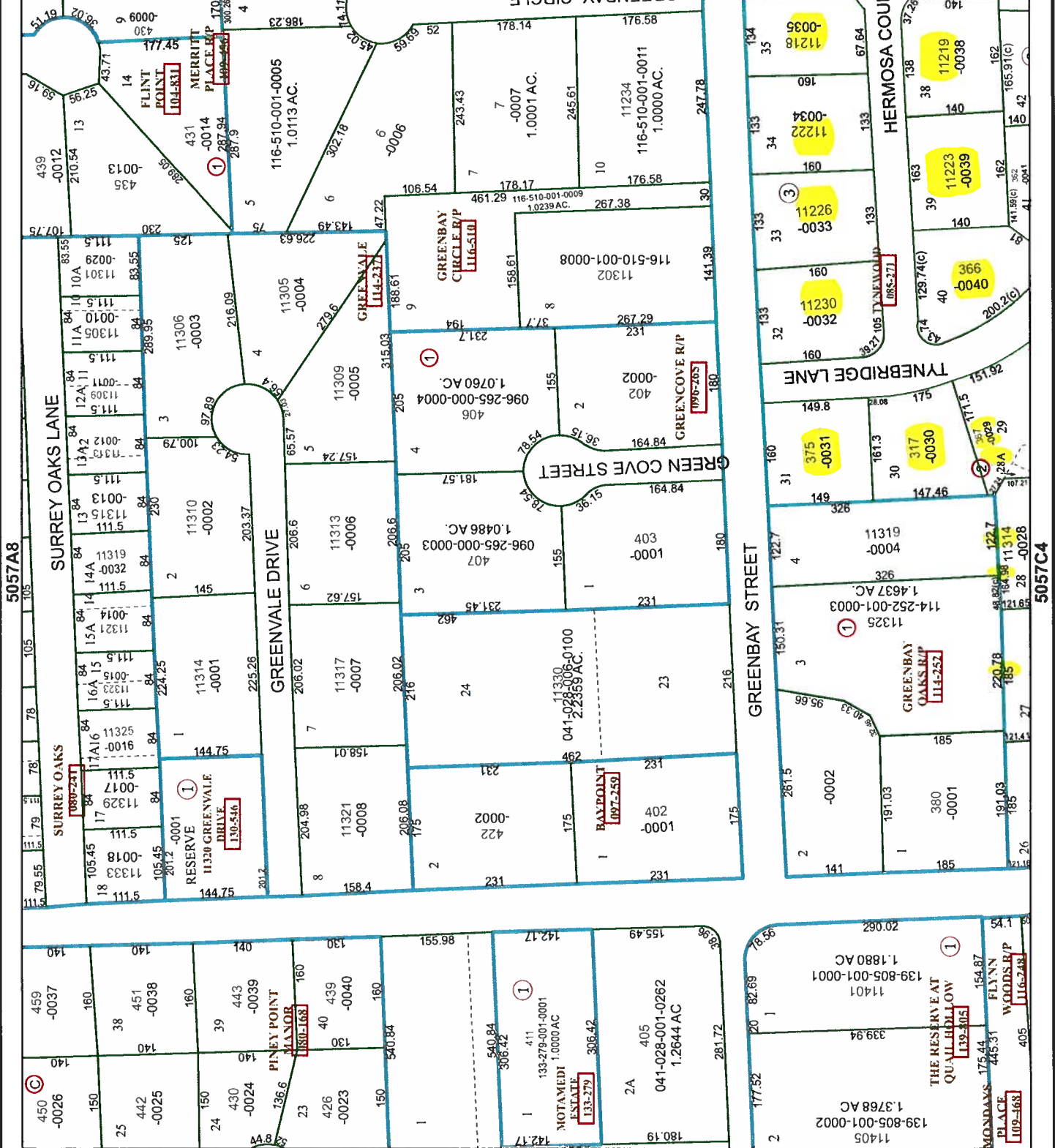


FACET 5057A12

6	7	8	5	6
10	11	12	9	10
2	3	4	1	2

5057B9

5057A11



5057A8

5057C4

EXHIBIT E

Harris County Appraisal District



0 50 100 200 Feet

PUBLICATION DATE: 1/5/2021

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MAP LOCATION



FACET 5057D17

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7	8	5	6	7

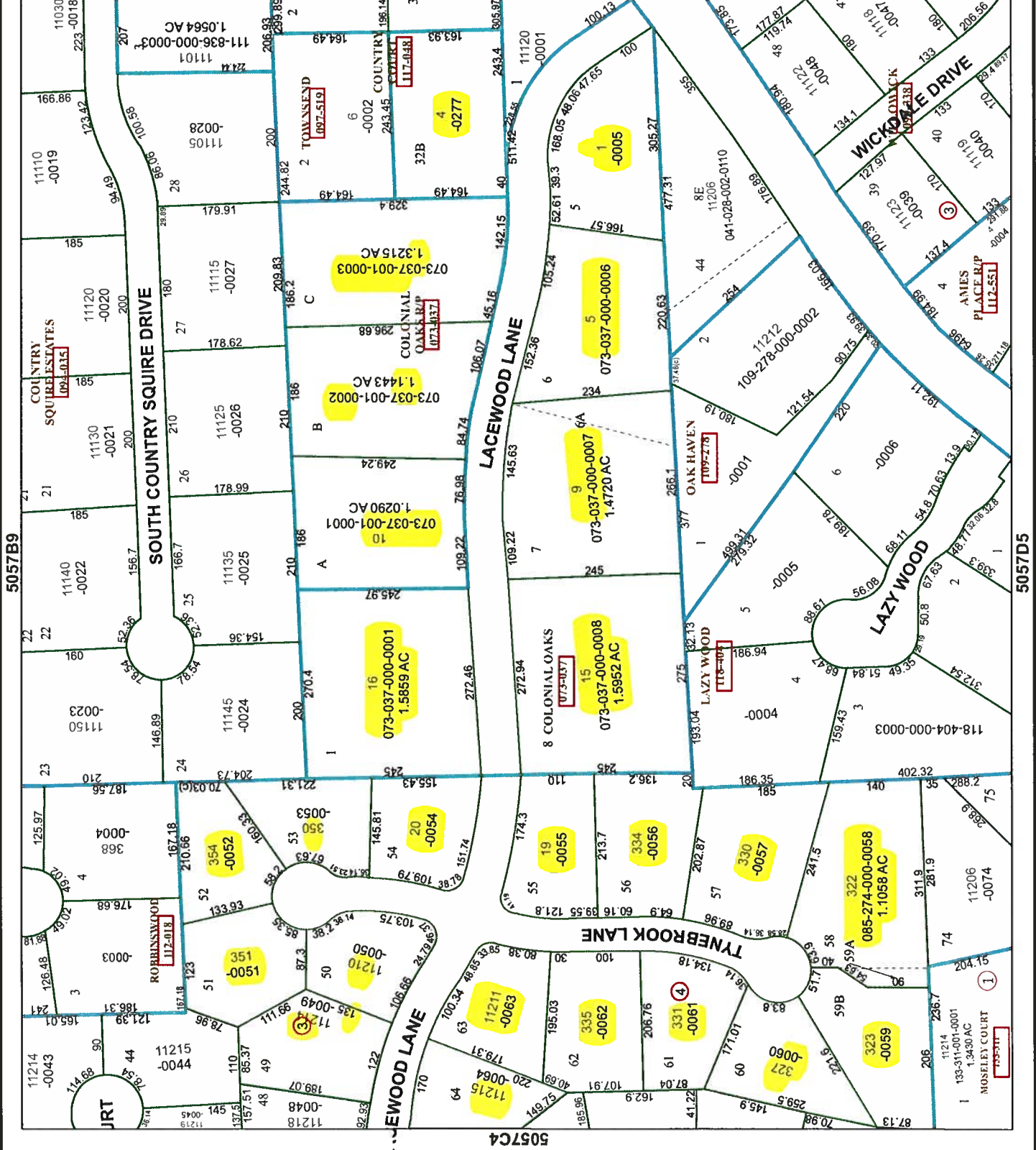


EXHIBIT E

Harris County Appraisal District



PUBLICATION DATE:
3/10/2020

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MAP LOCATION



FACET 5057B9

7	8	5	6	7
11	12	10	11	
3	4	1	2	3

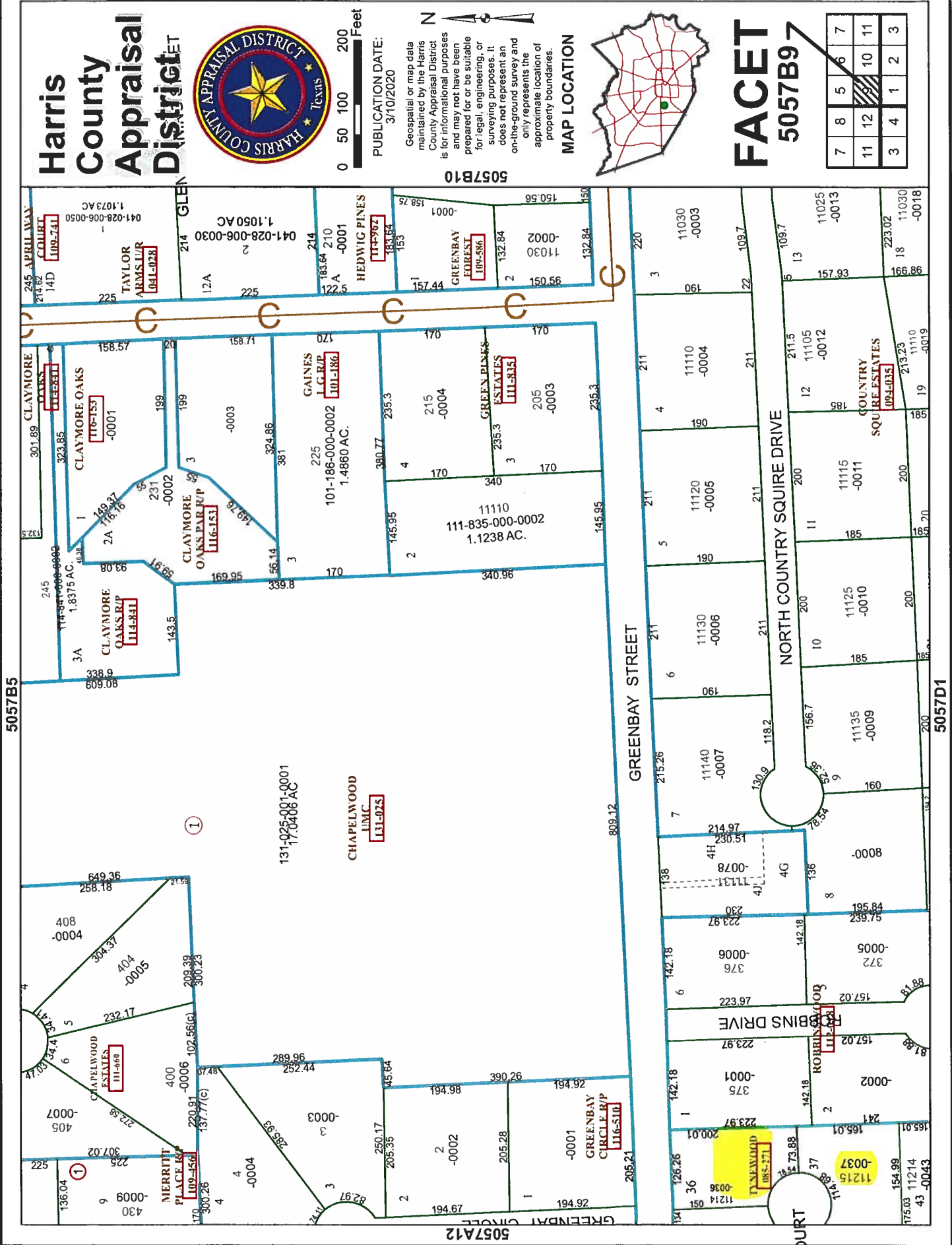
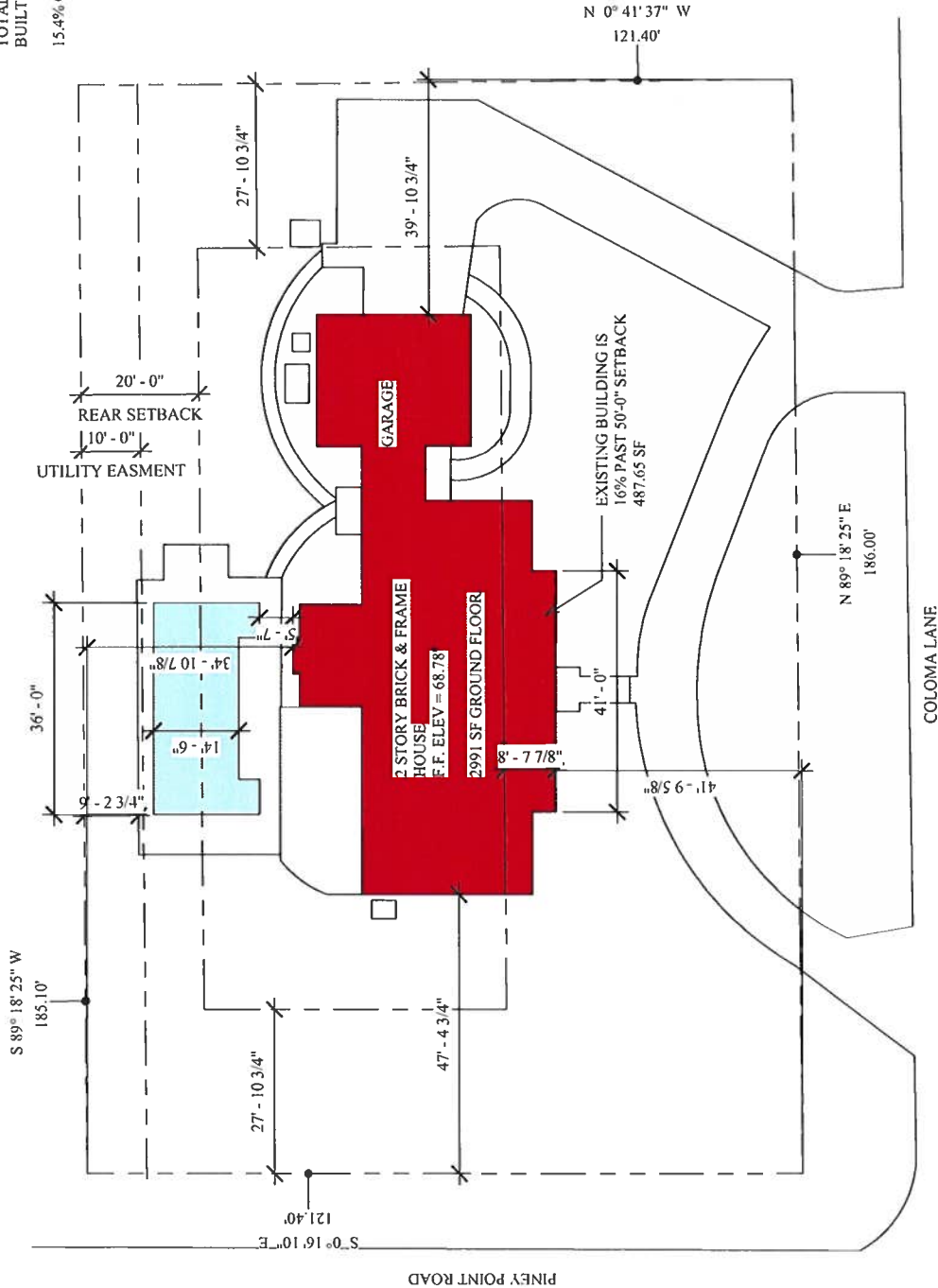




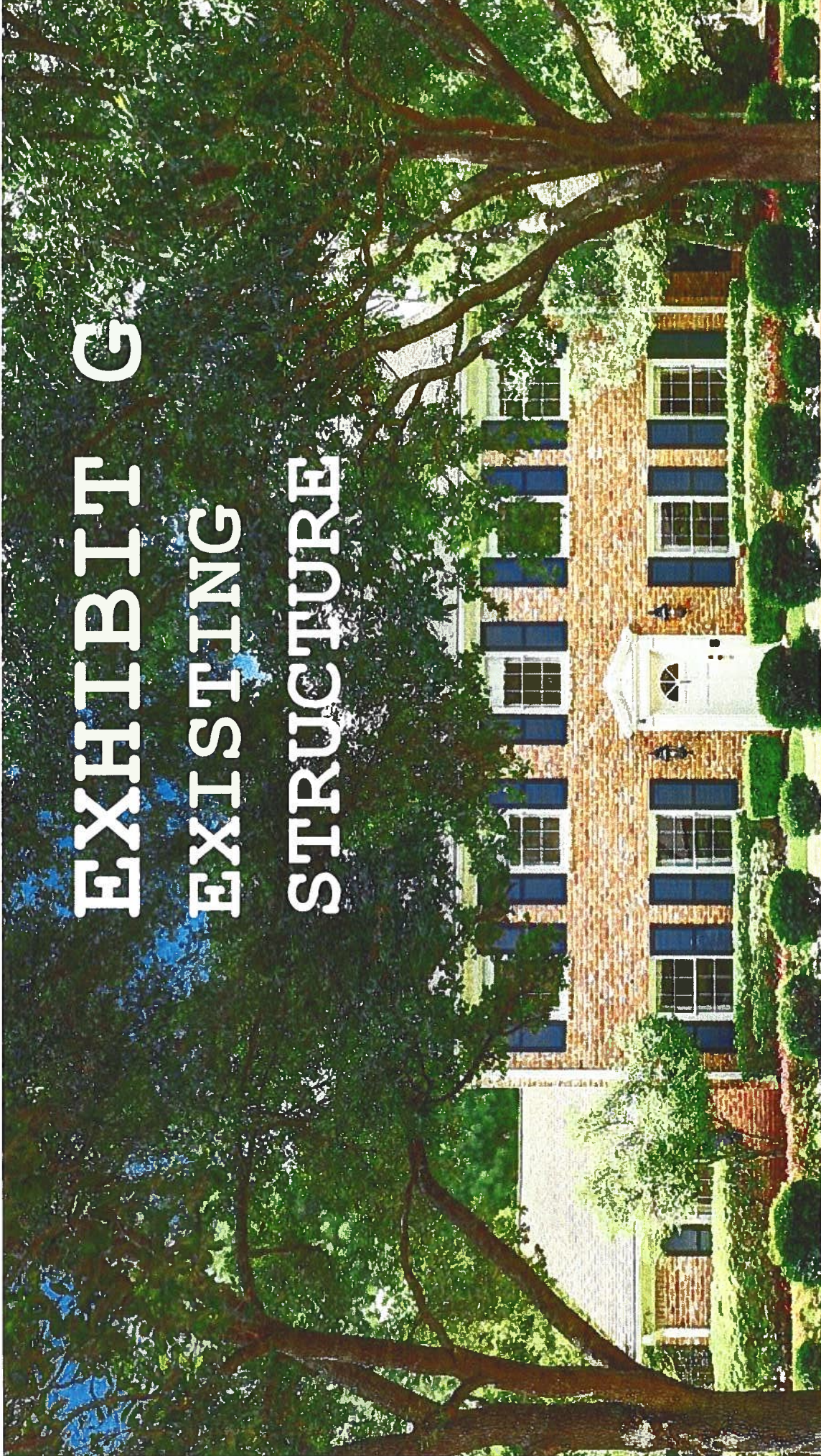
EXHIBIT F
NON-CONFORMING CONDITIONS OF EXISTING STRUCTURE

TOTAL LOT = 22,525.85 SF
BUILT AREA = 3,478.65 SF
15.4% OF TOTAL LOT



1 OVERALL SITE PLAN (EXISTING CONDITIONS)
SCALE 1" = 20'-0"

EXHIBIT G EXISTING STRUCTURE



EXISTING BUILDING SETBACK=41.8'





ADDITIONAL SETBACK
REQUIREMENT IMPACT

50' - BL

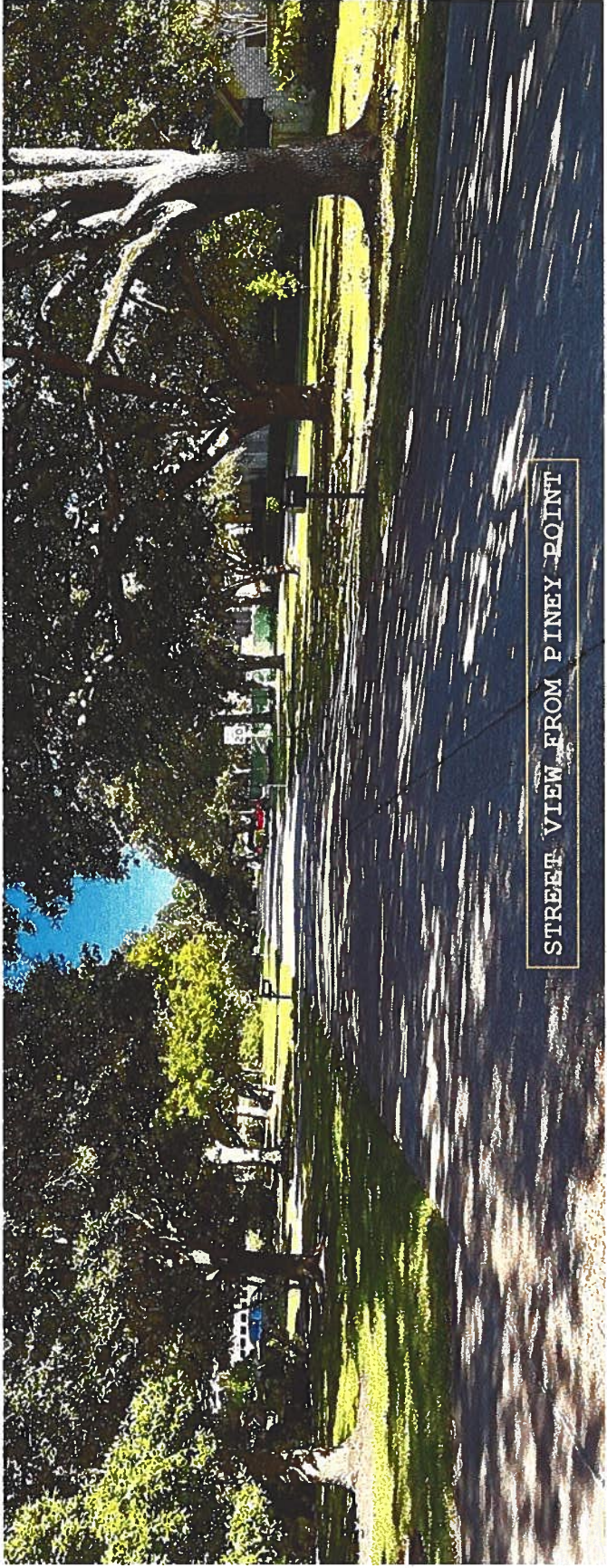
5'
5.58'

AERIAL VIEW OF BACKYARD
WITH ADDITIONAL SETBACK

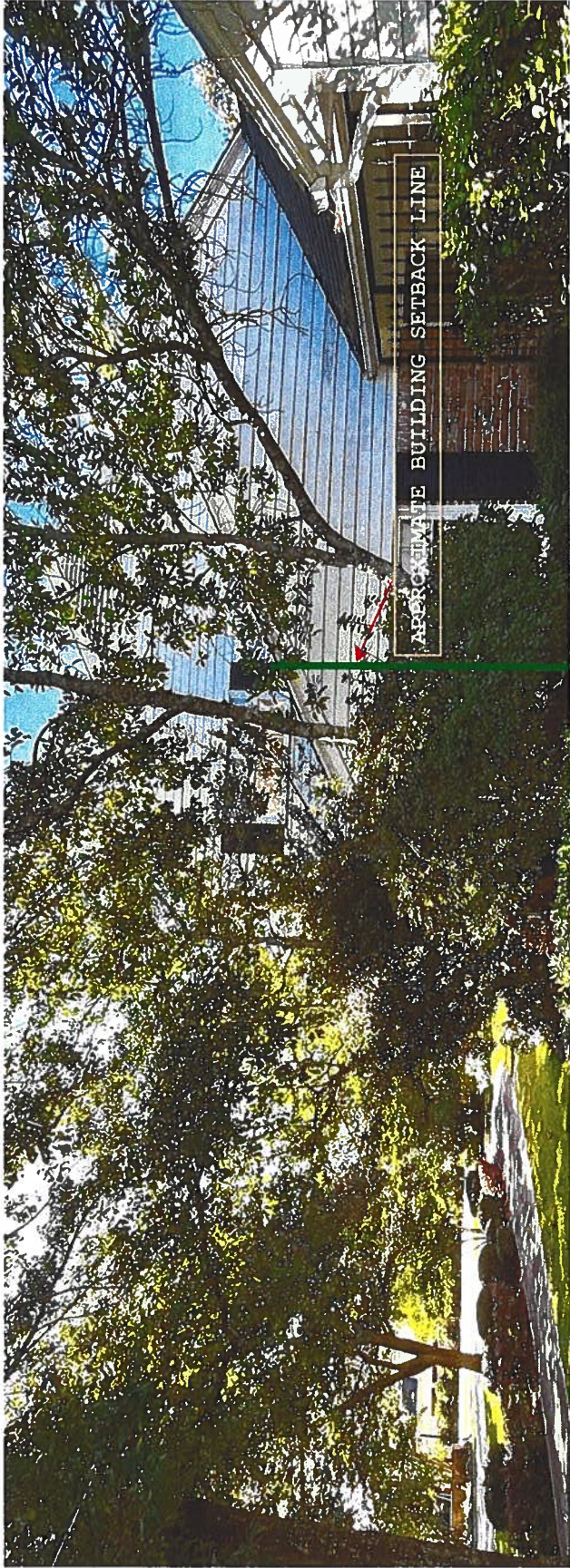




EXISTING BACKYARD AND POOL



STREET VIEW FROM PINEY POINT



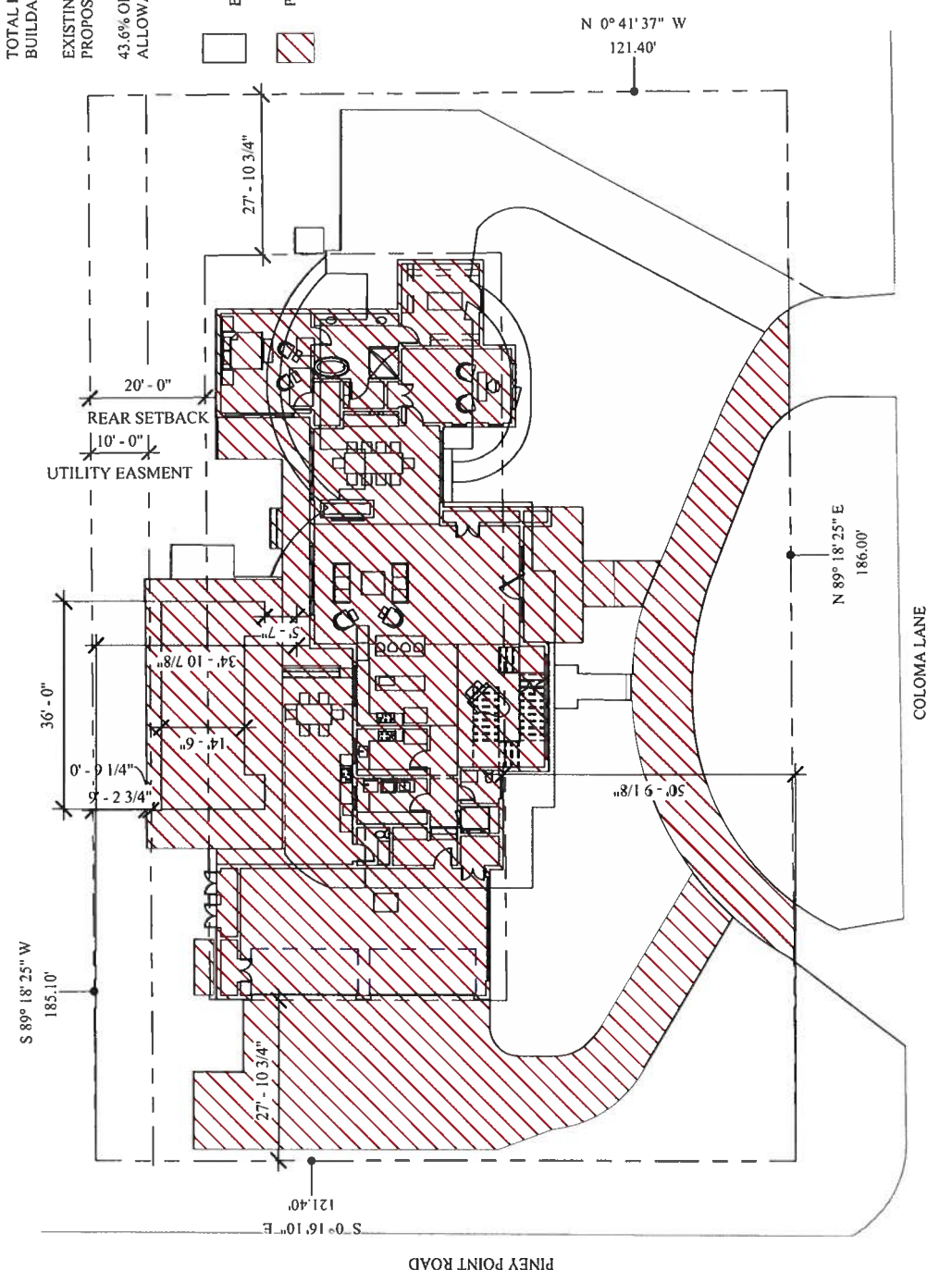
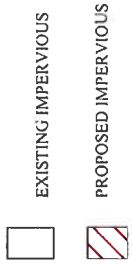


VIEW ACROSS THE STREET FROM FRONT OF THE HOUSE



EXHIBIT H

TOTAL LOT = 22,525.85 SF
 BUILDABLE AREA = 4,973.4 SF
 EXISTING IMPERVIOUS 7,896.84 SF
 PROPOSED IMPERVIOUS 9,840.33 SF
 43.6% OF TOTAL LOT
 ALLOWABLE IS 50% PER 72-244.C.1

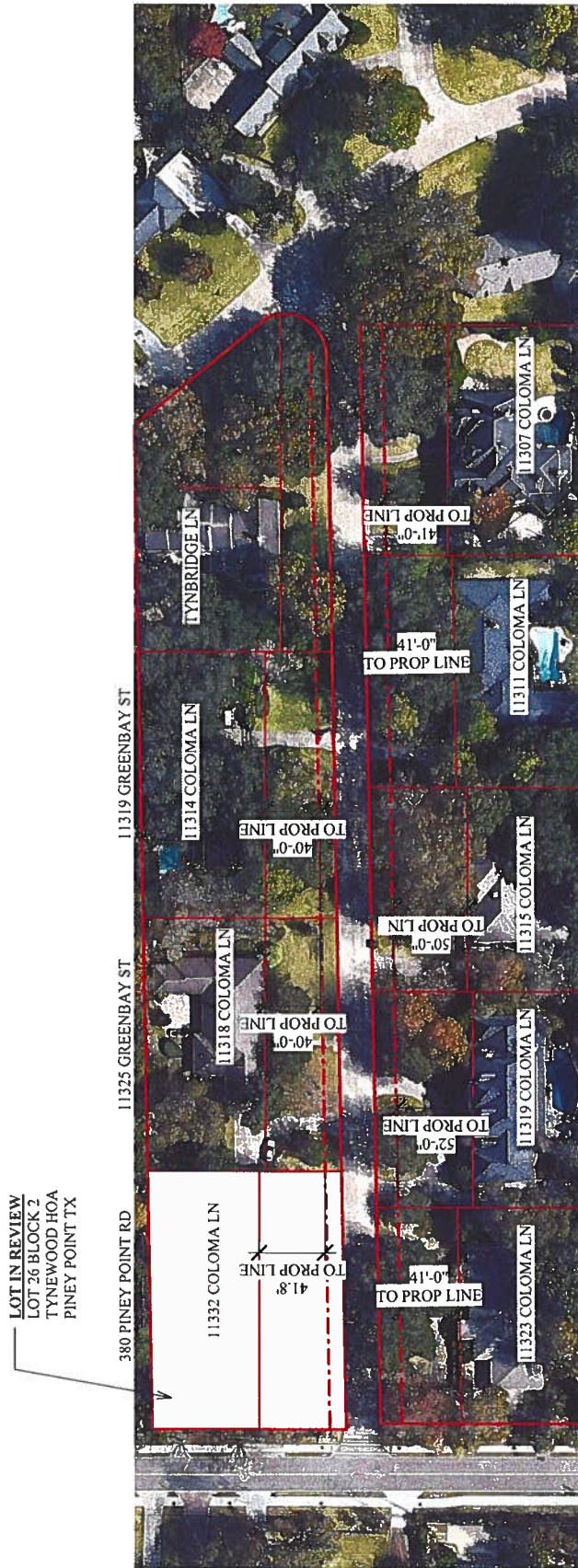


1 OVERALL SITE PLAN (PROPOSED) Copy 1
SCALE 1" = 20'-0"



**EXHIBIT I
EXISTING SETBACKS FROM ROW LINE ALONG COLOMA**

- ALL DIMENSIONS ARE TAKEN FROM GOOGLE EARTH
- STREET IS 24'-0" WIDE LANE (60'-0" R.O.W.)
- I. EACH SIDE OF STREET HAS APPROXIMATELY 18'-0" TO THE START OF THE PROPERTY LINE



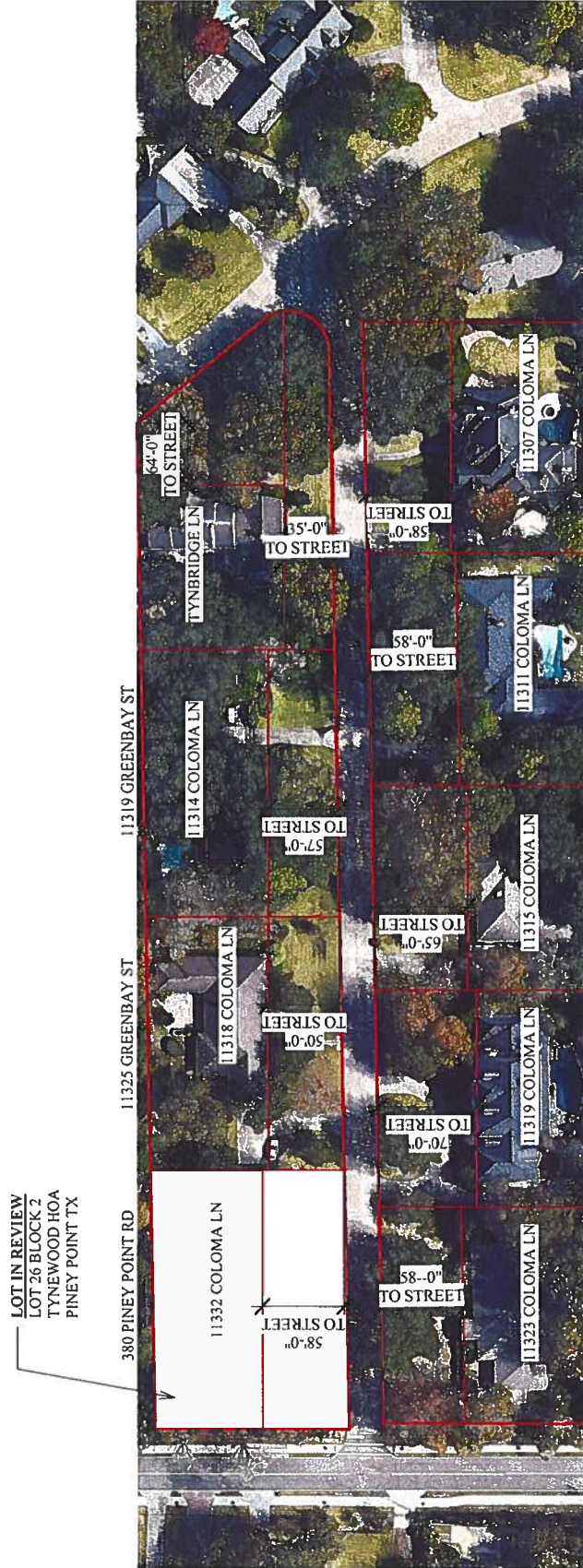
11332 COLOMA LN, LOT 26 BLOCK 2
 OF TYNEWOOD
 EXISTING SETBACKS FROM
 STREET

MONTGOMERY ROTH
 ARCHITECTURE &
 INTERIOR DESIGN, L.L.C.
 5120 Woodway dr., Suite 3039
 Houston, Texas 77056
 Tel. 713.654.9400
 Fax. 713.654.9401



EXHIBIT J
EXISTING SETBACKS FROM EDGE OF PAVEMENT ALONG COLOMA

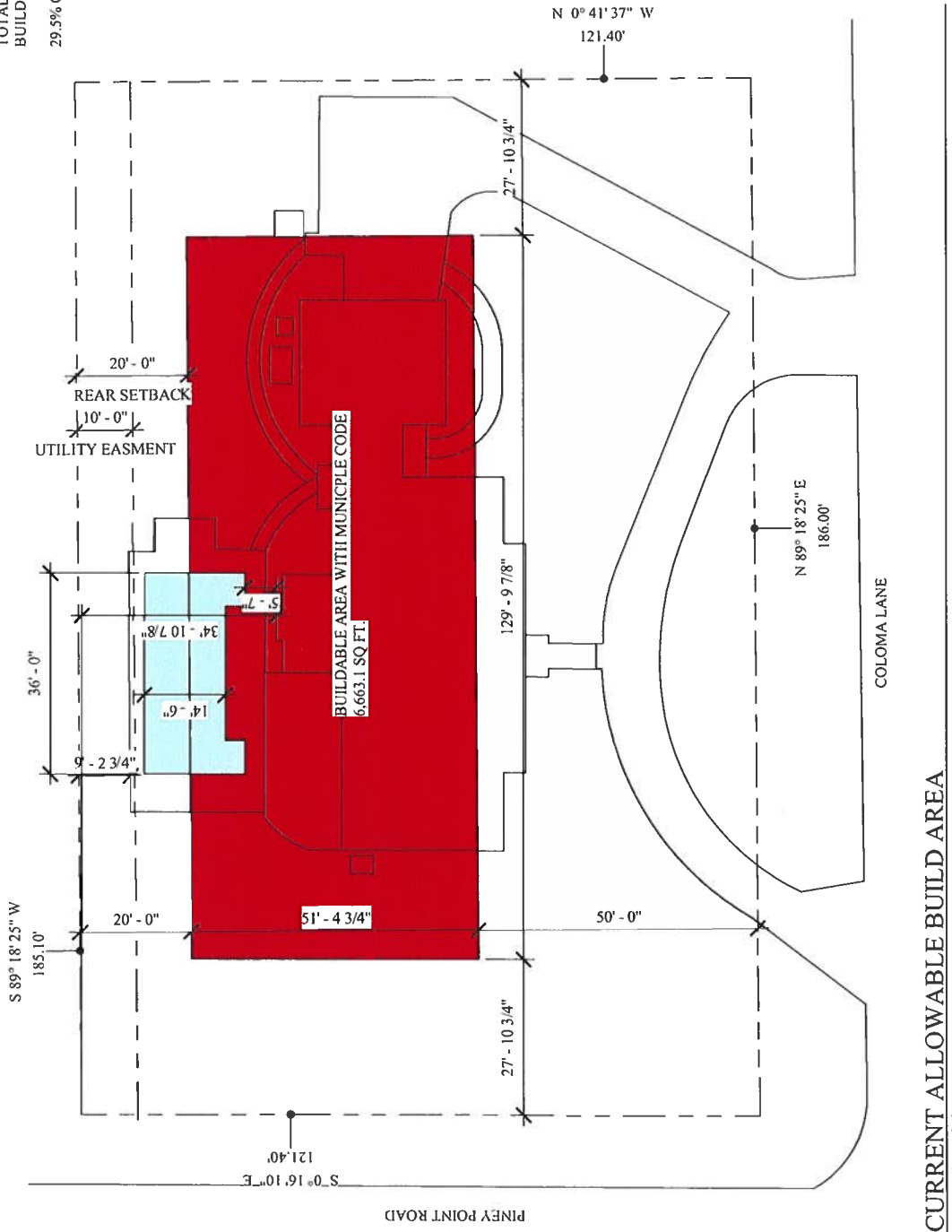
- ALL DIMENSIONS ARE TAKEN FROM GOOGLE EARTH
- STREET IS 24'-0" WIDE LANE (60'-0" R.O.W.)
- 1. EACH SIDE OF STREET HAS APPROXIMATELY 18'-0" TO THE START OF THE PROPERTY LINE





TOTAL LOT BUILDABLE AREA = 22,525.85 SF
BUILDABLE AREA = 6,663 SF
29.5% OF TOTAL LOT

EXHIBIT K
BUILDABLE AREA BASED ON CODE



1 CURRENT ALLOWABLE BUILD AREA
SCALE 1" = 20'-0"

PROPOSED SITE PLAN

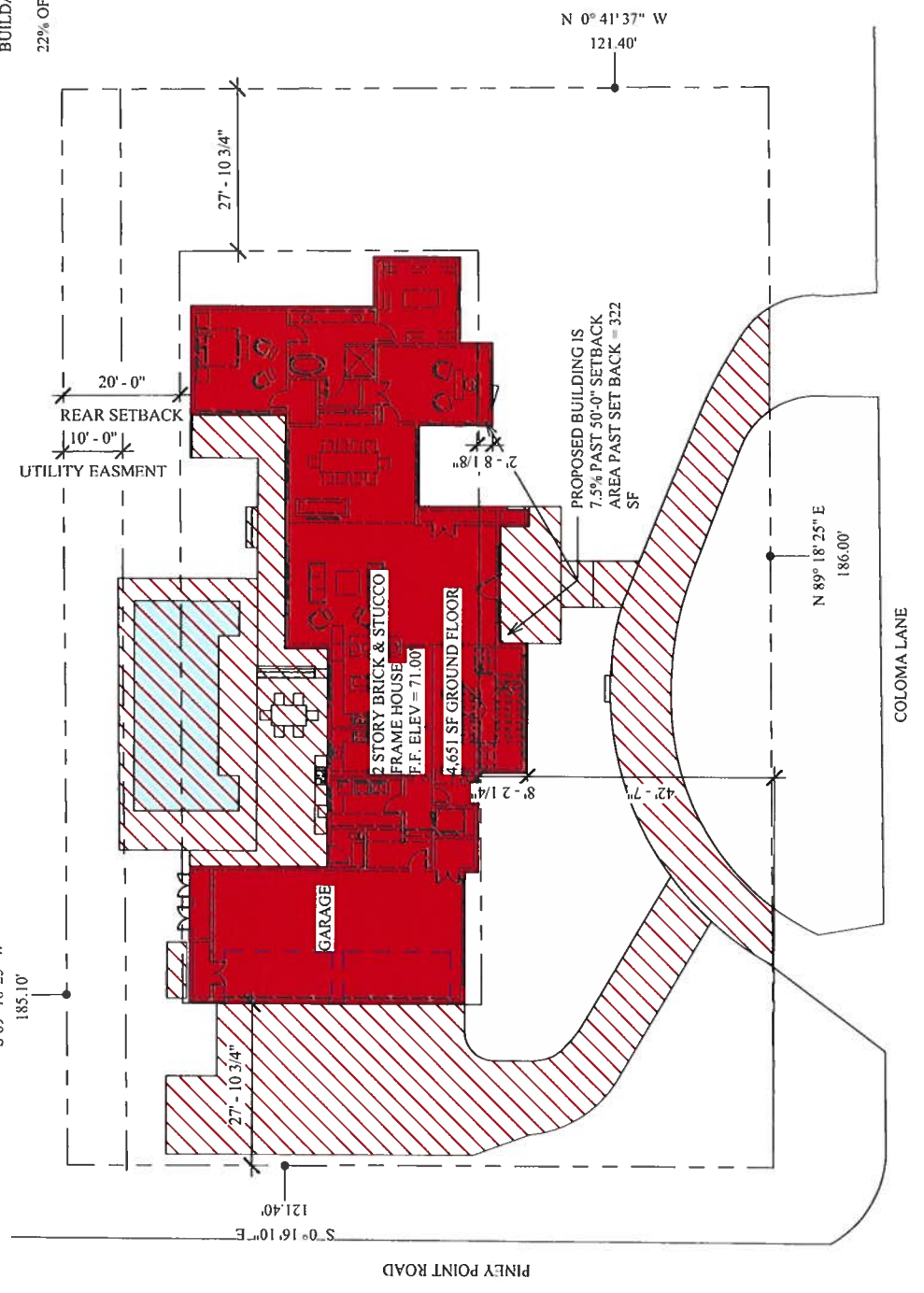
MONTGOMERY ROTH
 ARCHITECTURE &
 INTERIOR DESIGN, L.L.C.
 5120 Woodway Dr., Suite 3039
 Houston, Texas 77056
 Tel. 713.654.9400
 Fax. 713.654.9401



03

EXHIBIT L
PROPOSED SITE PLAN

TOTAL LOT BUILDABLE AREA = 22,525.85 SF
 = 4,973.4 SF
 22% OF TOTAL LOT

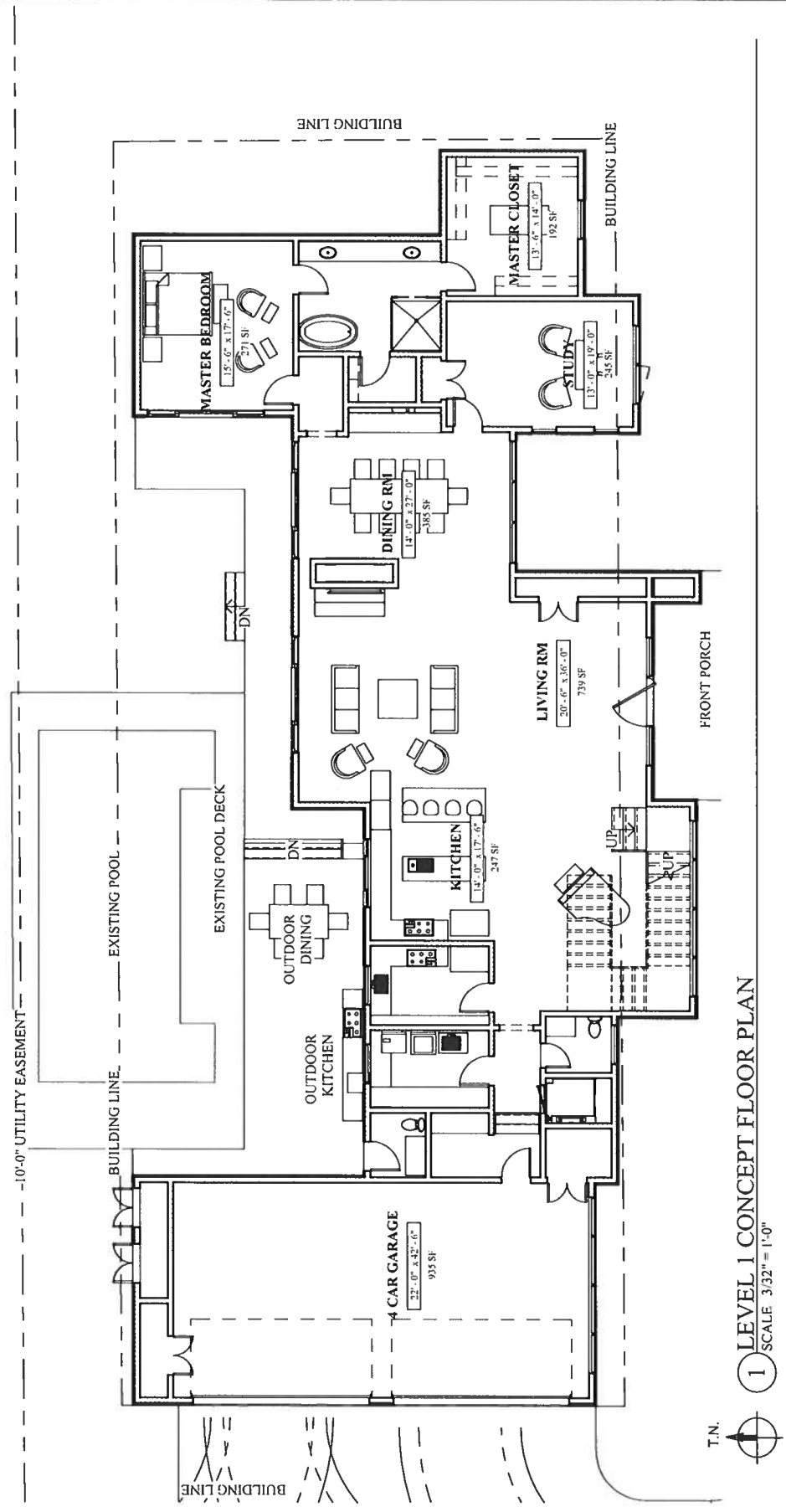


1 OVERALL SITE PLAN (PROPOSED)
 SCALE 1" = 20'-0"



EXHIBIT M

N 89° 18' 25" E PROPERTY LINE
186.00'



T.N.
1 LEVEL 1 CONCEPT FLOOR PLAN
SCALE: 3/32" = 1'-0"

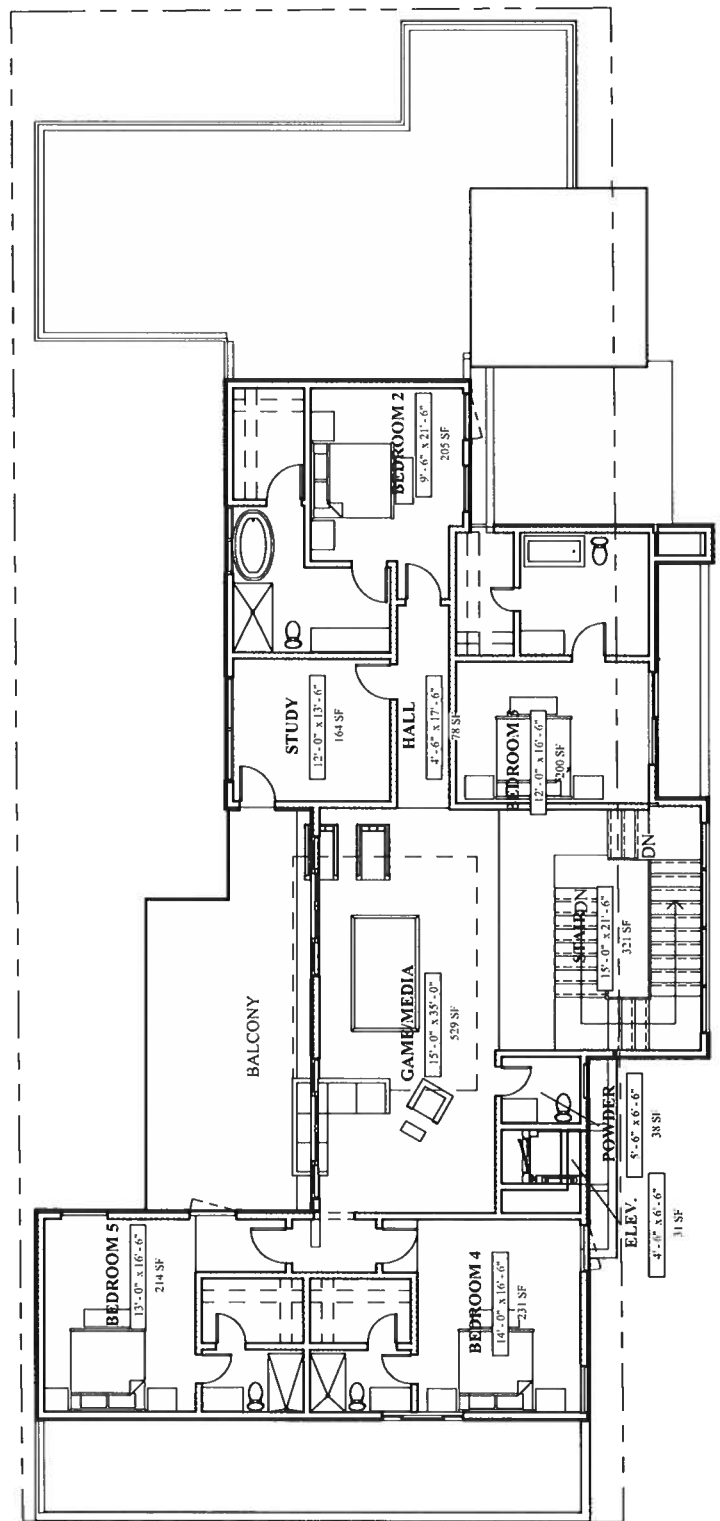


MONTGOMERY ROTH
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11332 COLOMA LN. LOT 26 BLOCK 2
 OF TYNEWOOD
 CONCEPT FLOOR PLAN
 LEVEL 2

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09



1 LEVEL 2 CONCEPT FLOOR PLAN
 SCALE 3/32" = 1'-0"

EXHIBIT M



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11332 COLOMA LN., LOT 26 BLOCK 2
OF TYNEWOOD
PERSPECTIVE

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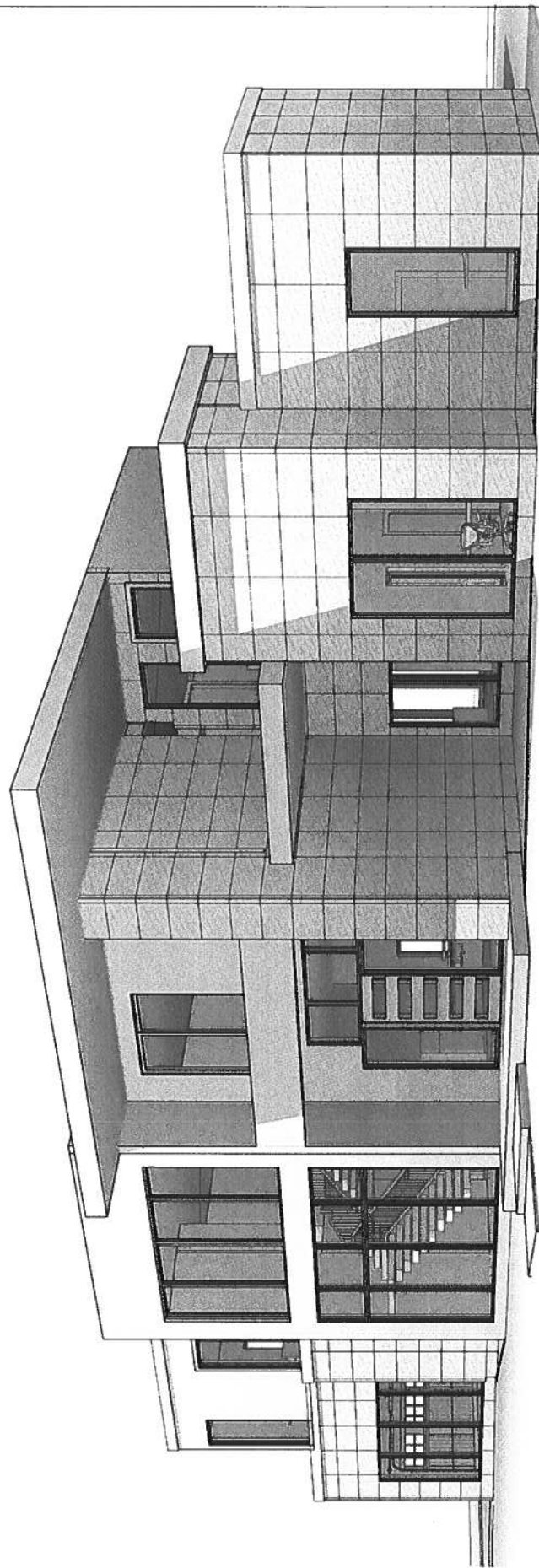


EXHIBIT M