

**Declaration of Restrictive Covenants of
East Williams Estates**

Date: March 2, 2022

Declarant: LIBERTY HOLDINGS, LLC

Declarant's Address: P.O. Box 3462, Conroe, Texas 77305

Property: BEING 45.183 acres of land located in the T. G. Stewart Survey, Abstract No. 529, in Montgomery County, Texas, and being a part of a tract of land conveyed to Gerald Creighton, et al., by deed recorded in Volume 444, Page 173, of the Deed Records; being more particularly described by metes and bounds in **Exhibit "A"** attached hereto and made a part hereof; and

BEING a 0.340 acre tract situated in the Thomas G. Stewart Survey, Abstract Number 529, Montgomery County, Texas, being a portion of that certain called 1.126 acre tract described in instrument to Texas Liberty Holdings, LLC, recorded under Clerk's File Number 2021120746 of the Official Public Records of Montgomery County, Texas (O.P.R.M.C.T.), being more particularly described by metes and bounds in **Exhibit "B"** attached hereto and made a part hereof; and

Easement Estate: BEING a 0.113 acre tract, thirty (30) feet wide, for an access easement situated in the Thomas G. Stewart Survey, Abstract Number 529, Montgomery County, Texas, over and across that certain called 1.126 acre tract described in instrument to Texas Liberty Holdings, LLC, recorded under Clerk's File Number 2021120746 of the Official Public Records of Montgomery County, Texas (O.P.R.M.C.T.), and that certain called 20.234 acre tract described in instrument to Alejandro Arias and Ines Bernal, recorded under Clerk's File Number 2004035074, O.P.R.M.C.T., said 0.113 acre tract being more particularly described by metes and bounds in **Exhibit "C"** attached hereto and made a part hereof.

All three tracts shown on drawing shown on **Exhibit "D"**.

Imposition of Covenants

1. Declarant imposes the Covenants on the Property. Any owner of the Property by their acceptance of their deeds, leases, or occupancy of any of the Property agree that the Property is subject to the Covenants.
2. The Covenants are necessary and desirable to establish a uniform plan for the development and use of the Property for the benefit of all Owners of a called 45.183 acres and is currently owned by Declarant. The Covenants run with the land and bind all Owners, occupants, and any other person holding an interest in the Property.
3. Any owner of the Property agrees to comply with this Declaration and agrees that failure to comply may subject him to a fine, damages, or injunctive relief.

Definitions

"Owner" means every record Owner of a fee interest in a Lot. There are four lots in the subdivision as shown on Exhibit "D".

"Residence" means a detached building designed for and used as a dwelling by a Single Family and constructed on one or more tracts.

"Single Family" means a group of individuals related by blood, adoption, or marriage or a number of unrelated roommates not exceeding the number of bedrooms in a Residence.

"Structure" means any improvement on a tract (other than a Residence), including a fence, wall, tennis court, swimming pool, outbuilding, or recreational equipment.

"Vehicle" means any automobile, truck, motorcycle, boat, trailer, or other wheeled conveyance, whether self-propelled or towed.

Covenants, Conditions, and Restrictions

1. *Easement.* An Owner may not use Property lying in an easement for any purpose other than the stated purpose of the easement. Each Owner agrees to share equally in the cost to maintain the road that is used to access the four lots.
 - a. The 0.113 acre tract shown above is restricted as an easement pursuant to the terms of the easement agreement.
 - b. The 0.340 acre tract shown above is restricted as a buffer tract and may not be used for any purpose other than a sign for the subdivision.
2. Owner must keep the Property, the Residence, and all Structures in a neat, well-maintained, and attractive condition. Owner must construct any Residence and Structure from new materials and comply with all local building codes. The Residence must be a minimum of 1,500 square feet in living space. If a mobile home is placed on a Lot, then the mobile home cannot be in view from the easement.
3. *Subdivision Prohibited.* No Lot may be further subdivided without Declarant approval.
4. *Additional Easements.* No easement in a Lot may be granted without Declarant approval.
5. *Permitted Use.* A Lot may be used for three (3) single family residences and each residence to be used by one single family.
6. *Vegetation Reserves.* Each Lot shall reserve a 25 foot wide Vegetation Reserve on each of the boundaries of the Lot. Vegetation Reserves within the Subdivision are restricted to maintain the natural vegetative state and create a buffer between owners within the Subdivision. The areas designated as a Vegetation Reserve are subject to the following terms:
 - a. The sole purpose of the vegetation reserve is to provide a buffer zone or vegetation area

- between certain areas;
 - b. Owners agree to keep the reserve unimproved and to retain its natural vegetative condition;
 - c. Owners shall keep the reserve in a natural state as much as possible;
 - d. Utilities may go through the reserve (including along crossing roads) with the least amount of impact on disrupting the natural vegetative state of the reserve; and
 - e. Owners will be allowed to remove damaged or dead trees located within the reserve, if said trees are likely to damage adjacent property.
7. *Setback Requirement.* No Structure (other than a fence) may be located nearer than 50 feet from the Property boundary lines of each Lot.
8. *Prohibited Activities.* Prohibited activities are -
- a. any activity that is otherwise prohibited by this Declaration; any illegal activity; any nuisance or noxious or offensive activity; any storage of unsightly objects unless completely shielded by a Structure; any dumping of rubbish;
 - b. keeping dangerous animals. Owners may have a reasonable number of animals on the Property as long as the animals 1) do not negatively affect the neighbors; 2) not done for commercial purposes; and 3) the animal housing area and feeding area are kept in a neat and attractive manner;
 - c. any exploration for or extraction of minerals;
 - d. any commercial activity that is not in harmony with the overall residential nature of the surrounding area, (example of conforming use is reasonable home office use or small business with low impact). Any commercial activity that is high in traffic, noise, lighting, or other impact on neighboring properties is prohibited; or
 - e. interfering with a drainage pattern or the natural flow of surface water.
9. *Variance.* Declarant has the right to grant a written variance upon request. Declarant no longer holds this right once 3 or the 4 lots are sold to a third party.
10. *Runs With Land.* This Declaration of Restrictive Covenants shall run with the title to the land and shall bind all Owners, occupants, and any other persons holding an interest in the Property, as well as their heirs, successors, and assigns. This Declaration runs with the land and is binding in perpetuity.

General Agreements

1. *Final Agreement.* This agreement represents the final agreement between the parties and may not be contradicted by evidence of prior, contemporaneous, or subsequent oral agreements of the parties. There are no unwritten oral agreements between the parties.
2. *Amendment and Termination.* This agreement may be amended or terminated in whole or in part from time to time, and at any time, by written instrument signed by a 2/3 majority of the then owners of the four lots, any such instrument must be signed and filed to be effective. Declarant reserves the right to amend this Declaration at any time up until 3 of the Lots are sold to a third party.

3. *No Waiver.* Failure by an Owner to enforce this Declaration is not a waiver.
4. *Severability.* If a provision in this agreement is unenforceable for any reason, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability does not affect any other provision of this agreement, and this agreement will be construed as if the unenforceable provision had never been a part of the agreement.
5. *Successors and Assigns.* This agreement binds, benefits, and may be enforced by the successors in interest to the parties.
6. *Attorney's Fees.* If Declarant retains an attorney to enforce this agreement, the Declarant will be entitled to recover reasonable attorney's fees and court and other costs.
7. *Mediation.* The parties agree that any claim or dispute relating to this agreement, or any other matters, disputes, or claims between the parties, shall first be subject to mediation within 30 days of either party making a request to the other by letter. The demand for mediation shall be made within a reasonable time after the claim, dispute or other matter in question has arisen. Any such mediation will be held in Montgomery County, Texas, and Texas law shall apply.

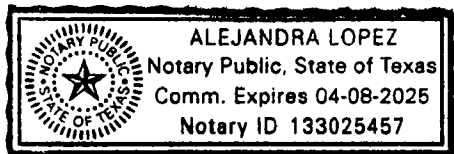
DECLARANT:

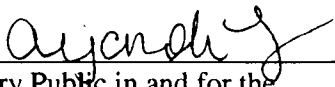
TEXAS LIBERTY HOLDINGS, LLC, a Texas limited liability company

By: 
 Brandon Gaunce, Manager

THE STATE OF TEXAS)
)
 COUNTY OF Harris)

This instrument was acknowledged before me on the 2nd day of March, 2022, by Brandon Gaunce, as Manager of TEXAS LIBERTY HOLDINGS, LLC, a Texas limited liability company, on behalf of said company.




 Notary Public in and for the State of Texas

AFTER RECORDING RETURN TO:
 Law Office of Beard & Lane, P.C.
 10611 Grant Road
 Houston, Texas 77070
 Tel: (281) 897-8848

Exhibit "A"

BEING 45.183 acres of land located in the T. G. Stewart Survey, Abstract No. 529, in Montgomery County, Texas, and being a part of a tract of land conveyed to Gerald Creighton, et al., by deed recorded in Volume 444, Page 173, of the Deed Records; more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a concrete monument, the Northeast corner of the R. Gilbert Survey, and the Northwest corner of the C. Dease Survey, in the South line of the Creighton tract of land, and the Southeast corner of tract being described;

THENCE N. 89 deg. 31' W., with the Gilbert Survey line, 589.5 ft. to a Southwest corner of the Creighton tract, and a 1/2" iron rod for corner;

THENCE N. 05 deg. 56' E., with fence line, 289.62 feet to a 1/2" iron rod for corner;

THENCE N. 23 deg. 40' W., with fence line, 1590.0 feet to a 1/2" iron rod for corner, and being in the South line of 50.108 acre Veteran Land Board tract;

THENCE S. 84 deg. 07' E., with the 50.108 acre tract South line, 512.71 feet to its Southeast corner and a 3/4" iron pipe for corner from which a 16" R. O. mkd. X brs. N. 12 deg. 15' E. 121.0 feet;

THENCE N. 09 deg. 27' E., 1097.3 feet to the Northeast corner of the 50.108 acre tract and a 3/4" iron pipe for corner in the South line of a 60 ft. proposed roadway, from which a 12" Wh. O. mkd. X brs. S. 10 deg. 30' W., 33.7 feet;

THENCE N. 0 deg. 55' E., 30.0 ft. to a 1/2" iron rod and the center line of proposed road, said point being the P.C. of 10 deg. 15 curve to the right, with a central angle of 83 deg. 58', and L. C. bearing S. 42 deg. 08' E. 747.4 ft.;

THENCE with said curve along the center line of a 60 ft. proposed roadway, 818.74 feet to an iron rod and the P. T. of said curve;

THENCE S. 0 deg. 07' E. 2254.8 feet to the place of beginning, containing 45.183 acres of land, more or less.

**TEXAS PROFESSIONAL SURVEYING, LLC.**

3032 N. FRAZIER STREET, CONROE, TEXAS 77303
(936)756-7447 FAX (936)756-7448
FIRM REGISTRATION No. 100834-00

FIELD NOTE DESCRIPTION**0.340 ACRES****IN THE THOMAS G. STEWART SURVEY, ABSTRACT NUMBER 529
MONTGOMERY COUNTY, TEXAS**

BEING a 0.340 acre tract situated in the Thomas G. Stewart Survey, Abstract Number 529, Montgomery County, Texas, being a portion of that certain called 1.126 acre tract described in instrument to Texas Liberty Holdings, LLC, recorded under Clerk's File Number 2021120746 of the Official Public Records of Montgomery County, Texas (O.P.R.M.C.T.), said 0.340 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found in the southerly margin of East Williams Road, the southerly line of said 1.126 acre tract, for the common northerly corner of that certain called 20.234 acre tract described in instrument to Alejandro Arias and Ines Bernal, recorded under Clerk's File Number 2004035074, O.P.R.M.C.T., and that certain called 50.314 acre tract described in instrument to Timothy M. Maroney, recorded under Clerk's File Number 9859390 of the R.P.R.M.C.T., being the southeasterly corner of the herein described 0.340 acre tract, from which a 1/2 inch iron rod found, bent, for the southeasterly corner of said 1.126 acre tract, bears North 87°08'21" West, 505.08 feet;

THENCE North 04°33'03" East, 73.01 feet, severing said 1.126 acre tract, to a calculated point in the approximate centerline of said East Williams Road, the common line between said 1.126 acre tract and that certain remainder of a called 1.4453 acre tract described in instrument to Edward J. Szymczak and Lorena Jane Szymczak, recorded under Clerk's File Number 9262131 of the Real Property Records of Montgomery County, Texas (R.P.R.M.C.T.), being the northwesterly corner of the herein described 0.340 acre tract;

THENCE South 84°09'09" East, 148.40 feet, along the approximate centerline of said East Williams Road, with the common line between said 1.126 acre tract and said remainder tract, to a calculated point for an angle point in said common line and the herein described 0.340 acre tract;

THENCE South 82°34'05" East, 72.08 feet, continuing along the approximate centerline of said East Williams Road, with the common line between said 1.126 acre tract and said remainder tract, to a calculated point for the common easterly corner of said 1.126 acre tract and said remainder tract, being the northeasterly corner of the herein described 0.340 acre tract;

THENCE South 03°16'23" West, 59.50 feet, with the easterly line of said 1.126 acre tract, to a 1/2 inch iron rod found, bent, in the southerly margin of said East Williams Road, the northerly line of said 50.314 acre tract, being the southeasterly corner of the herein described 0.340 acre tract;

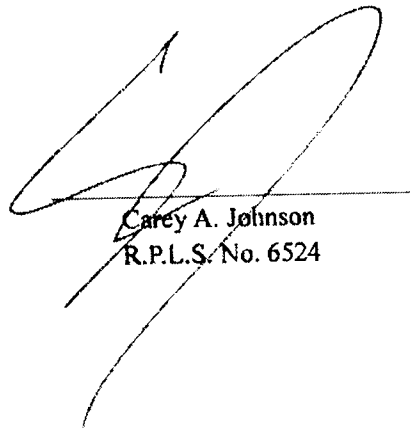
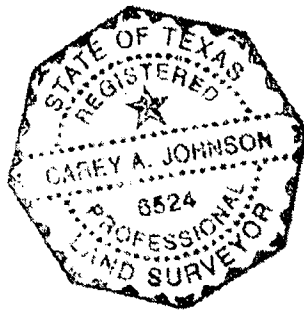
THENCE North 87°08'21" West, 221.77 feet, along the southerly margin of said East Williams Road, with northerly line of said 50.314 acre tract, to the **POINT OF BEGINNING**;

CONTAINING a computed area of 0.340 acres of land within this Field Note Description.

This Field Note Description was prepared from a survey performed on the ground on September 30, 2021 by Texas Professional Surveying, LLC., Registered Professional Land Surveyors and is referenced to Survey Drawing Project Number B455-06 – 0.340 Acres.

Bearings recited herein are based on GPS observations and are referenced to the NAD83, Texas State Plane Coordinate System, Central Zone (4203).

October 18, 2021
Date



Carey A. Johnson
R.P.L.S. No. 6524



TEXAS PROFESSIONAL SURVEYING, LLC.

3032 N. FRAZIER STREET, CONROE, TEXAS 77303
 (936)756-7447 FAX (936)756-7448
 FIRM REGISTRATION No. 100834-00

FIELD NOTE DESCRIPTION
0.113 ACRES
30 FOOT WIDE ACCESS EASEMENT
IN THE THOMAS G. STEWART SURVEY, ABSTRACT NUMBER 529
MONTGOMERY COUNTY, TEXAS

BEING a 0.113 acre tract, thirty (30) feet wide, for an access easement situated in the Thomas G. Stewart Survey, Abstract Number 529, Montgomery County, Texas, over and across that certain called 1.126 acre tract described in instrument to Texas Liberty Holdings, LLC, recorded under Clerk's File Number 2021120746 of the Official Public Records of Montgomery County, Texas (O.P.R.M.C.T.), and that certain called 20.234 acre tract described in instrument to Alejandro Arias and Ines Bernal, recorded under Clerk's File Number 2004035074, O.P.R.M.C.T., said 0.113 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found in the southerly margin of East Williams Road, the southerly line of said 1.126 acre tract, for the common northerly corner of that certain called 20.234 acre tract described in instrument to Alejandro Arias and Ines Bernal, recorded under Clerk's File Number 2004035074, O.P.R.M.C.T., and that certain called 50.314 acre tract described in instrument to Timothy M. Maroney, recorded under Clerk's File Number 9859390 of the Real Property Records of Montgomery County, Texas (R.P.R.M.C.T.), being the southeasterly corner of the herein described 0.786 acre tract, from which a 1/2 inch iron rod found, bent, for the southeasterly corner of said 1.126 acre tract, bears South 87°08'21" East, 221.77 feet;

THENCE South 04°40'21" West, 29.44 feet, with the common line between said 20.234 acre tract and said 50.314 acre tract, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the **POINT OF BEGINNING**, in the easterly line of said 20.234 acre tract, for the common easterly corner of said 50.314 acre tract and that certain called 45.183 acre tract described in instrument to Texas Liberty Holdings, LLC, recorded under Clerk's File Number 2021085719, O.P.R.M.C.T., being the northerly east corner of the herein described 0.113 acre tract;

THENCE South 04°45'36" West, 30.01 feet, with the common line between said 20.234 acre tract and said 45.183 acre tract, to a 3/4 inch iron rod found in said common line, for the beginning of a non-tangent curve to the right, being the southerly east corner of the herein described 0.113 acre tract;

THENCE in a northwesterly direction, over and across said 20.234 acre tract and said 1.126 acre tract, 146.36 feet, with the arc of said curve to the right having a radius of 95.89 feet, a central angle of 87°26'56", a chord that bears North 43°02'54" West, 132.56 feet, to a calculated point for the end of said curve to the right;

THENCE North 03°57'04" East, 40.53 feet, continuing across said 1.126 acre tract, to a calculated point in the common line between said 1.126 acre tract and that certain remainder of a called 1.4453 acre tract described in instrument to Edward J. Szymczak and Lorena Jane Szymczak, recorded under Clerk's File Number 9262131, R.P.R.M.C.T., being the westerly north corner of the herein described 0.113 acre tract;

THENCE South 88°48'07" East, 30.03 feet, with the common line between said 1.126 acre tract and said remainder tract, to a calculated point in said common line, being the easterly north corner of the herein described 0.113 acre tract;

THENCE South 03°57'04" West, 41.04 feet, over and across said 1.126 acre tract, to a calculated point for the beginning of a curve to the left;

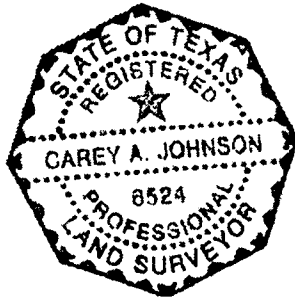
THENCE in a southeasterly direction, 100.60 feet, with the arc of said curve to the left having a radius of 65.89 feet, a central angle of 87°28'15", a chord that bears South 43°44'08" East, 91.11 feet, to the **POINT OF BEGINNING**;

CONTAINING a computed area of 0.113 acres of land within this Field Note Description.

This Field Note Description was prepared from a survey performed on the ground on September 30, 2021 by Texas Professional Surveying, LLC., Registered Professional Land Surveyors and is referenced to Survey Drawing Project Number B455-06 – Access Easement.

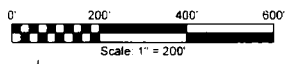
Bearings recited herein are based on GPS observations and are referenced to the NAD83, Texas State Plane Coordinate System, Central Zone (4203).

October 18, 2021
Date

A handwritten signature in black ink, appearing to read "Carey A. Johnson".

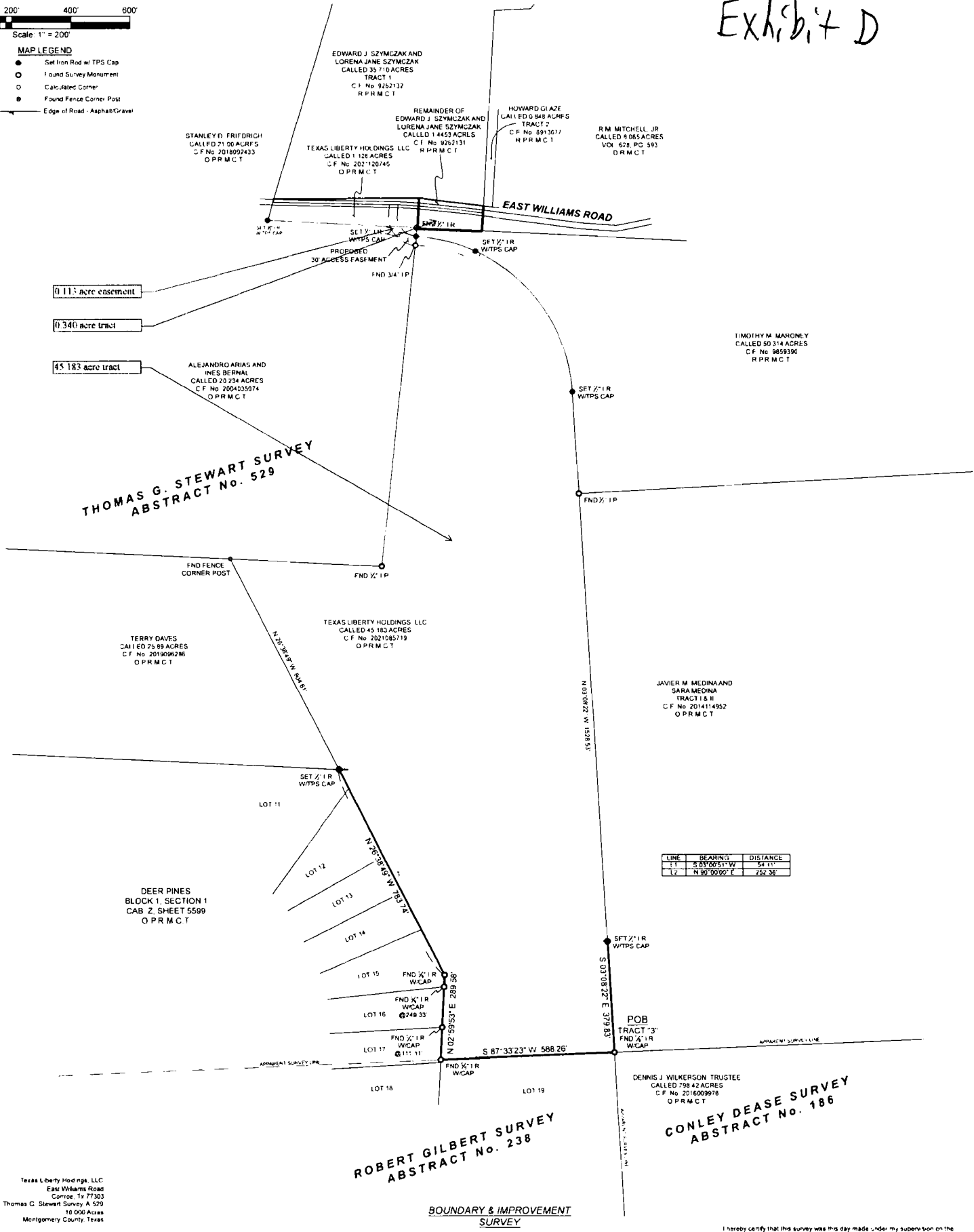
Carey A. Johnson
R.P.L.S. No. 6524

Exhibit D



MAP LEGEND

- Set Iron Rod w/ TPS Cap
- Found Survey Monument
- Calculated Corner
- Found Fence Corner Post
- Edge of Road - Asphalt/Gravel



LINE	BEARING	DISTANCE
L1	S 81°00'51\"	54.11'
L2	N 90°00'00\"	252.36'

Client: Texas Liberty Holdings, LLC
 Address: East Williams Road, Corroze, TX 77303
 Survey: Thomas G. Stewart Survey, A 529
 Area: 10,000 Acres, Montgomery County, Texas

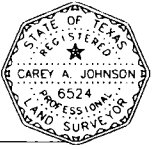
Job No: B455-06-1R3
 Scale: 1" = 200'
 Date: 9/30/21
 Drawn By: MN
 Field Check: MP
 Checked By: AJD
 Revised: /

General Notes
 1) This survey was performed without benefit of a current title report. Surveyor did not abstract title and does not certify to easements or restrictions not shown. Check with your local governing agencies for any additional easements, building lines or other restrictions not reflected on survey.

BEING a 10,000 acre tract situated in the Thomas G. Stewart Survey, Abstract Number 529, Montgomery County, Texas, being a portion of that certain called 45.183 acre tract described in instrument to Texas Liberty Holdings, L.L.C. recorded under Clerk's File Number 2021085719 of the Official Public Records of Montgomery County, Texas (O.P.R.M.C.T. 1), said 15,000 acre tract being more particularly described by attached metes and bounds description.

No portion of this property appears to be within the 100 Year Floodplain per graphic scaling of Community Panel No. 48339C02750 having an effective date of 08/18/2014.
Basis of Bearings
 Bearings shown hereon are based on GPS observations and are referenced to the NAD83, Texas State Plane Coordinate System (Central Zone 14203).

I hereby certify that this survey was this day made under my supervision on the ground of the above described property and that the above plat or drawing reflects the findings on the ground of the property at this time and that this survey meets the minimum standards of practice as approved by the Texas Board of Professional Land Surveying.



Carey A. Johnson
 Registered Professional Land Surveyor No. 8524

TEXAS PROFESSIONAL SURVEYING, LLC
 3432 N. BRAZIER STREET, COKER, TX 77303
 PH: (936) 526-7447 FAX: (936) 526-7444
 www.surveyintexas.com
 FIRM REGISTRATION NO. 109834-00

E-FILED FOR RECORD

03/08/2022 02:33PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

03/08/2022



County Clerk
Montgomery County, Texas