

F.A.

JUL 5359 PAGE 32

VARIANCE OF BUILDING LINE SETBACKS

00-R0030858

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF SMITH

THAT, WHITE TAIL HOMEOWNERS ASSOCIATION d/b/a DEER RUN HOMEOWNERS ASSOCIATION, a homeowners association organized under the laws of the State of Texas, hereby grants a variance and amendment to the building setbacks affecting Lot 6, Block 1, replat of subdivision showing The Deer Run Subdivision Unit 1, according to the plat thereof recorded in Cabinet C, Slide 171-A, of the Plat Records of Smith County, Texas. No objection will be made to improvements extending over the building setback line as shown on survey attached hereto.

This variance shall be superior to any conflicting building line setback whether created by restrictive covenant, plat, or otherwise.

APPROVED AND ACCEPTED

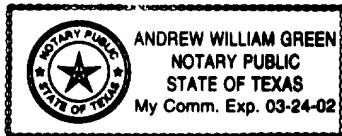
WHITE TAIL HOMEOWNERS
ASSOCIATION d/b/a DEER RUN
HOMEOWNERS ASSOCIATION

Mitch Chandler
MITCH CHANDLER

Sue Saxenmeyer
SUE SAXENMEYER, Secretary
Janis Farrell
President

STATE OF TEXAS
COUNTY OF SMITH

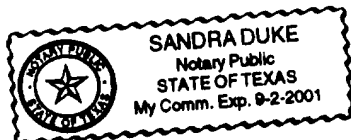
This instrument was acknowledged before me on July 12, 2000, by Sue Saxenmeyer, Secretary of White Tail Homeowners Association d/b/a Deer Run Homeowners Association, on behalf of said homeowners association.



Andrew William Green
NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF SMITH

This instrument was acknowledged before me on July 14, 2000, by Janis Farrell, President of White Tail Homeowners Association d/b/a Deer Run Homeowners Association, on behalf of said homeowners association.



Sandra Duke
NOTARY PUBLIC, STATE OF TEXAS

Filed for Record in:
SMITH COUNTY, TEXAS
JUDY CARNES, COUNTY CLERK

On Jul 18 2000
At 12:17pm

Deputy - Janis Farrell

STATE OF TEXAS
COUNTY OF SMITH

This instrument was acknowledged before me on July 13, 2000, by Mitch
Chandler, Developer of Deer Run Subdivision.



Kelli Rene Ponder
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:

First American Title
1397 Dominion Plaza
Tyler, Texas 75703

CP#13844

PLAT OF SURVEY

I, Richard C. D., Registered Professional Land Surveyor No. 1794, do hereby state the hereon was prepared from an actual survey made under my supervision on the ground of property located at 13467 WHITE TAIL DRIVE

Texas, Described as follows,

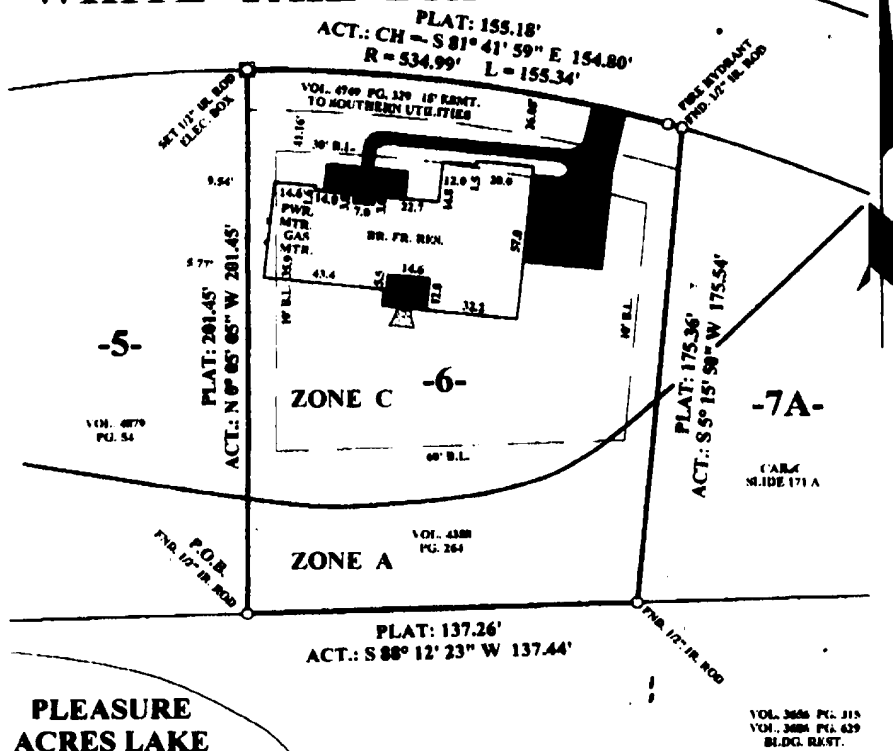
Lot No.

- 6 - BLK 1

REPLAT OF SUBDIVISION SHOWING THE DEER RUN ADDITION, UNIT 1

Texas, according to the Plat of said Addition recorded in CAR C SLIDE 171 A of the PLAT records of Smith County, Texas.

WHITE TAIL DRIVE



PLEASURE ACRES LAKE

The plat hereon correctly represents the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the site, location, and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated, and this survey substantially complies with category 1A condition IV survey as specified by the latest edition of the "Manual of Practice for Land Surveying in Texas".

Encumbrances supplied by

FIRST AMERICAN TITLE

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS EXCEPT AS SHOWN.

Bearings based on

WEST LINE

The above tract is not below the 100 year flood stage as shown on the National Flood Insurance

Flood Maps.

FLOOD ZONE

C & A

PANEL

491185 0300B 7-2-81

SCALE: 1" = 40'
DATE: 7-9-00
BOOK: G20 PAGE 24
CF #: 23844
FILE: G21344

Richard C. D.
Registered Professional Land Surveyor No. 1794
13300 Hwy 64 East
Tyler, Texas 75707
903 566 4898



** TOTAL PAGE 02 **

STATE OF TEXAS COUNTY OF SMITH
I hereby certify that this instrument was filed
on the date and time stamped hereon by me and
was duly recorded in the Official Public records
of Smith County, Texas.



JUL 18 2000

JUDY GARNES
COUNTY CLERK, Smith County, Texas
Judy Garnes Deputy

5359 34

vol 4018 p.324

97-R0033025

VARIANCE TO
DECLARATION OF COVENANTS AND RESTRICTIONS OF DEER RUN
THE DEER RUN ADDITION, UNIT 1

This Variance to Declaration of Covenants and Restrictions of Deer Run is made effective as of the 29th day of August, 1997, by the undersigned, herein called "Developer".

WITNESSETH:

WHEREAS, on July 30, 1995, Developer executed a certain Declaration of Covenants and Restrictions of Deer Run ("Declaration") recorded in Volume 3686, Page 629, Land Records of Smith County, Texas, affecting the property known as The Deer Run Addition, Unit 1, according to the plat thereof recorded in Cabinet C, Slide 171-A, of the Plat Records of Smith County, Texas; and

WHEREAS, pursuant to Article VIII, Section 1, paragraph (t), the Architectural Control Committee is given the authority to approve variances to said covenants and restrictions; and

WHEREAS, said Committee is to be appointed by the Board of Directors of the White Tail Homeowners Association, Inc., d/b/a Deer Run Homeowners Association; and

WHEREAS, said Association and said Committee have not yet been formed.

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, a variance to the Declaration as it relates to Lot 13, Block 1 of said Subdivision is hereby granted as follows:

Article VII, Covenant to Develop, Section 1, is hereby amended as to Lot 13, Block 1, to allow construction to commence no later than April 1, 1998 with completion to be no later than October 1, 1998.

Except as to this variance, the Declaration shall remain in full force and effect as originally written.

Filed for Record at:
SMITH COUNTY, TEXAS
MARY MORRIS - COUNTY CLERK

On Sep 10 1997
At 4:00pm
Deputy - Jeanette Stevenson

MASTER PLANNING & DEVELOPMENT, INC.

By: Mitchell R. Chandler
Name: MITCHELL R. CHANDLER
Title: President

THE STATE OF TEXAS
COUNTY OF SMITH

This instrument was acknowledged before me on the 29th day of August, 1997, by MITCHELL R. CHANDLER, as President of MASTER PLANNING & DEVELOPMENT, INC., a corporation, and as the authorized representative of said corporation.



Kathie L. Price
NOTARY PUBLIC, STATE OF TEXAS
PRINTED NAME OF NOTARY
KATHIE L. PRICE

MY COMMISSION EXPIRES: 9/29/2001

After recording, return to:

T. D. Brown, Inc.
1217 Wilma
Tyler, Texas 75701

STATE OF TEXAS, COUNTY OF SMITH
I, MARY MORRIS, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original instrument filed for record in the Public Records of Smith County, Texas.



SEP 10 1997

MARY MORRIS
COUNTY CLERK, Smith County, Texas
Mary Morris Deputy