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CONSENT TO ENCROACHMENT

THE STATE OF TEXAS §
 §§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF HARRIS §

WHEREAS, those certain instruments entitled *Declaration of Covenants, Conditions and Restrictions of Pine Ridge Terrace and Declaration of Covenants, Conditions, Restrictions, and Easements for Pine Ridge Terrace D.B.A. Pine Ridge Villas a Residential Subdivision in Harris County, Texas*, (collectively hereinafter referred to as the "Declaration"), filed of record in the *Official Public Records of Real Property of Harris County, Texas* under County Clerk's File Nos. U999436 and Y494889, imposed various conditions, covenants, easements, reservations and restrictions upon the lots in Pine Ridge Terrace, a subdivision in Harris County, Texas according to the maps or plats thereof being recorded under Film Code Nos. 470050 and 504055 of the Map Records of Harris County, Texas; and

WHEREAS, the Declaration was amended by those certain instruments entitled *Clarification of Declaration of Covenants, Conditions, Restrictions, and Easements for Pine Ridge Terrace d/b/a Pine Ridge Villas a Residential Subdivision in Harris County, Texas and First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Pine Ridge Terrace D.B.A. Pine Ridge Villas a Residential Subdivision in Harris County, Texas* filed of record in the *Official Public Records of Real Property of Harris County, Texas*, under County Clerk's File Nos. 20070014306 and 20090250085 (the Declaration as amended hereinafter shall be referred to as the "Declaration"); and

WHEREAS, the driveway constructed on Lot Six (6), in Block Two (2) of *Pine Ridge Villas in Harris County, Texas* (the "Property") (which Property is more commonly known as 5518 Kian Court, Houston, Texas 77081) extends beyond the front property line of the Property approximately twelve and one-half inches (12 1/2") into Kian Court (the "Encroachment") as evidenced on Exhibit A attached hereto and incorporated herein for all purposes; and

WHEREAS, Kian Court is a private street owned by the *Pine Ridge Villas Community Association, Inc.* (the "Association");

WHEREAS, the current owners of the Property, Larry Bolander and Amy Rainwater (hereinafter collectively referred to as "Owner"), may ultimately attempt to sell the Property and will likely be unable to convey clear title to the Property due to the Encroachment;

WHEREAS, the Property is under the jurisdiction of the Association which, among other things, has the duty of enforcing the terms of the Declaration; and

WHEREAS, the Association's *Board of Directors* (the "Board") has carefully reviewed the circumstances and is willing to execute this *Consent to Encroachment* (the "Consent") subject to the condition that this Consent shall be applicable only to that portion of the driveway on the Property made the subject hereof, i.e., the Encroachment.

NOW, THEREFORE, for good and valuable consideration, the Association, acting through the Board, as evidenced by the signatures of at least a majority of the Board below, does hereby consent to the encroachment depicted in Exhibit "A", subject to the condition that this Consent shall be applicable only to that portion of the driveway on the Property made the subject hereof;

ER 022 - 63 - 2189

Consent to Encroachment
GF # 020130941
47 / AUGUSTYN
STEWART TITLE COMPANY

PROVIDED FURTHER, that this Consent contains the entire agreement between the parties relating to its subject matter. Any oral representations or modifications concerning this Consent shall be of no force and effect. Any subsequent amendment or modification of this Consent must be agreed to in a writing signed by all parties to this Consent or their successors in interest;


PROVIDED FURTHER, that the parties to this Consent stipulate and agree that this Consent may be executed in multiple originals on different dates which, when placed together, shall constitute one document; and

PROVIDED FURTHER, that this Consent shall run with the land and shall bind the Association and its successors and assigns.


Executed on the date set forth below as the act the Association, to be effective upon recording in the *Official Public Records of Real Property of Harris County, Texas*.

**PINE RIDGE VILLAS COMMUNITY
ASSOCIATION, INC.**

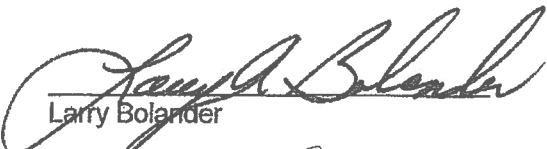
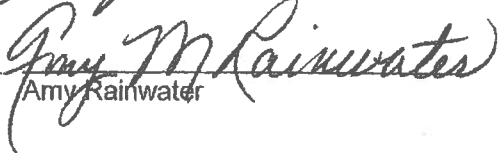
3-18-2011
Date

By: 
Lee Zieben, as a Member of the Board of Directors

3-18-2011
Date

By: 
John Kirksey, Jr., as a Member of the Board of Directors

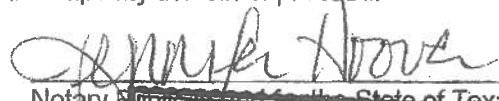

**APPROVED AND ACCEPTED BY
OWNER:**


Larry Bolander

Amy Rainwater

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 18th day of March, 2011 personally appeared Lee Zieben, as President of the Association, 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 purpose and in the capacity therein expressed.

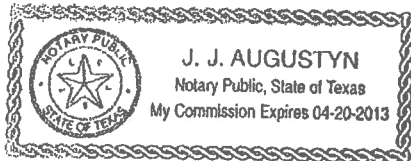

Notary Public in and for the State of Texas


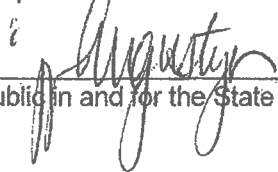
THE STATE OF TEXAS

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COUNTY OF HARRIS

BEFORE ME, the undersigned notary public, on this 18th day of March, 2011 personally appeared Larry Bolander and Amy Rainwater, 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 purpose and in the capacity therein expressed.


J. J. AUGUSTYN
Notary Public, State of Texas
My Commission Expires 04-20-2013


Notary Public in and for the State of Texas

Return to:
Butler | Hailey
8901 Gaylord, Suite 100
Houston, Texas 77024
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