



**Rezoning
Staff Report**

Planning & Zoning Commission Public Hearing Date: February 13, 2023
City Council Public Hearing Date: February 20, 2023

Rezoning Case: Z23-02
Property Owner(s): RIAA Group LLC.
Applicant(s): RIAA Group LLC.
Legal Description: Portions of Lot 172, in Tomball Townsite
Location: 1635 S. Cherry St. (Exhibit “A”)
Area: 3.12 acres
Comp Plan Designation: Neighborhood Commercial/Transitional Residential (Exhibit “B”)
Present Zoning: Agricultural (AG) (Exhibit “C”)
Request: Rezone from Agricultural (AG) to the General Retail (GR) district
Adjacent Zoning & Land Uses:
North: Manufactured Home (MH) & Conditional Use Permit (CUP)(SF-20)/ RV Park
South: Agricultural (AG)/Vacant
West: Agricultural (AG)/Vacant
East: General Retail (GR)/Convenience Store & Fuel Sales

BACKGROUND

The subject property has been within the City Limits of Tomball since at least 1907. The property has remained vacant since this time. The applicants are requesting to rezone the subject property to General Retail to allow the development of a retail shopping center and convenience store.

ANALYSIS

Description: The subject property comprises approximately 3.12 acres, located at the northwest corner of Medical Complex Drive and South Cherry Street. The property is presently located within the Agricultural zoning district and has been within this zoning classification since the City of Tomball adopted zoning in 2008. Immediately north of the subject property is an existing recreational vehicle park which is permitted by virtue of a Conditional Use Permit (CUP1) in the existing Manufactured Home Park zoning district. East of the subject site is an existing fuel station and convenience store which has been in existence since 2008, this use is located in the General Retail district. The southeast corner of South Cherry Street and Medical Complex Drive is presently occupied by an existing office building, which has been in existence since 2002, and is located in the Office zoning district. The properties immediately west of the subject property is

currently vacant and zoned Agricultural. In 2022, the property south of the subject property at the southwest corner of S. Cherry Street and Medical Complex Drive requested to rezone from the Agricultural to the Commercial (C) district in 2022. This request was ultimately denied by the City Council and has remained vacant.

Comprehensive Plan Recommendation: The Future Land Use Plan adopted with the Comprehensive Plan in 2019 currently splits the subject property into two planned land use categories, “Transitional Residential” & “Neighborhood Commercial”. The portion of the subject property which falls within “Transitional Residential” is approximately 70,000 square feet in area. This transitional residential land use category calls for multi-family, duplex, and single-family residential uses. When considering this proposed transitional residential land use, the subject property will not allow the establishment of multi-family development due to its size (multi-family requires 10-acres minimum). In addition to the size and irregular shape, the property presents challenges to developing single-family or duplex residential given restrictions pertaining to direct access from residential lots to major arterial streets (Medical Complex). This restriction would likely require the dedication and creation of a new street for each lot to front on, said street dedication would further reduce the developable area and likely exacerbate the irregular shape of the parcels. Taking this information into consideration, the entirety of the subject property is likely best suited for the neighborhood commercial land use category.

The Neighborhood Commercial land use category is intended for commercial uses that are developed with the appropriate context, scale and design to complement residential development. These areas are intended to be accessible by both vehicles and pedestrians.

According to the Comprehensive Plan, land uses that are appropriate in these neighborhood commercial land use areas include restaurants, retail, professional services, clinics, and offices. Appropriate secondary uses may include places of assembly or event venues, local utility services, and government facilities.

The Comprehensive Plan recommends the zoning districts of – General Retail (GR), Office (O), or Planned Developments (PD) for the Neighborhood Commercial land use category.

The Comprehensive Plan states that when making decisions regarding the neighborhood commercial land use category the city should consider that neighborhood commercial development should be located adjacent to intersections of collector streets or streets of greater functional classification.

Staff Review Comments:

The request to rezone to General Retail is in direct alignment with the Comprehensive Plans objective of establishing neighborhood commercial land uses at the northwest corner of the intersection of S. Cherry Street and Medical Complex Drive. The land uses that would result from this zone change would be in character with surrounding land uses at this intersection. Furthermore, the subject site is situated at the intersection of two arterial streets. Locations such as this are customarily considered appropriate for commercial land uses as these roadways provide convenient access and exposure often considered necessary for commercial success.

PUBLIC COMMENT

A Notice of Public Hearing was published in the paper and property owners within 300 feet of the project site were mailed notification of this proposal on February 2, 2023. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case Z23-02.

EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Map
- C. Zoning Map
- D. Site Photo
- E. Rezoning Application

Exhibit "A"
Aerial Location Map



Location Map



Exhibit "B"
Future Land Use Plan



Future Land Use Map

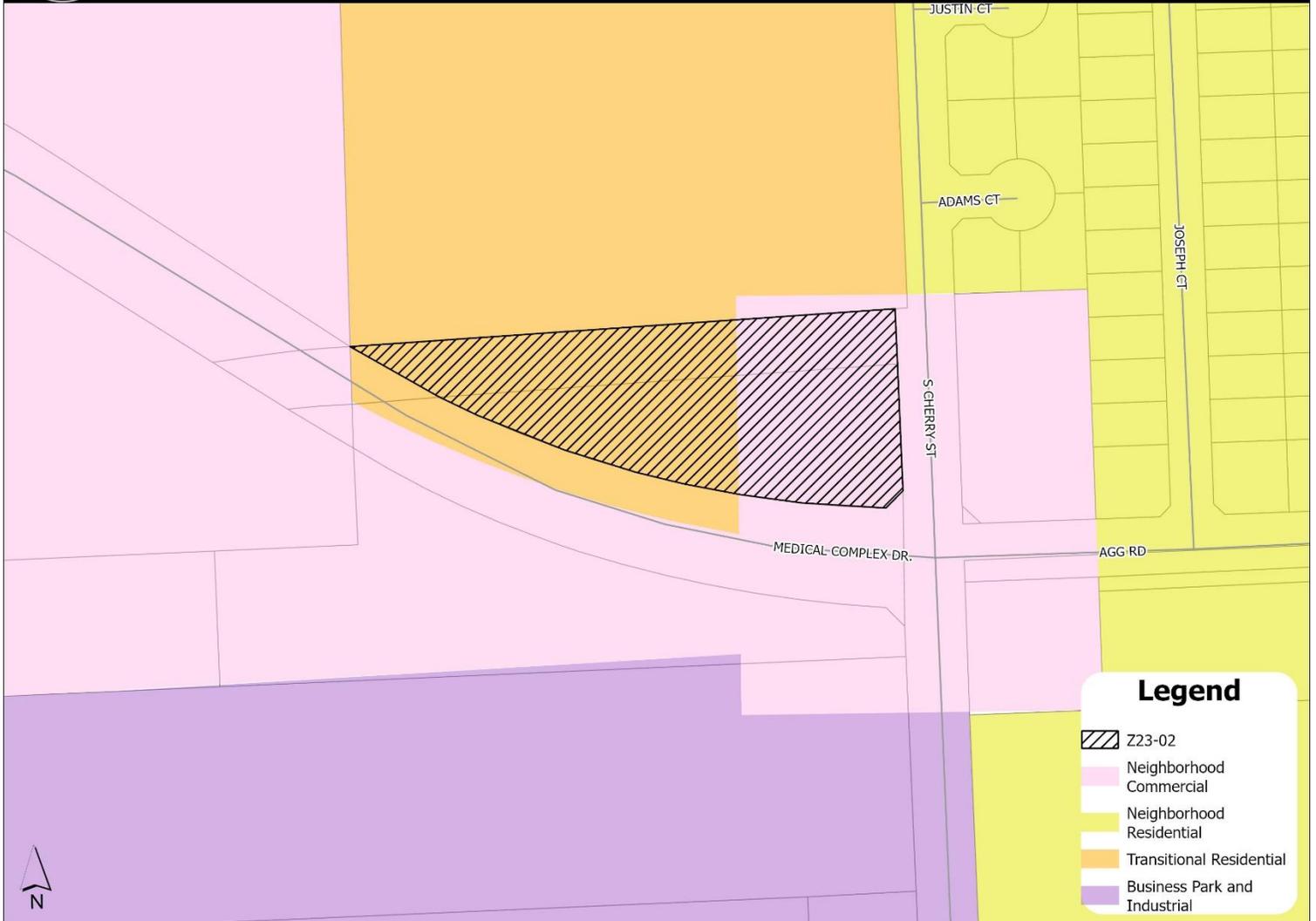


Exhibit "C"
Zoning Map

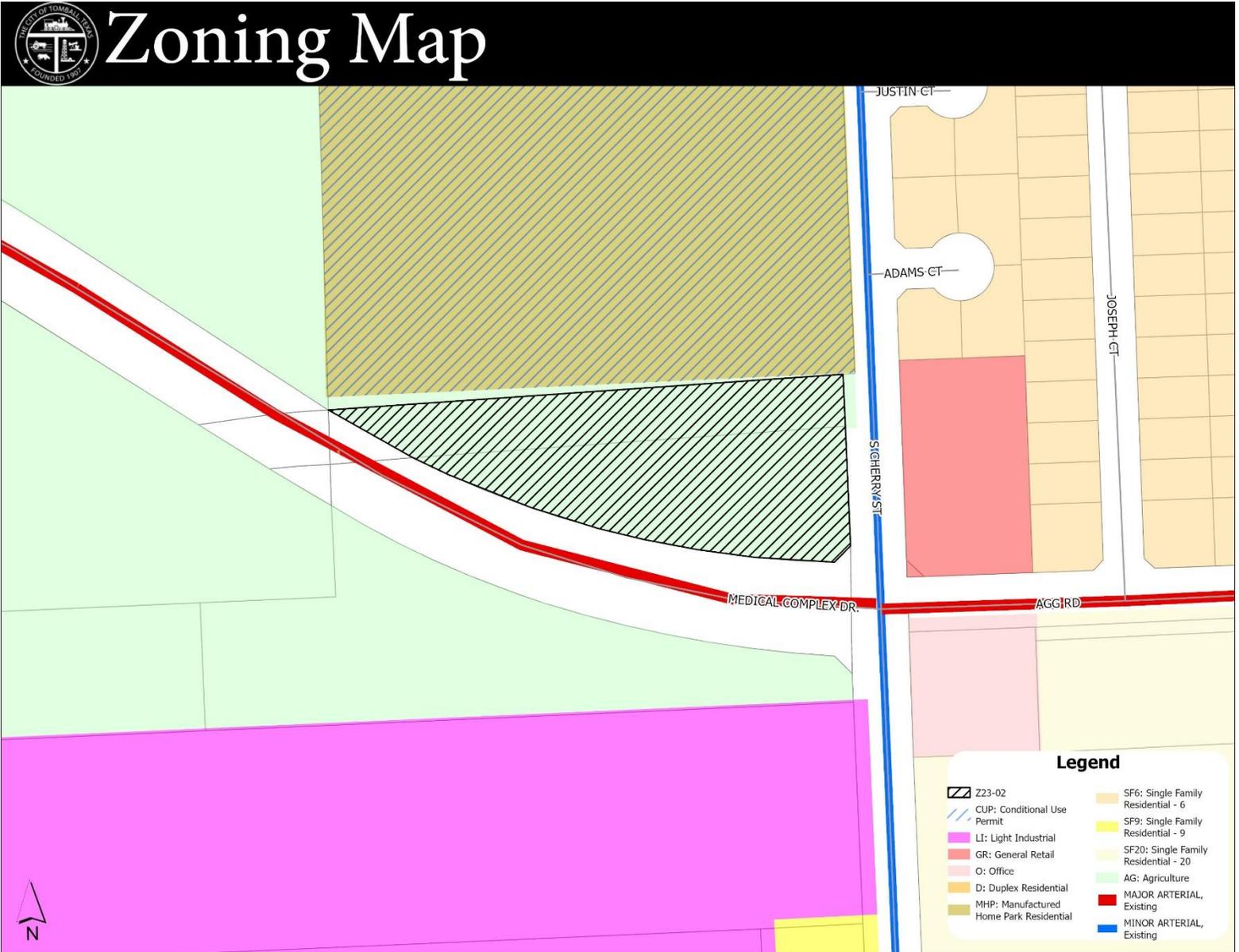


Exhibit "D"
Site Photo(s)

Subject Site



Neighbor (West)



Neighbor (East)



Neighbor (North)



Neighbor (South)



Exhibit "E" Rezoning Application

Revised: 4/13/2020



APPLICATION FOR RE-ZONING

Community Development Department
Planning Division

APPLICATION SUBMITTAL: Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

Applicant

Name: RIAA GROUP, LLC. Title: LLC
Mailing Address: 4814 ZACARY LANE City: SUIGAR LAND State: TEXAS
Zip: 77479 Contact: ARIF MANKNOJIYA
Phone: (832) 620-3514 Email: Riaagroupllc@gmail.com

Owner

Name: ARIF MANKNOJIYA Title: OWNER
Mailing Address: 4814 ZACARY LANE City: SUIGAR LAND State: TEXAS
Zip: 77479 Contact: _____
Phone: (832) 620-3514 Email: Riaagroupllc@gmail.com

Engineer/Surveyor (if applicable)

Name: Catalyst Technical Group, inc. Title: Engineer
Mailing Address: 440 Cobia dr. suite 1503 City: KATY State: TX
Zip: 77494 Contact: RAFIQ
Phone: (____) 832-913-1888 Fax: (____) _____ Email: ali@texasctgroup.com

Description of Proposed Project: _____

Physical Location of Property: 1635 CHERRY ST TOMBALL TX 77375.
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: TR 172A-2 TOMBALL OUTLOTS
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: Agricultural (AG)

Current Use of Property: NONE (EMPTY LOT)

Proposed Zoning District: General Retail (GR)

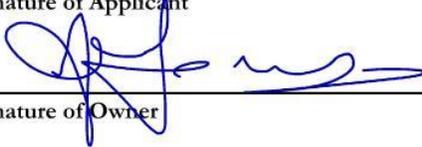
Proposed Use of Property: RETAIL PLAZA AND C-STORE

HCAD Identification Number: 0352860002419 , 0352860002420 Acreage: 3.122

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.tomballtx.gov

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is **COMPLETE, TRUE, and CORRECT** and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

<input checked="" type="checkbox"/>		12-16-2022
	Signature of Applicant	Date
<input checked="" type="checkbox"/>		12-16-2022
	Signature of Owner	Date

Submittal Requirements

The following summary is provided for the applicant's benefit. However, fulfilling the requirements of this summary checklist does not relieve the applicant from the responsibility of meeting the regulations in the Zoning Ordinance, subdivision regulations, and other development related ordinances of the City of Tomball.

Applications must be received by the City of Tomball at least 40 calendar days prior to the City Planning and Zoning Commission hearing date.

- Completed application form**
- *Copy of Recorded/Final Plat**
- Check for \$400.00 + \$10.00 per acre (Non-Refundable)**
- Letter stating reason for request and issues relating to request**
- Conceptual Site Plan (if applicable)**
- Metes & Bounds of property**
- Payment of all indebtedness attributed to subject property must be paid with application or an arrangement in accordance with Section 50-36(a)(3) of the Code of Ordinances as cited below:**

(No person who owes delinquent taxes, delinquent paving assessments, or any other fees, delinquent debts or obligations or is otherwise indebted to the City of Tomball, and which are directly attributed to a piece of property shall be allowed to submit any application for any type of rezoning, building permit, or plan review until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof to the City of Tomball shall have been first fully discharged by payment, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence of proof that all taxes, fees, etc.. have been paid, or that other arrangements satisfactory to the City have been made for payment of said taxes, fees, etc.)

The City's staff may require other information and data for specific required plans. Approval of a required plan may establish conditions for construction based upon such information.

***Legal Lot Information:** If property is not platted, a plat will be required to be filed with the Community Development Department unless evidence of a legal lot is provided. To be an unplatted legal lot, the applicant is required to demonstrate that the tract existed in the same shape and form (same metes and bounds description) as it currently is described prior to August 15, 1983, the date the City adopted a subdivision ordinance.

Application Process

1. The official filing date is the date the application and fee are received by the City.
2. The City will review the application for completeness and will notify the applicant in writing within 10 days if the application is deemed incomplete.
3. Property owners within two-hundred (200) feet of the project site will be notified by letter within 10 calendar days prior to the public hearing date and legal notice will appear in the official newspaper of the City before the eighth calendar day prior to the date of the hearing.
4. A public hearing will be held by the Planning and Zoning Commission at 6:00 p.m. in the City Council chambers, unless otherwise noted. The Planning and Zoning Commission meetings are scheduled on the second Monday of the month. The staff will review the request with the Commission and after staff presentations the chair will open the public hearing. The applicant will have ten (10) minutes to present the request. The chair will then allow those present in favor of the request and those in opposition to the request to speak. The Commission may then ask staff or anyone present additional questions, after which the Commission may close or table the public hearing. The Commission may then vote to recommend approval or denial to the City Council. The Commission may also table the request to a future date before a recommendation is sent to the City Council.
5. A second public hearing will be scheduled before the City Council after fifteen (15) days of legal notice. The Council meetings are held on the first (1st) and third (3rd) Mondays of the month at 6:00 p.m. in the City Council chambers (401 Market Street, Tomball, Texas, 77375).
6. The City Council will conduct a public hearing on the request in the same manner as the Planning and Zoning Commission. In the event that there has been a petition filed with the City Secretary with twenty percent (20%) of the adjoining property owners in opposition to the subject zoning request, it will require a three fourths (3/4) vote of the full Council to approve the request. Upon approval of the request by the City Council, an amended ordinance shall be prepared and adopted. The ordinance shall have two separate readings and will be effective at such time that it is adopted by City Council and signed by the Mayor and attested by the City Secretary.

FAILURE TO APPEAR: It is the applicant/property owner's responsibility to attend all Planning and Zoning Commission and City Council meetings regarding their case. Failure of the applicant or his/her authorized representative to appear before the Planning and Zoning Commission or the City Council for more than one (1) hearing without approved delay by the City Manager, or his/her designee, may constitute sufficient grounds for the Planning and Zoning Commission or the City Council to table or deny the application unless the City Manager or his/her designee is notified in writing by the applicant at least seventy-two (72) hours prior to the hearing. If the agenda item is tabled the Planning and Zoning Commission shall specify a specific date at which it will be reconsidered.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

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

THAT, JANA'S DIRT LLC, A TEXAS LIMITED LIABILITY COMPANY, which acquired title to Tract 2 of the hereinafter described real property by error or mistake as JANA'S DIRT, L.L.C., hereinafter called Grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars cash and other good and valuable consideration in hand paid by

RIA GROUP LLC
4914 Zachary Ln.
Sugarland, Tx 77479
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hereinafter called Grantee, the receipt and sufficiency of which are hereby acknowledged and confessed, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee all those certain lots, tracts or parcels of land, together with all improvements thereon, lying and being situated in the County of Harris, State of Texas, described as follows, to-wit:

TRACT 1:
Being a 1.839 acre tract situated in the Jesse Pruett Survey, Abstract No. 629, Harris County, Texas, being a portion of the residue of that certain called 7.56 acre tract described in instrument to Jana's Dirt, LLC, recorded in Clerk's File No. 20120271296 of the Official Public Records of Real Property, Harris County, Texas (O.P.R.R.P.H.C.T.), said 1.839 acre tract being more particularly described by metes and bounds on Exhibit "A" attached hereto.

TRACT 2:
Being a 1.283 acre tract situated in the Jesse Pruett Survey, Abstract No. 629, Harris County, Texas, being all of that certain called 1.2748 acre tract described in instrument to Jana's Dirt, LLC, recorded in Clerk's File No. 20150109818 of the Official Public Records of Real Property, Harris County, Texas (O.P.R.R.P.H.C.T.), said 1.283 acre tract being more particularly described by metes and bounds on Exhibit "A" attached hereto.

This conveyance is made and accepted subject to any and all valid covenants, conditions, restrictions, easements and outstanding mineral and/or royalty interests in the oil, gas, and other minerals and leases thereon, now outstanding or affecting the premises herein conveyed, now of record in the County Clerk's office of Harris County, Texas, but only to the extent they are still in force and effect.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee and Grantee's successors and assigns, forever. And Grantor does hereby bind Grantor and Grantor's successors and assigns, to warrant and forever defend all and singular the said premises unto the said Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Executed this 12 day of February, 2021.

JANA'S DIRT LLC,
A TEXAS LIMITED LIABILITY COMPANY

By: [Signature]
MIKE O'BRIEN, Managing Member

And By: [Signature]
JANA O'BRIEN, Managing Member

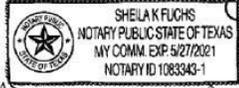
RECORDED AT THE REQUEST
OF FIRST AMERICAN TITLE
GF# - 2565826-43

RP-2021-155506

UNOFFICIAL

STATE OF TEXAS §
COUNTY OF Montgomery §

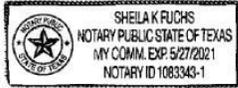
This instrument was acknowledged before me on this 12 day of February, 2021 by MIKE OBRIEN, Managing Member of JANA'S DIRT LLC, A TEXAS LIMITED LIABILITY COMPANY, on behalf of said entity in the capacity herein stated.



[Signature]
Notary Public, State of Texas

STATE OF TEXAS §
COUNTY OF Montgomery §

This instrument was acknowledged before me on this 12 day of February, 2021 by JANA OBRIEN, Managing Member of JANA'S DIRT LLC, A TEXAS LIMITED LIABILITY COMPANY, on behalf of said entity in the capacity herein stated.



[Signature]
Notary Public, State of Texas

After recording return to:
R1AA Group LLC
4814 Zachary Ln.
Sugarland, Tx 77479

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EXHIBIT 'A'

TRACT 1:

BEING A 1.839 ACRE TRACT SITUATED IN THE JESSE PRUETT SURVEY, ABSTRACT NO. 629, HARRIS COUNTY, TEXAS, BEING A PORTION OF THE RESIDUE OF THAT CERTAIN CALLED 7.56 ACRE TRACT DESCRIBED IN INSTRUMENT TO JANA'S DIRT, LLC, RECORDED IN CLERK'S FILE NO. 20120271296 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS (O.P.R.R.P.H.C.T.), SAID 1.839 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1 INCH IRON PIPE WITH CAP FOUND IN THE WESTERLY RIGHT-OF-WAY OF SOUTH CHERRY STREET (80' WIDTH), FOR THE COMMON EASTERLY CORNER OF SAID RESIDUE TRACT AND A CALLED 1.2748 ACRE TRACT DESCRIBED IN INSTRUMENT TO JANA'S DIRT, LLC, RECORDED IN CLERK'S FILE NO. 20150109818, O.P.R.R.P.H.C.T., BEING THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED 1.839 ACRE TRACT, FROM WHICH A 1 1/2 INCH PINCHED TOP PIPE FOUND FOR THE NORTHEASTERLY CORNER OF SAID 1.2748 ACRE TRACT BEARS NORTH 02°28'33" WEST, 79.89 FEET;

THENCE SOUTH 02°28'33" EAST, 176.06 FEET, WITH THE WESTERLY RIGHT-OF-WAY OF SAID SOUTH CHERRY STREET AND THE EASTERLY LINE OF SAID RESIDUE TRACT, TO A 1/2 INCH IRON ROD WITH CAP STAMPED "TPS 100834-00" SET FOR THE NORTHERLY CUTBACK CORNER AT THE NORTHWESTERLY CORNER OF THE INTERSECTION OF SAID SOUTH CHERRY STREET, WITH MEDICAL COMPLEX DRIVE (120' WIDTH), RECORDED IN CLERK'S FILE NO. 2015107119, O.P.R.R.P.H.C.T., FOR THE EASTERLY SOUTHEAST CORNER OF SAID RESIDUE TRACT AND THE HEREIN DESCRIBED 1.839 ACRE TRACT;

THENCE SOUTH 44°57'24" WEST, 33.81 FEET, WITH SAID CUTBACK AND THE SOUTHEASTERLY LINE OF SAID RESIDUE TRACT, TO A 1/2 INCH IRON ROD WITH CAP FOUND FOR THE BEGINNING OF A CURVE TO THE RIGHT, THE SOUTHERLY CUTBACK CORNER AT SAID INTERSECTION AND THE SOUTHERLY SOUTHEAST CORNER OF SAID RESIDUE TRACT AND THE HEREIN DESCRIBED 1.839 ACRE TRACT;

THENCE NORTHWESTERLY, 642.62 FEET, WITH ARC OF SAID CURVE TO THE RIGHT IN THE NORTHERLY RIGHT-OF-WAY OF SAID MEDICAL COMPLEX DRIVE, WITH THE SOUTHWESTERLY LINE OF SAID RESIDUE TRACT, HAVING A RADIUS OF 1,440.00 FEET, A CENTRAL ANGLE OF 25°34'08", AND A CHORD THAT BEARS NORTH 74°23'36" WEST, 637.30 FEET TO A 1/2 INCH IRON ROD WITH CAP STAMPED "TPS 100834-00" SET FOR THE COMMON WESTERLY CORNER OF SAID RESIDUE TRACT AND SAID 1.2748 ACRE TRACT, BEING THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED 1.839 ACRE TRACT;

THENCE NORTH 87°25'21" EAST, 630.73 FEET, WITH THE COMMON LINE OF SAID RESIDUE TRACT AND SAID 1.2748 ACRE TRACT, TO THE PLACE OF BEGINNING;

CONTAINING A COMPUTED AREA OF 1.839 ACRES OF LAND WITHIN THIS FIELD NOTE DESCRIPTION.

TRACT 2:

BEING A 1.283 ACRE TRACT SITUATED IN THE JESSE PRUETT SURVEY, ABSTRACT NO. 629, HARRIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN CALLED 1.2748 ACRE TRACT DESCRIBED IN INSTRUMENT TO JANA'S DIRT, LLC, RECORDED IN CLERK'S FILE NO.

RP-2021-155506

20150109818 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS, COUNTY, TEXAS (O.P.R.R.P.H.C.T.), SAID 1.283 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1 INCH IRON PIPE WITH CAP FOUND IN THE WESTERLY RIGHT-OF-WAY OF SOUTH CHERRY STREET (80' WIDTH), FOR THE COMMON EASTERLY CORNER OF SAID 1.2748 ACRE TRACT AND THE RESIDUE OF A CALLED 7.56 ACRE TRACT DESCRIBED IN INSTRUMENT TO JANA'S DIRT, LLC, RECORDED IN CLERK'S FILE NO. 20120271296, O.P.R.R.P.H.C.T., BEING THE SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED 1.283 ACRE TRACT;

THENCE SOUTH 87°25'21" WEST, 630.73 FEET, WITH THE COMMON LINE OF SAID 1.2748 ACRE TRACT AND SAID RESIDUE TRACT, TO A ½ INCH IRON ROD WITH CAP STAMPED "TPS 100834-00" SET IN THE NORTHEASTERLY RIGHT-OF-WAY OF MEDICAL COMPLEX DRIVE (120' WIDTH), RECORDED IN CLERK'S FILE NO. 2015107119, O.P.R.R.P.H.C.T., FOR THE COMMON WESTERLY CORNER OF SAID 1.2748 ACRE TRACT AND SAID RESIDUE TRACT, BEING THE SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED 1.283 ACRE TRACT, FROM WHICH A 5/8 INCH IRON ROD WITH CAP FOUND FOR REFERENCE, BEARS SOUTH 89°01'05" WEST, 0.38 FEET;

THENCE NORTH 58°06'39" WEST, 145.11 FEET, WITH THE NORTHEASTERLY RIGHT-OF-WAY OF SAID MEDICAL COMPLEX DRIVE AND THE SOUTHWESTERLY LINE OF SAID 1.2748 ACRE TRACT, TO A 5/8 INCH IRON ROD WITH CAP FOUND FOR THE COMMON WESTERLY CORNER OF SAID 1.2748 ACRE TRACT AND A TRACT DESCRIBED IN INSTRUMENT TO CORRAL RUP, LLC, RECORDED IN CLERK'S FILE NO. 2018138656, O.P.R.R.P.H.C.T., BEING THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED 1.283 ACRE TRACT;

THENCE NORTH 87°35'34" EAST, 750.51 FEET, WITH THE COMMON LINE OF SAID 1.2748 ACRE TRACT AND SAID CORRAL RUP TRACT, TO A 1 ½ INCH PINCHED TOP PIPE FOUND IN THE WESTERLY RIGHT-OF-WAY OF SAID SOUTH CHERRY STREET, FOR THE COMMON EASTERLY CORNER OF SAID 1.2748 ACRE TRACT AND SAID CORRAL RUP TRACT, BEING THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED 1.283 ACRE TRACT;

THENCE SOUTH 02°28'33" EAST, 79.89 FEET, WITH THE WESTERLY RIGHT-OF-WAY OF SAID SOUTH CHERRY STREET AND THE EASTERLY LINE OF SAID 1.2748 ACRE TRACT, TO THE PLACE OF BEGINNING;

CONTAINING A COMPUTED AREA OF 1.283 ACRES OF LAND WITHIN THIS FIELD NOTE DESCRIPITON.

COPY

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Pages 5
03/25/2021 07:40 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$30.00

UNOFFICIAL COPY

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

