

Hood County Clerk
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Granbury, Texas 76048
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Document Number: 2022-0008407 -
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AMENDED RESTRICTIONS

Grantor: COMANCHE COVE OA INC

Pages: 6

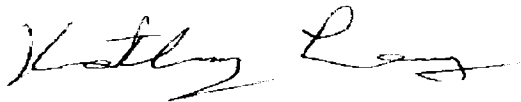
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Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

I hereby certify that this instrument was filed and duly recorded in the Official Records of Hood County, Texas



Katie Lang
County Clerk
Hood County, Texas



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GRANBURY, TX 76049-6009



**Amended
Subdivision Restrictions**

Block 2, Section C

THE STATE OF TEXAS)
)
COUNTY OF HOOD) **KNOW ALL MEN BY THESE PRESENTS:**

These Amended Subdivision Restrictions for Comanche Cove are made on this day by the Comanche Cove Owners Association, Inc., a Texas non-profit corporation (hereinafter called “the Association”) and affirmed and approved in its entirety by the vote of at least two-thirds of the votes cast at a meeting of the Members of the Comanche Cove Owners Association, Inc., in which a quorum was present, on the 14th day of May 2022.

RECITALS

WHEREAS, the Board of Directors and Members of the Association desire to amend and restate Section 1. and Section 12. of all Subdivision Restrictions for Comanche Cove so as to have updated restrictions regarding the architectural control committee and the assessments of the Association.

WHEREAS, these Amended Subdivision Restrictions for Comanche Cove have been approved by the vote of at least two-thirds of the votes cast at a meeting of the Members of the Comanche Cove Owners Association, Inc., in which a quorum was present, on the 14th day of May 2022 as provided by the previous Subdivision Restrictions for Comanche Cove, as evidenced by the signature and certification of the president of the Association set forth below.

NOW, THEREFORE, the Members of the Association do hereby amend and restate Section 1. and Section 12. of all Subdivision Restrictions previously filed which pertain to the Property; and the property in the subdivision as shown by the plats thereof recorded in Slide A, Pg. 200 and Slide A-212-B, Real Property Records, Hood County, Texas and described as all of Block 2, Section C, (collectively known as the “Property”) is subjected to, governed by, and restricted in accordance with the Amended Subdivision Restrictions set forth in this instrument, which shall run with the land.

1. There shall be established on Architectural Control Committee composed of three (3) members appointed by the Comanche Cove Owners’ Association Board of Directors to protect the owners of lots hereunder against such improper use of lots as will depreciate the value of their property; to preserve, so far as practicable, the natural beauty of said property; to guard against the erection thereon of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to obtain harmonious architectural schemes; to insure the highest and best development of said property; to encourage and secure the erection of attractive homes and placement of attractive mobile homes thereon, with appropriate locations thereof on lots; to secure and maintain proper setbacks from streets and adequate free spaces between

structures and in general to provide adequately for high type of quality of improvements in said property: and thereby to enhance the value of Investments made by purchasers of lots therein.

Members of the Architectural Control Committee shall serve terms of two (2) years. The Architectural Control Committee shall promulgate architectural guidelines to achieve the above stated purpose of the Committee. The architectural guidelines shall conform to the Deed Restrictions and where conflict arises, the Deed Restrictions shall apply. The Architectural guidelines shall be filed of record in the Deed Records of Hood County, Texas. The Architectural Control Committee shall review proposed construction, whether new or modification, to ensure it complies with these Restrictive Covenants and to ensure the construction or modification maintains an architectural harmony and compatibility with existing improvements in the Comanche Cove development.

Neither the undersigned, nor the Architectural Control Committee, nor the members of said Committee, nor the Directors nor officers of Comanche Cove Owners' Association, shall have any liability nor responsibility at law nor in equity on account of the enforcement of, nor on account of the failure to enforce, these restrictions.

12. Assessments

Regular Assessments: Subject to the remaining provisions of this paragraph, as to each lot hereunder, an assessment is hereby made of \$90.00 per year per lot. Assessments on lots who current owners purchased said lots prior to May 1, 2003 retain a volume discount as follows:

One Lot - \$90.00

Two Lots - \$155.00

Three Lots - \$185.00

Four Lots - \$200.00

Five or more Lots - \$200.00 plus \$10.00 for each lot exceeding four lots

Each lot, regardless of date of ownership, is subject to a \$15.00 road assessment for the maintenance and upkeep of the roads of the association. Unless so stated in the vote and approval of any assessment or modification thereof, such assessments may be used for the construction, reconstruction, improvement and maintenance of roads and streets, swimming pools, parks and other improvements in Comanche Cove Subdivision, and for the purchase and rental of land and other property and facilities for use by Comanche Cove Owners Association, and for security guards at Comanche Cove Subdivision, and for any other uses approved by the Board of Directors of Comanche Cove Owners Association, it being understood that said swimming pools, parks and recreational areas are for the sole use and benefit of members of said Association, their families and authorized guests. Said assessment shall accrue from the earlier of the date of the agreement for deed from the undersigned as seller to a purchaser or of the conveyance by the undersigned as grantor. Such assessment shall be and is secured by a lien on each lot hereunder, respectively, and shall be payable to Comanche Cove Owners Association (a Texas nonprofit corporation), its successors and assigns, the owner of said assessment funds, on March 31 and

September 30 of each year commencing in 1982, at which date in the year 1982 and in successive years said assessment lien shall the year 1982 and in successive years said assessment lien shall conclusively be deemed to have attached. Such assessments shall be payable either in arrears or in advance, as determined from time to time by the Board of Directors of Comanche Cove Owners Association, except that such assessments shall never be payable more than twelve (12) months in advance. In the event said Board of Directors makes such assessments payable in advance and except as otherwise required by law, there shall be no refund of paid but unaccrued assessments on account of any cancellation or repossession of a purchase contract or any transfer of an owner's or purchaser's interest in a lot. If any such assessment or part thereof is not paid by the thirtieth (30th) day following the due date thereof, the unpaid amount of such assessment shall bear interest from the beginning of such delinquency at the rate of ten percent (10%) per annum until paid. The assessment lien described hereinabove shall secure payment of past-due unpaid assessments and any interest thereon plus any expenses incurred by Comanche Cove Owners Association in attempting to collect same, including, without being limited to, reasonable attorneys' fees. Such assessment lien shall be junior and subordinate to any lien which may be placed on any lot of any portion of any lot as security for any interim construction loan and/or any permanent loan for financing improvements on said lot, and/or any purchase money loan for any lot on which a dwelling or building complying with these restrictions has theretofore been constructed. Commencing on the last Friday in April, 1981, the undersigned shall not be eligible for membership in said Comanche Cove Owners Association. Assessments against lots owned by the undersigned shall accrue, and liens securing same may attach, only during such times as a contract to purchase said lots is then in force; no assessments shall be made against the undersigned nor against the unsold lots owned by it at any time (whether or not such lots have been previously sold and the contract cancelled or otherwise terminated), and as to any lot then owned by the undersigned not covered by a contract with the undersigned then in force to sell or reserve for sale such lot, any then accrued but unpaid assessments, under this paragraph against such lot shall thereupon be automatically cancelled. At any time Comanche Cove Owners Association may elect, by the vote of a majority of the entire Board of Directors of said Association plus a majority of votes cast at a meeting of members of said Association duly convened, to increase such assessments, provided that prior written notice is mailed to each member of said Association (at the most recent address shown for such member on the records of said Association) stating either the exact amount or the maximum amount or such increase to be voted on at such meeting. Any modification to assessments shall be documented in a Management Certificate which shall be filed of record in the Deed Records of Hood County, Texas. The Management Certificate shall include the details of notice to the membership, date of membership meeting, number of members in attendance, number of members voting, number of members voting for the modification and the number of members voting against the modification.

Special Assessments: Subject to the remaining provisions of this paragraph, lot owners are subject to the following Special Assessments:

- a. \$200.00 Transfer Fee which is due and payable upon purchase by the purchaser.

- b. \$1,000.00 Building Permit Fee for the initial residence built, which is due and payable prior to the moving of materials and the commencement of construction on any lot.

At any time Comanche Cove Owners Association may elect, by the vote of a majority of the entire Board of Directors of said Association plus a majority of votes cast at a meeting of members of said Association duly convened, to increase such assessments, or create new assessments, provided that prior written notice is mailed to each member of said Association (at the most recent address shown for such member on the records of said Association) stating either the exact amount or the maximum amount or such increase to be voted on at such meeting. Any modification or additions to special assessments shall be documented in a Management Certificate which shall be filed of record in the Deed Records of Hood County, Texas. The Management Certificate shall include the details of notice to the membership, date of membership meeting, number of members in attendance, number of members voting, number of member voting for the modification and the number of members voting against the modification shall be filed by filing of a Management Certificate.

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I, the undersigned certify:

That I am the duly elected and acting President of the Comanche Cove Owners Association, Inc., a Texas non-profit corporation; and

That the foregoing Amended and Restated Subdivision Restrictions for Comanche Cove was duly adopted by the vote of at least two-thirds of the votes cast at a meeting of the Members of the Comanche Cove Owners Association, Inc., in which a quorum was present, on the 14th day of May, 2022.

In witness, I have subscribed my name this 20th day of May 2022.

By: Danny R Wilson
Danny Wilson, President

Attest: Ann C. Grasty
Ann C. Grasty, Secretary

STATE OF TEXAS §
COUNTY OF HOOD §

This instrument was acknowledged before me on the 20th day of May 2022, by Danny Wilson, President of the Comanche Cove Owners Association, Inc, a Texas non-profit corporation, on behalf of said non-profit corporation.

Randi Dornan
Notary Public, State of Texas

