

Third Amendment and Restatement to the Eagle Point Subdivision (Phase I, II, III, and IV) Declaration of Covenants, Conditions, Reservations, and Restrictions

THE STATE OF TEXAS

COUNTY OF FRANKLIN
PRESENTS

KNOW ALL PERSONS BY THESE

Whereas, there are in existence covenants, conditions, reservations, and restrictions dated October 6, 1989, including subsequent amendments, that regulate the Eagle Point Subdivision (the “CCRs”); and

Whereas, the Eagle Point Subdivision, through a duly called annual meeting called by the Eagle Point Property Owners Association Board of Directors (the “EPPOA Board”) held on May 29, 2021, voted to amend the CCRs (the “First Amendment”); and

Whereas, the Eagle Point Subdivision, through a duly called annual meeting called by the EPPOA held on May 25, 2024, voted to amend the CCRs (the “Second Amendment”), as shown and contained herein; and

Whereas, the Eagle Point Subdivision, through a duly called annual meeting called by the EPPOA held on May 24, 2025, voted to amend the CCRs (the “Third Amendment”), as shown and contained herein; and

Whereas, all amendments as reflected below were unanimously approved at the duly called annual meeting on May 24, 2025; and

Whereas, the CCRs filed of record in volume 234, page 669, of the Deed Records of Franklin County, and as subsequently amended, are hereby amended as follows:

1. Article 7 is hereby created and added to read as follows:

ARTICLE SEVEN

Eagle Point Property Owners Association

Governing Officers and Committee Chair

Duties, Terms, Responsibilities, Selection, Removal, & Indemnification

7.01 The Eagle Point Property Owners Association Board (the “Board”) will be made up of four officers. These officers volunteer for a 2-year term. Officers can choose to serve additional years. It is the desire, but not a requirement, that no more than two officers should roll off the Board at any one time to help ensure experienced and seasoned officers always make up at least 50% of the current Board members.

The Board is made up of the following four officers and their corresponding duties, which include any other duties that are determined by the Board from time to time, and responsibilities are listed below ...

President

- Enforces our covenants and handles any violations.
- May temporarily serve on the Architectural Control Committee.
- Oversee property owner meetings as well as quarterly board meetings.
- Supports treasurer on check sign off and banking needs.
- Keeps the neighborhood informed of any neighborhood and lake news that may be relevant to the Eagle Point residents.
- Supports all board officers and committee chairs in fulfilling their duties.

Vice President

- Oversee contract maintenance, repair, and upkeep of Eagle Point roads and common areas. Ensures work is completed on time, to budget, and to the board’s satisfaction.
- Oversee all contractor bidding, scheduling, invoicing, and payment confirmation with the Treasurer.
- Supports treasurer on check sign off and banking needs.
- May temporarily ¹serve on the Architectural Control Committee.

Secretary/Administrator

- Tracks and maintains information on current property owners including primary addresses, phone numbers, and email addresses.

- Keeps tracks of lake homes for sale in Eagle Point and provides Real Estate information to Title Companies/Realtors on sale of these homes.
- Records and summarizes annual homeowners meeting.
- Records and summarizes quarterly board meetings.
- Maintains website, announcements, and newsletters.

Treasurer

- Builds and Maintains budget (revenues and expenditures) with monthly reconciliation and annual report to owners.
- Maintains monthly and quarterly financial reports to budget for officers.
- Maintains bank account deposits and withdrawals (accounts receivable, payable).
- Sends notice and records receipt of annual dues and maintenance fees. Tracks and collects past due and late annual dues and maintenance fees.
- Prepares and files simple annual tax returns.

7.02 Architectural Control Committee – there is established an Architectural Control Committee (the “Committee”) which is an advisory committee to the Board, and, shall have the following duties, and which include any other duties that are determined by the Board from time to time:

- The **Architectural Chair** heads this three-person Committee. The
- The Architectural Chair volunteers for a 2-year term.
- It is the responsibility of the Architectural Chair to ensure Architectural Permits are submitted for approval “before” any exterior work is done on a property.
 - Interior work will require a permit if the extent of this work requires large dumpsters or pallets of material to be brought into the neighborhood.

Covenants 2.01: Homeowners will be required to adhere to Article 2.01 of the Eagle Point Covenants with regards to making the Board aware of planned or intended property improvements prior to the commencement of work by the homeowner or a selected contractor:

- “No building, fence, wall or other structure shall be commenced, erected or maintained upon any lot, nor shall any exterior addition to or change or alteration therein be made, until the details, construction plans, front elevation, and specifications showing the nature, kind, shape, height, materials, color and location of the same shall have been submitted to, and approved in writing as to materials, harmony of external design and location in relation to surrounding structures and topography, by the Architectural Control Committee, Additionally, all construction must comply with rules and regulations of the Franklin County Water District as they

now exist or may be amended from time to time and any lot owner shall obtain necessary permits as may be required by the Franklin County Water District.”

- It is the duty of the Architectural Chair to ensure that the permit submitted is complete and to give his/her recommendation for approval/disapproval to the two committee members. All three committee members must approve the permit before the Chair can sign off on it and the resident can commence work.
- The Architectural Chair is to send a copy of the fully executed permit to the EPPOA Board President and Vice President. In the event the Architectural Committee disapproves a permit application, the Architectural Chair should also notify the EPPOA Board President and Vice President of the disapproval and reasons why.
- The Architectural Chair is to track projects and keep a record throughout the year.
- The Architectural Chair ensures projects are completed in a reasonable time frame and that the project adheres to the specifics of the permit.

7.03 EPPOA Officer or Committee Chair Selection Process:

- When an officer opening(s) becomes available, the EPPOA Board will send out a message via email to the community asking for volunteers to fill the opening(s).
- Interested residents then can submit their application via email by the deadline designated by the Board.
 - Application should include:
 - Applicants' name and address.
 - Number of years an Eagle Point resident.
 - Why the applicant is interested in serving.
 - Resume of previous experience or relevant expertise that would make the applicant a good candidate to serve on the EPPOA Board.
- The current Board officers will review the applications and choose who they believe is the most qualified candidate based on the merits of their application.
- All applicants will be notified of the results once the selection process is complete.
- The awarded candidate is volunteering to serve a two-year term.

7.04 EPPOA Officer or Committee Chair Removal Process:

- If circumstances require the removal of an Officer or Committee Chair, the following procedure will be followed:
 - The Officer(s) requesting the removal will call a meeting of the other officers not in question.
 - This officer(s) will state his/her justification for removal.

- The officers will then vote.
 - It will take a majority vote of the officers to remove a sitting officer or committee chair.
- If the vote signifies removal, the Board President will then contact the officer/committee chair and let them know their services have been terminated.
- If the President is the officer being removed, the Vice President will communicate the termination of services.
- The above **Selection Process** will then be implemented to replace this individual.

7.05 EPPOA Officer & Committee Indemnification

- The Eagle Point Property Owners Association shall indemnify every board and committee member to the full extent permitted by applicable law for all acts and omissions in the carrying out of their respective duties as a Board or Committee member of the Eagle Point Property Owners Association. Any right to indemnification provided for herein shall not be exclusive of any other rights to which any present or former board or committee member may be entitled. The EPPOA shall, as a common expense, maintain general liability and board and committee liability insurance and errors and omissions coverage to fund this obligation, if such insurance is reasonably available. The Board and Committee members shall have no personal liability with respect to any contract or other commitment made or action taken in good faith on behalf of the Eagle Point Property Owners Association.

All other CCR provisions not hereby amended are restated and remain in full force and effect.

APPROVED AND EFFECTIVE on the 24th day of May, 2025.

EPPOA Board:

By: 

Michael Diedrich, President

THE STATE OF TEXAS

COUNTY OF FRANKLIN

BEFORE ME, the undersigned authority, on this day appeared Michale Diedrich, President of the Eagle Point Property Owners Association, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL on this 27th day of May, 2025.


Notary Public, State of Texas

