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Public Record Document - Trinity County Texas

151492

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**2011 AMENDED RESTRICTIONS
SECTIONS A, B, C, D, E, F, G, H AND I
FOR HARBOR POINT SUBDIVISION, TRINITY COUNTY, TEXAS**

THE STATE OF TEXAS *

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRINITY *

Whereas Harbor Point Resort Company, L.P., a Texas limited partnership, was the owner and developer ("Developer") of the subdivision known as Harbor Point Subdivision, in Trinity County, Texas, and more particularly shown by the plats thereof recorded in Cabinet A, Slide 305 [Section A], Slide 306 [Section B], Slide 307 [Section C], Slide 308 [Section D], Slide 309 [Section E], Slide 322, [Sections F&G] Slides 312 and 320, [Section H], and Slide 313, [Section I], Plat Records, Trinity County, Texas; and

WHEREAS, the Developer, on February 11, 1991, executed "Subdivision Restrictions" for Sections A, B, D and E, and filed same on February 12, 1991 at Vol. 497, pages 545, et seq., Official Public Records, Trinity County, Texas; and

WHEREAS, the Developer, on April 28, 1991, executed "Subdivision Restrictions" for Section C, and filed same on May 2, 1991 at Vol. 502, pages 166, et seq., Official Public Records, Trinity County, Texas; and

WHEREAS, the Developer, on August 2, 1994, executed "Subdivision Restrictions" for Sections F and G, and filed same on August 17, 1994, at Vol. 554, pages 487, et seq., Official Public Records, Trinity County, Texas; and

WHEREAS, the Developer, on April 4, 1994, executed "Subdivision Restrictions" for Section H, and filed same on April 12, 1994, at Vol. 549, pages 216, et seq., Official Public Records, Trinity County, Texas; and

WHEREAS, the Developer, on January 16, 1995, executed "Subdivision Restrictions" for Section I, and filed same on January 16, 1995, at Vol. 561, pages 462, et seq., Official Public Records, Trinity County, Texas; and

WHEREAS, on February 14, 1991 Articles of Incorporation for HP Owners Association were filed with the Texas Secretary of State's Office, and a Certificate of Incorporation was issued under number 01182632-01; and

WHEREAS, HP OWNERS ASSOCIATION filed an Assumed Name Certificate on July 26, 2002, at Vol. 5, page 8, et seq., Assumed Name Records, Trinity County, Texas, giving notice of doing business as Harbor Point Property Owners Association; and

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WHEREAS, the Developer, by that certain document entitled "Assignment of Developer's Rights", executed on June 4, 2002, and filed of record at Vol. 685, pages 132, et seq., Official Public Records of Trinity County, Texas, assigned to the HP Owners Association all of developer's rights, as more particularly set forth therein; and

WHEREAS the above referenced deed restrictions all provided, in part, under ¶ 18 (and under ¶ 15 for Section C), for amendment of the deed restrictions after December 31, 2010:

At any time after December 31, 2010, any provisions contained in these Subdivision Restrictions (except as hereinafter provided) may be amended or repealed, in whole or in part, by the vote of at least two-thirds of the votes cast at a meeting of HP Owners Association duly convened, provided that prior written notice is mailed to each member of said Association (at the most recent address shown for such member in the records of said Owners Association) generally describing any proposed amendment or repeal to be voted on at such meeting. Any such amendment or repeal must be recorded in the Office of the County Clerk, Trinity County, Texas, and shall be effective upon the date of such recordation.; and

WHEREAS, at a special called meeting of the Harbor Point Property Owners Association, (the "Association"), did, pursuant to the amendment procedure set forth above, voted, by at least a two-third (2/3) vote as required by the deed restrictions, to make the following amendments and clarifications to the existing deed restrictions for all sections in the Harbor Point Subdivision:

1. All dues will be the same for each property owner as long as each property they own is adjacent to each other. (A monthly fee of \$24.00, billed every six (6) months). Any property not adjacent to property owner's main home lot will be charged \$2.00 every six (6) months for each lot if said lot is not being used for storage or a place to live or rent. A non adjacent storage lot (property with a storage building) will have a one time fee of \$12.00 each six (6) months. All lots with a house or mobile home exceeding 750 square feet of living space (adjacent or non adjacent lots) will be charged full dues even if rented.
2. No trailer or building may be used for camping unless it is connected to water and sewer system. Travel trailers may use internal water system of the trailer and may utilize the Harbor Point sewage dump station. Harbor Point does not supply water to campers not utilizing and paying the applicable fees for the Campground facilities.
3. All vehicles kept on a property owner's lot must have current license tags, registration and inspection stickers as applicable. All items must be either road or water worthy. The term "vehicles" includes automobiles, trucks, motorcycles, water craft and trailers (boat or cargo).
4. Any home owner with three (3) or more lots adjacent to each other may utilize one of the lots as a guest lot. This lot may be utilized for a guest travel trailer or building (300 square foot minimum) as long as it is connected to the water and sewer system. Guests are not considered residents and must not remain longer than thirty (30) days on such lot.

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5. All deed restrictions will be combined into one set of consolidated, restated and amended restrictions with the exception of section C. There are currently eight (8) sets of deed restrictions - Sections A, B, D, E, F, G, H, and I, and all will be the same except for pipelines in Sections F, G, and H. This consolidation and restatement will be effective upon filing same with the Trinity County Clerk.

These amended restrictions are effective upon filing in the County Clerk of Trinity County, Texas.

Executed on this 28 day of December, 2011.

Larry Mahler
LARRY MAHLER, President

THE STATE OF TEXAS *

COUNTY OF Trinity *

ACKNOWLEDGED by LARRY MAHLER, President, Harbor Point Property Owners Association, on this 28 day of December, 2011.

Tina Sharon Wheeler
NOTARY PUBLIC, STATE OF TEXAS

After filing return to:

✓ Travis E. Kitchens, Jr.
Lawyer
P. O. Box 1629
Onalaska, Texas 77360



FILED
at 1:30 o'clock P M

DEC 28 2011

DIANE MCGRORY
COUNTY CLERK, TRINITY CO., TEXAS
By: Diane McGrory

2011 Amended Restrictions for Harbor Point Subdivision

THE STATE OF TEXAS
COUNTY OF TRINITY

I hereby certify that the instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records of Trinity County, Texas in the Volume and Page as noted hereon by me.

Diane McGrory
County Clerk, Trinity County
By: Diane McGrory Deputy



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