

Windcliff Harbor

Homeowners' Association

AMENDMENTS TO RESTRICTIVE COVENANTS

On April 22, 2023, the Board of Directors of Windcliff Harbor Homeowners' Association, Inc. recommended that the Members adopt the following amendment to the Amended and Restated Restrictive Covenants of Windcliff Harbor which were filed at 20190100001681 of the real property records of Smith County, Texas. The amendments were voted on and approved by the Members present at the Annual meeting of the Windcliff Harbor Homeowners' Association, Inc., on April 22, 2023.

Section W. Assessments, subsection (e) shall be changed to read:

*By adopting this amendment to the Restrictive Covenants governing the Subdivision, the Members levy Regular Assessments on each Lot in the Subdivision to fund the anticipated operating and maintenance expenses of the Association. The regular assessment is **\$50.00** per year for each lot with a home, \$20.00 for each unimproved lot, and \$10 per each half lot owned in the subdivision. The regular assessment will be due and payable no later than May 30 of each year. The Members may change the Regular Assessments by a majority vote of the Members who cast a vote in such an election. Written notice of the Regular Assessment will be sent to every Owner at least thirty (30) days before it is due and payable.*

Subsection (h) Delinquent Assessments which reads "Any Regular Assessment or Special Assessment which is not paid within thirty days after it is due and payable shall be considered delinquent. Delinquent assessments will be subject to a ten percent (10%) late fee for each month it continues to be unpaid. If delinquent assessments remain unpaid more than six months (after November 30), the Association may begin to take steps to file a Lien Affidavit against the homeowner's property."

Windcliff Harbor

Homeowners' Association

AMENDMENTS TO BY LAWS ADOPTED APRIL 22, 2023

On April 22, 2023, the Board of Directors of Windcliff Harbor Homeowners Association, Inc., recommended that the Members adopt the following amendments to the By Laws of Windcliff Harbor which were filed at 20180100040228 of the real property records of Smith County, Texas. The amendments were voted on and approved by the Members present at the Annual meeting of the Windcliff Harbor Homeowners' Association, Inc., on April 22, 2023.

1).Section 14(d) states a lien affidavit "under Texas Property Code 209.0094 and therefore must be prepared by an attorney." However, the above TPC does not mention that it must be prepared by an attorney but simply states

Sec. 209.0094. ASSESSMENT LIEN FILING. A lien, lien affidavit, or other instrument evidencing the nonpayment of assessments or other charges owed to a property owners' association and filed in the official public records of a county is a legal instrument affecting title to real property.

Amend to remove the phrase "and therefore must be prepared by an attorney."

2). Article VII – Miscellaneous items, Section 1, states the association's fiscal year is a calendar year.

Amend to read: The fiscal year should be from annual meeting to annual meeting in April of each year to allow for dues to be collected at that time and delinquent thereafter, which would be more consistent with budget planning.

3) Article VII, Section 6 Indemnification, which states the corporation *may* purchase and maintain insurance as deemed necessary or advisable by the Board.

Amend to change the last sentence to read "The Association must purchase and maintain insurance as required by Texas law (Tex.Bus.Org.Code 1.008)."