

AFTER RECORDING RETURN TO:

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2020 SUPPLEMENTAL DECLARATION

APACHE SHORES

APPLICABLE TO:

First Installment

Section One

Section Two

Section Three

Section Four

Section Six

Section Seven

Of the Apache Shores Property Owners Association, Inc.

Cross-reference to that certain Declaration of Restrictions for Apache Shores, First Installment, recorded under Volume No. 3554, Page 204, Official Public Records of Travis County, Texas, Declaration of Restrictions for Apache Shores, Section 2 (Volume No. 3778, Page 1307), Declaration of Restrictions for Apache Shores, Section 3 (Volume No. 3822, Page 1761), Declaration of Restrictions for Apache Shores, Section 4 (Volume No. 3955, Page 1830) Declaration of Restrictions for Apache Shores, Section 5 (Volume No. 4129, Page 1033), Declaration of Restrictions for Apache Shores, Section 6 (Volume No. 4397, Page 479), and Declaration of Restrictions for Apache Shores, Section 7 (Volume No. 4657, Page 1480), Amendments to Declaration of Restrictions Apache Shores, (All Sections) (Volume 7831, Page 148), Amendment to Declaration of Restrictions for Apache Shores, Section 5 (Volume No. 7831, Page 149) and Amendment to Declaration of Restrictions for Apache Shores, First Installment and Sections Two (2) Through Seven (7) (Volume No. 9072, Page 274) (together, the "Restrictions").

**SUPPLEMENTAL DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS FOR APACHE SHORES
[First Installment, Section One, Section Two, Section Three,
Section Four, Section Six, and Section Seven]**

This Amendment was approved by the requisite number of owners of lots in the following sections of Apache Shores: First Installment, Section One, Section Two, Section Three, Section Four, Section Six, and Section Seven. The owners of lots in the foregoing sections are referred to herein as the "**Members**" and the underlying lots in the First Installment, Section One, Section Two, Section Three, Section Four, Section Six, and Section Seven are referred to as the "**Lots**" herein. The Board of Directors for Apache Shores Property Owners Association, Inc. is referred to herein as the "**Board**".

1. (a) **Regular Assessments**. As of March 1, 2020, the current annual maintenance fee assessed against each Lot (the "**Regular Assessment**") is \$100.00.
 - (b) **Five Percent Cap**. Prior to the beginning of each fiscal year, the Board shall establish the budget for the coming year. Any increase in the Regular Assessment amount may not exceed five percent (5%) from one year to the next.
 - (c) **Owner Approval of Regular Assessment Increase**. If the proposed budget will cause Regular Assessments to be increased by more than five percent (5%), then any increase in the Regular Assessments that exceeds five percent (5%) must first be approved by a majority vote of the Members present, in person or by proxy, at an annual or special meeting of the Members at which quorum is met.
 - (d) **Special Assessments**. In addition to the Regular Assessments provided for above, the Board may levy special assessments (the "**Special Assessments**") that are only charged in a particular year, whenever in the Board's opinion such Special Assessments are necessary to enable the Board to carry out the functions of the Association.
 - (e) **Owner Approval of Special Assessments**. Special Assessments must be approved by a majority vote of the Members present, in person or by proxy, at an annual or special meeting of the Members at which quorum is met.
2. **Approval by Section**. If Sections 1(a)-(e), above, are not approved and adopted for all sections of Apache Shores, then Sections 1(a)-(e) will only apply to those Sections that have approved the amendment (the "**Approving Sections**"), and the amounts over the Regular Assessment charge of \$35 collected pursuant to Sections 1(a)-(e) shall be segregated in a separate account for the benefit of the

Approving Sections only as shared funds, and such funds are to be expended solely for the benefit of the Approving Sections. Additionally, any required Owner approval will pertain to the Approving Sections only.

Association Note Regarding Segregation of Assessments. This supplemental covenant was approved by the First Installment, Section One, Section Two, Section Three, Section, Four, Section Six, and Section Seven, and they are the "Approving Sections". Accordingly, the assessments collected from the Approving Sections that exceed \$35.00 per Lot (which is the amount presently charged for each lot in Section Five, which section did not approve this supplemental covenant), whether they are Regular Assessments or Special Assessments, are to be segregated from the assessments collected from the lots in Section Five and are considered to be "Approving Section Funds." These Approving Section Funds are for use by the Approving Sections as shared funds to be maintained in a separate account for the benefit of the Approving Sections only as shared funds, and such funds are to be expended solely for the benefit of the Approving Sections. This is subject to change if Section Five lot owners approve a similar supplemental covenant authorizing the collection of increased assessments.

3. **Rules and Regulations:** The Board may propose rules and regulations, and shall have the authority to enforce such rules and regulations as to the Lots provided such rules and regulations, and any fines included in the rules and regulations, are approved by a majority vote of the Board and thereafter by a majority vote of the Members in attendance, in person or by ballot, at an annual or special meeting of the Members at which quorum is met.

[SIGNATURE PAGE TO FOLLOW]

The undersigned hereby certifies that he/she is the duly elected, qualified and acting President of Apache Shores Property Owners Association, Inc., a Texas non-profit corporation (the "Association"), and that this is a true and correct copy of the **SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR APACHE SHORES** [First Installment, Section One, Section Two, Section Three, Section Four, Section Six, and Section Seven] approved by the requisite number of owners of lots in the aforementioned installment and sections.

IN WITNESS WHEREOF, the undersigned has executed this certificate on the 6th day of January, 2021.

Michelle Sain

Name: Michelle Sain

Title: President

THE STATE OF TEXAS §

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COUNTY OF TRAVIS §

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This instrument was acknowledged before me on this 6th day of January, 2021, by Michelle Sain, President of Apaches Shores Property Owners Association, Inc., a Texas non-profit corporation, on behalf of said non-profit corporation.

(Seal)

Christopher S Triplet
Notary Public, State of Texas

