

SIESTA SHORES  
PROPERTY RESTRICTIONS

1. All of the following provision and restrictions shall apply to the residential area of Siesta Shores subdivision as designated in the plat that is filed in the Court House of Henderson County, Athens, Texas.
  - a. No noxious or offensive activity shall be carried on upon any lot or any thing be done thereon which may become an annoyance or nuisance to the neighborhood.
  - b. No outside toilet or privy shall be erected or maintained.
  - c. All residential buildings must not have less than 700 sq. ft. of floor space on the ground including porches and attached garages.
  - d. All buildings will be neat and presentable and all lots will be mowed and maintained in a neat appearance.
  - e. Camping equipment and camping trailers will be allowed as long as they are maintained in a neat manner.
  - f. Only a residence may be built or moved into this area unless designated by developer.
2. Easements are reserved along and within 5 feet of the rear line, front line and side lines of all lots in this subdivision for the construction and perpetual maintenance of conduits, poles, wires, and fixtures for electric lights telephones, water mains, sanitary and storm sewers, gas mains and other public and quasi-public utilities and to trim any trees which at any time may interfere with the maintenance of such lines, with right of ingress to and egress from said premises to employees of said utilities said easement to also extend along any owners side and rear property lines in case of fractional lots, it is understood and agreed that it will not be considered a violation of the provisions of the easement if wires or cables carried by such pole lines pass over some portion of said lots not within the 5 foot wide strip as long as such lines do not hinder the construction of buildings on any lots in this subdivision.
3. These restrictions shall be in force for 20 years and shall automatically be extended for successive periods of 10 years each unless an instrument signed by majority of the then owners of the lots in subdivision expressing their desire to change.
4. These provision and restrictions shall be binding upon all owners of lots in Siesta Shores Subdivision, their heirs, and assigns.

*Kurt Fogelberg*  
Kurt Fogelberg

THE STATE OF TEXAS,  
COUNTY OF Henderson

BEFORE ME, the undersigned authority, a Notary Public

known to me to be the person  
acknowledged to me that  
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 4 day of May, A. D. 19 73  
(L.S.)

for \_\_\_\_\_ Henderson  
Kurt Fogelberg  
whose name is \_\_\_\_\_  
subscribed to the foregoing instrument, and  
he executed the same for the purposes and consideration therein expressed.  
Notary Public, Henderson County, Texas  
*Dean Caldwell*  
A. D. 19 73  
at \_\_\_\_\_ o'clock \_\_\_\_\_ A. M.

FILED FOR RECORD THIS 4 DAY OF May A.D. 1973 AT 11:40 O'CLOCK A.M.  
JOE DAN FOWLER CLERK COUNTY COURT, HENDERSON CO. TEXAS BY \_\_\_\_\_ DEPUTY

SIESTA SHORES PROPERTY OWNERS ASSOCIATION

MANAGEMENT CERTIFICATE

On or about May 4, 1973, (date of deed restrictions) Deed Restrictions were imposed upon the real property known as the SIESTA SHORES SUBDIVISION, which plat of said subdivision is duly filed at Vol. 704, Page 385, of the Plat Records of Henderson County, Texas. Said Original Restrictions are duly filed at Vol. 704, Page 385 of the Deed Records of Henderson County, Texas.

The current officers of SIESTA SHORES PROPERTY OWNERS ASSOCIATION are as follows:

Darrin Teery, President  
103 Karen Ln.  
Gun Barrel City, Tx

Mike Spyer, Vice President  
177 Bar Lacy Dr.  
GUN BARREL CITY, TX 75156

James Wolfe, Secretary/Treasurer  
255 Loving Lane  
Gun Barrel city TX 75156

Dated this 21 day of July, 2007.

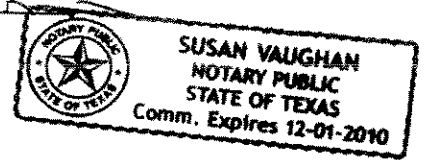
James Wolfe Treasurer  
Wilma Cantwell Secretary

THE STATE OF TEXAS )  
COUNTY OF HENDERSON )

BEFORE ME, the undersigned authority, on this day, personally appeared James Wolfe & Wilma Cantwell, Secretary known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that ~~he~~~~she~~ they executed the same for the purposes and consideration therein expressed and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 21<sup>st</sup> day of July, 2007.

Susan Vaughan  
Notary Public in and for  
The State of Texas



SIESTA SHORES POA  
255 LOVING LANE  
GUN BARREL CITY, TX 75156  
903-887-6776

VOL  
2786

PAGE  
676

Return to:

James Wolfe  
255 Loving Lane  
Gun Barrel city Tx 75156

SIESTA SHORES POA  
255 LOVING LANE  
GUN BARREL CITY, TX 75156  
903-887-6776

FILED FOR RECORD

2007 JUL 27 PM 1:05

OWEN MOFFETT  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

## BY-LAWS

## SIESTA SHORES PROPERTY OWNERS ASSOCIATION

## ARTICLE I. NAME.

- A. The name of this association shall be Siesta Shores Property Owners Association.
- B. Siesta Shores shall consist of the Property Owners Association as described in the restrictions for Siesta Shores, respectively, and shall have all powers set forth in the respective restrictions.

## ARTICLE II. PURPOSE.

- A. To promote the civic interest of those persons who own or occupy residential lots in Siesta Shores, per plat records, Henderson County, Texas, plat Siesta Shores, Volume 8, page 85.
- B. To promote the cleanliness, beautification, and protection of the property located within Siesta Shores, subdivisions of Henderson County, Texas.
- C. To promote the safety and health of those persons owning or occupying residential lots in Siesta Shores, subdivisions of Henderson County, Texas.
- D. To act as custodian of Association Maintenance Funds.
- E. To own real property within Siesta Shores, subdivisions of Henderson County, Texas, for the purpose of establishing community recreational areas and equipping these areas with recreational equipment for the use and benefit of the members of the Association.
- F. To engage in all lawful civic activities authorized by the Texas Non-Profit Corporation Act, and all lawful civic activities not specifically prohibited by any act, statute, or law of the State of Texas.

## ARTICLE III. MEMBERSHIP.

Section 1. Eligibility. Any person who now or hereafter owns property in Siesta Shores subdivisions for residential purposes in Henderson County, Texas, shall be eligible for membership in Siesta Shores.

Section 2. Admission. Any eligible person may be admitted to membership upon approval of his application by the membership committee.

Section 3. Prerogatives. All members, except as otherwise herein provided, shall enjoy the same rights and privileges. Each member shall be eligible to be elected to the Board of Directors or to an officership and to appointment to standing or special committees. All members shall be responsible for their guests.

Section 4. Classes.

a. Directing Member. The initial five Directors set forth in the Articles of Incorporation of the Association shall be Directing Members. One year from date of charter Directing Memberships shall cease to exist and then all memberships will be as defined in Section 4b. of this Article.

b. Participating Member. A participating membership shall be a Household Membership or a Business Membership.

(1) Household Membership. A householder shall be considered a member and a husband and wife shall be considered as only one member.

(2) Business membership. A partnership or corporation owning property in Siesta Shores shall be entitled to membership, provided, however, that some officer of the partnership or corporation shall be designated as the official member and that person shall be responsible for all matters pertaining to membership, and each such membership shall be entitled to one vote.

Section 5. Suspension. All financial obligations of a member of the Association, and due to the Association, shall be paid within thirty (30) days from the date of the notice thereof to the member. If not paid within ninety (90) days from the date of such notice, the member's right to vote and to hold committee appointment shall be automatically suspended. These rights shall be automatically reinstated if the member pays his delinquent financial obligations within six months from the date of notice thereof. If payment is not made within six (6) months, the delinquent member shall be deemed no longer a member unless the Board of Directors shall determine otherwise.

Section 6. Removal. Any member may be removed for cause from membership at any time by a vote of two-thirds (2/3rds) of the Board of Directors; provided, however, that the Secretary shall serve upon such member by registered or certified mail, written notice of the proposed removal and the reasons therefor at least thirty (30) days before removal action by the Board. The member may appear in person, or present to the Board of Directors a written statement, in opposition to the proposed action.

#### ARTICLE IV. DUES AND ASSESSMENTS.

Section 1. Dues. The Association shall establish regular dues to be paid by each member.

Section 2. Assessments. The Association shall establish a regular assessment to be paid by each lot owner. Such assessments may be made upon a monthly, quarterly, semiannual, or annual basis and shall be payable in advance for each period so designated.

Section 3. Particulars. Particulars of dues and assessments shall be as further described in this Article IV and in Article XII

Section 4. Liens. To secure the payment of dues and assessments the Association shall have a lien on the lot or lots of each owner in Siesta Shores, whether or not a member of the Association, second only to the liens for taxes and any recorded deed of trust mortgage or other security instrument now existing. Said dues and assessments shall include court costs and reasonable attorneys' fees if such action is necessary for the enforcement and collection of same.

Section 5. Exemption. No assessment shall be made against property owned by the present or any future developer of Siesta Shores subdivisions except as determined by majority vote of the Board of Directors of Siesta Shores; provided, however, that no assessment per lot against such developer shall ever be voted by the Board, greater than the assessment against any individual member.

Section 6. Late Payment. Dues and assessments not paid within ninety (90) days of date of notice shall bear interest starting thirty (30) days after date of notice and continuing until fully paid. The Board of Directors shall from time to time determine the interest rate, which shall be uniform and equal for all members, but the interest rate shall in no case exceed any lawful interest rate. Partial payment of overdue dues and assessments shall be applied first to interest and any remainder to principal.

#### ARTICLE V. MEETING OF MEMBERS.

Section 1. Place and Time of Meetings. All meetings of members shall be held at such time and place in Henderson County, Texas, as shall be stated in the notice of the meeting.

Section 2. Annual Meeting. The annual meeting, commencing with the year 1976, shall normally be held in February and in no event later than the first one hundred eighty (180) days of the calendar year.

Section 3. Special Meetings. Special meetings of the members may be called by the President, the Board of Directors, or by two-thirds (2/3rds) of all the members. Business transacted at any special meeting shall be confined to the purpose stated in the notice of the meeting.

Section 4. Notice. Written or printed notice stating the place, day, and hour of the meeting, and in case of special meetings the purpose or purposes for which the meeting is called, shall

be given not less than forty-five (45) days before the meeting, either personally or posted on the POA Board at the Boat ramp by or at the direction of the President, the Secretary, or the Office or person calling the meeting, to each member entitled to vote at such meeting.

Section 5. Quorum. Attendance at a meeting of fifty-one (51) percent of the total number of members of the Association entitled to vote shall constitute a quorum.

Section 6. Voting. Each member of the Association, as defined in Article III, shall be entitled to vote as follows:

- a. A husband and wife shall constitute a family and shall be entitled to one vote.
- b. A single (unmarried) member, who owns one or more pieces of property in Siesta Shores shall, for voting purposes, be considered a family and shall be entitled to only one vote.
- c. Where two or more couples of married members, or two or more single members, own only one lot in Siesta Shores they shall be considered a family and shall be entitled to only one vote.
- d. Where several members, or a group of members, own one or more lots in Siesta Shores as a corporation, partnership, association, company, or as a group of individuals they shall be deemed, for voting purposes, a family and such members collectively shall have one vote.
- e. Where two or more members are entitled to only one vote, they shall, at each meeting, designate the member who shall cast their one vote. Except as otherwise provided by law or by these By-Laws, a majority of votes cast by the members at a meeting duly called at which a quorum is present shall be sufficient to take or authorize action upon any matter which may be properly before the meeting. Voting shall be conducted either in person or by proxy. Any member may act as proxy for any one or more of the other members. No proxy may be exercised by a person who is not a member of the Association. All powers of proxy shall be in writing, dated, and signed, except that a spouse shall be deemed to be the proxy of his or her spouse. A proxy may be either general or limited to a specific proposition. No proxy shall be valid for more than forty (40) days from the date of its execution.

#### ARTICLE VI. BOARD OF DIRECTORS.

Section 1. Management. The affairs of the Association shall be managed by and under the control of the Board of Directors, who may exercise all such powers of the corporation and do all such lawful acts as are not, by statute or by the Articles of Incorporation or by these By-Laws, directed or required to be exercised or done by the members.

Section 2. Number, Qualification, Election and Term. The Board of Directors shall consist of five (5) Directors. No person may be a Director who is not a member of the Association.

Section 3. Vacancy During Term. In the event an elected Director dies, resigns, ceases to become a member, or becomes physically unable to carry on his duties, or is removed for cause, the Board of Directors shall by an affirmative vote by the majority of the remaining Directors, elect a successor to serve for the remainder of the unexpired term of his predecessor in office.

Section 4. Removal. The Board of Directors may remove a Director for cause or whenever the Board shall determine that the incumbent is physically incapable of performing the duties of such office. Unanimous vote of the other members of the Board shall be required for such action. The Director affected shall be given, by registered or certified mail, written notice of any such proposed action by the Board, together with the detailed statement of the reason therefor at least ten (10) days before removal action. The Director may appear in person before the Board or present a statement in writing in opposition to the proposed action.

Section 5. Meetings. Meetings of the Board of Directors, regular or special, may be held within or without Henderson County, Texas. Regular meetings of the Board may be held at such time and place as shall be set by the Board. Special meetings of the Board may be called by the President of the Association and shall be called by the Secretary of the Corporation on the written request of two Directors. Written notice of special meetings of the Board shall be given to each Director at least five (5) days before the date of the meeting. Neither the business to be transacted, nor the purpose of any regular or special meeting of the Board need be specified in the notice of such meeting.

Section 6. Quorum. A majority of the Board of Directors shall constitute a quorum for the transaction of business. The act of a majority of the Directors present at any meeting at which a quorum is present shall be the act of the Board of Directors, except as otherwise specifically provided by statute or by the Articles of Incorporation or by these By-Laws.

Section 7. Action without a Meeting. Any action required or permitted to be taken at a meeting of the Board of Directors may be taken without a meeting in a consent in writing, setting forth the action so taken, if signed by all the Directors. Such consent shall have the same force and effect as a unanimous vote and may be stated as such in any document; provided, however, that action without a meeting shall be null and void with respect to removal of a member of the Board of Directors from the Board.

#### ARTICLE VII. OFFICERS

Section 1. Number and qualifications. The officers of Siesta Shores shall consist of a President, one or more Vice-Presidents, a Secretary and a Treasurer. Each of these officers shall be elected by the Board of Directors at the first meeting after the annual meeting of the members. Such officers and assistant officers and agents as may be deemed necessary may be elected or appointed by the Board at any time. Any two or more offices may be held by the same person, except the President and the Secretary shall not be the same person. No officer



or agent need be a member, a Director, or a resident of the State of Texas.

**Section 2. Term.** The officers shall hold office until their successors are chosen and qualify. Any officer or agent elected or appointed by the Board may be removed by the Board whenever in its judgment the best interests of the Association will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed. Election or appointment shall not of itself create contract rights.

**Section 3. President.** The president shall be the chief executive officer of the Association and shall preside at all meetings of the members of the Association and shall have the powers and duties usually associated with the office of President; and shall have such other powers and perform such other duties as may be described by these By-Laws or by the Board of Directors. He shall serve on all committees and exercise general supervision over their work in order to assure the most effective operation of the Association. He shall have authority to appoint and discharge agents and employees, to make and enter into contracts, to make purchases of sale, to sign, execute and deliver all contracts, conveyances, deeds, deeds of trust, leases, assignments, mortgages, security agreements, pledges and releases, and all other written instruments of any character appropriate to any other powers or duties of the President, in the name of and binding upon the Association, all subject to the approval of the Board of Directors.

**Section 4. Vice-Presidents.** The Vice-Presidents in their order of seniority, unless otherwise determined by the Board of Directors, shall, in the absence or disability of the President, perform the duties and exercise the powers of the President. They shall perform such other duties and have such other powers as the Board shall prescribe or as the President may delegate.

**Section 5. Secretary.** The Secretary shall attend all meetings of the Board of Directors and all meetings of the members and record all of the proceedings of such meetings and a book shall be kept for that purpose. He shall give or cause to be given notice of all meetings of the members and special meetings of the Board of Directors and shall perform such other duties as may be prescribed by the Board or by the President, under whose supervision he shall be.

**Section 6. Treasurer.** The Treasurer shall have custody of corporate funds and securities, and shall keep full and accurate accounts of receipts and disbursements and books belonging to the Association and shall deposit all monies and all other valuable effects in the name of and to the credit of the Association in such depositories as may be designated by the Board of Directors; shall disburse the funds of the Association as may be ordered by the Board, taking proper vouchers for such disbursements, and shall render to the President and the Board at its regular meetings, or when the Board so requires, an account of all the transactions of the Treasurer and of the financial condition of the Association.

**Section 7. Vacancies.** If an officer shall die or resign, become physically incapable of carrying



Henderson County  
Mary Margaret Wright  
County Clerk  
Athens, TX 75751

Instrument Number: 2020-00013145

As

Recorded On: 09/01/2020 11:59 AM Recordings - Land

Parties: SIESTA SHORES PROPERTY OWNERS ASSOCIATION ET AL

To: PUBLIC

Number of Pages: 2 Pages

Comment:

(Parties listed above are for Clerks reference only)

**\*\*Examined and Charged as Follows:\*\***

Total Recording: 26.00

File Information:

Document Number: 2020-00013145

Receipt Number: 2020-13868

Recorded Date/Time: 09/01/2020 11:59 AM

Recorded By: Janice Hankins

\*\*\*\*\*DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT\*\*\*\*\*

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 Henderson County, Texas



County Clerk  
Henderson County, Texas

Record and Return To:

SIESTA SHORES PROPERTY OWNERS  
PO BOX 553

MABANK, TX 75147



MANAGEMENT CERTIFICATE

On or about May 4, 1973, (date of deed restrictions) Deed Restrictions were Imposed upon the real property known as the SIESTA SHORES SUBDIVISION, which Plat of said subdivision is duly filed at Vol. Doc #, 110-1973-00004238 ~~Page \_\_\_\_\_~~, of the Plat Records of Henderson County, Texas. Said Original Restrictions are duly filed at Vol. 704, Page 385 of the Deed Records of Henderson County, Texas.

The current officers of SIESTA SHORES PROPERTY OWNERS ASSOCIATION are as follows:

Randy Craft, President  
Randy Craft, 136 Lovinlane  
8-31-2020 GBC, TX 75156

Kimberly Craft, Secretary  
Kimberly Craft  
8/31/2020

James Wolfe, Vice President  
James Wolfe, 250 Lovinlane  
GBC, TX 75156

James Wolfe, Treasurer  
James Wolfe  
8-31-2020

Siesta Shores POA  
P.O. Box 553  
Mabank, TX 75147

Randy Craft, Asst. Treasurer  
Randy Craft  
8-31-2020

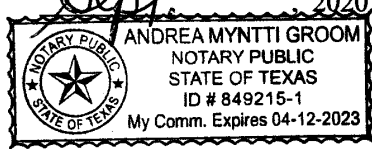
Dated this 1st day of Sept., 2020.

Randy Craft  
Randy Craft, President

THE STATE OF TEXAS  
COUNTY OF HENDERSON

BEFORE ME, the undersigned authority, on this day, personally appeared Randy Craft, Pres. known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1st day of Sept. 2020



Andrea Myntti Groom  
Notary Public in and for  
The State of Texas