

FRIO COMMUNITY IMPROVEMENT ASSOCIATION
ALSO KNOWN AS TWIN FORKS ESTATES
POLICY
AMEND, MERGE, VACATE AND/OR REPLAT LOTS

Doc# 0000016255
Book 0103 Page 6589

State of Texas §
 §
County of Real §

I, Judy Jones, Secretary of the Frio Communities Improvement Association, Inc. (the Association) also known as FCIA and less formally as Twin Forks Estates certify that at a meeting of the Board of Directors held on the 14th of July, 2020 with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, approved the Amend, Merge, Vacate and/or Replat of Lots Policy in Frio Communities Improvement Association, Inc. (also known as Twin Forks Estates) by not less than a majority of the Board members in attendance.

RECITALS

1. Article IV, Section A (2) of the By Laws for the Association gives the Board of Directors the power to adopt and promulgate reasonable rules and regulations pertaining to the Amending, Merging and vacating and/or replatting of lots in the subdivision of Frio Communities Improvement Association also known as Twin Forks Estates
2. The By-Laws further provide that the Board of Directors has the power to establish reasonable classifications of Owners and Residents and further that reasonable admission and other fees must be uniform with each such class, but need not be uniform from class to class with regards to amending, merging vacating and replatting of lots.
3. The Board of Directors desires to adopt this policy as to explain and clarify to the property owners the restrictions, covenants, easements and conditions as well as procedures required for amending, merging, vacating and/or replatting of their lots. This policy also serves to regulate and protect the preservation of the community and financial stability of the association in the best interest of the Owners and Residents.
4. The Board of Directors is responsible to uphold the Restrictions, Reservations, covenants and easements to Frio Communities Improvement Association also known as Twin Forks Estates Subdivision situated in Real County, Texas as recorded on October 5, 1972; No. 15,618 (Frio Mountain Park Estates, Inc., the developer) Vol. 33, page 35 and subsequent documents for Sections II and III.

WITNESSETH

Section 1. DEFINITIONS

- 1.1 Resident – each person actually residing in a residential Lot or conducting business on a designated commercial Lot.
- 1.2 Owner – Those person/persons whose name/names are on the deed
- 1.3 Lot – any designated parcel of land located in a residential subdivision, including any improvements on the designated parcel
- 1.4 Subdividing - Divide into smaller pieces or to separate
- 1.5 Amending Plat – Acts as a method of moving lot lines between two or more contiguous lots, address minor documentation error, make known any changes in property monuments or similar

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- purposes (Section 212.016 of Texas Property Code) all of the restrictions which were applicable to the original subdivision will also apply to the amending plat
- 1.6 Vacate – To annul or make legally void
 - 1.7 Replat – The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.
 - 1.8 Merging of lots – Combining 2 or more contiguous lots owned by the same party into one for the purpose of having one tax account or financing.

Section 2. POLICY

WHEREAS

2.1 Section D of restrictions states (1) No lot shall be re-subdivided ...

2.2. The maintenance of the design of the original platting of Twin Forks Estates subdivision is essential to the overall expectation of the design of the subdivision and for maintaining financial stability by assessing each lot with assessments; therefore merging of lots, amending a plat, vacating and/or replatting lot(s) must be approved by the Board of Directors.

2.3 The merging, amending a plat, vacating and/or replatting will not amend or remove any covenants, restrictions, easements and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and shall be binding on all parties having any right, title or interest in the property (supplemental declaration on file at Real County Courthouse, February 10, 1988. 2.7

2.4 Therefore, each property owner retains the right of one vote per lot platted on the original plat of the subdivision in conjunction with payment of assessments will be required per lot as platted on the original plat of the subdivision.

2.5 Recognizing that unusual situations arise from time to time concerning lot lines, and property encroachment by neighboring lots property owners, owner combining two contiguous lots into one for different purposes, the board will require submission plans, a written explanation and a personal appearance before the board by the owner(s) to present their plan to pursue amending, merging, vacating and/or replatting of their lot(s).

2.6 The Plan to merge, amend, vacate and/or replant a property will include two (2) copies of the details drawn to scale on 11 x 14 or 8 x 11 inch sheet or a surveyor's drawing. In the event two lots are merging, a survey of the original plat of lot(s) will suffice.

2.7 The Board of Directors of FCIA will determine within a reasonable time of their decision in an acceptance or a denial letter.

CERTIFICATE OF SECRETARY (NEXT PAGE)

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CERTIFICATE OF SECRETARY

I hereby certify that as Secretary of Frio Communities Improvement Association, Inc., the foregoing Amend, Merge, Vacate and/or Replat of Lots in Frio Communities Improvement Association, Inc. (also known as Twin Forks Estates) Policy was approved on the 14th of July, 2020, at a meeting of the Board of Directors at which a quorum was present.

IN WITNESS WHEREOF, I have hereunto subscribed my name this the 14 day of July, 2020.

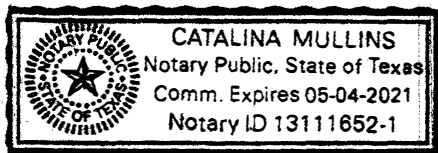
Judy Jones
Print Name: Judy JONES

STATE OF TEXAS §
§
COUNTY OF REAL §

BEFORE ME, on this day personally appeared Judy Jones, the Secretary of Frio Communities Improvement Association, Inc. known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that (s)he executed the same for the purposes herein expressed and in the capacity herein stated, and as the act and deed of said corporation.

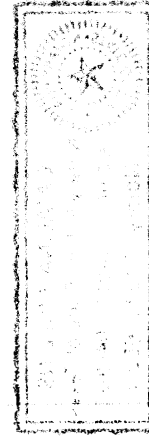
Given under my hand and seal of office, this 14 day of July, 2020.

Catalina Mullins
Notary Public - State of Texas



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
On: 7/16/2020 11:02:22 AM

Document Number: 00000016266
Amount: \$34.00



STATE OF TEXAS COUNTY OF REAL

I hereby certify that this instrument was FILED on this date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF REAL COUNTY, TEXAS in the volume and page shown.

D'Ann Green, County Clerk
Real County, Texas

By: Genda Proche
Deputy

Any provisions 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.