

AFFIDAVIT OF CORRECTION TO THE 2014 FIRST AMENDED  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
FOR EAGLE'S BLUFF

WHEREAS, on August 7, 2014, the Declarant of Eagle's Bluff Homeowners Association, Inc., executed the First Amended Declarations of Covenants, Conditions, and Restrictions for Eagle's Bluff;

WHEREAS, on August 14, 2014, the First Amended Declarations of Covenants, Conditions, and Restrictions for Eagle's Bluff, was recorded in the Real Property Records of Cherokee County, Texas, in Book LR, Volume, 02233, Page 147;

WHEREAS, the current Board of Directors (the "Board") of Eagle's Bluff Homeowners Association, Inc., (the "Association") finds that there is a clerical error in the recorded First Amended Declarations of Covenants, Conditions, and Restrictions for Eagle's Bluff;

WHEREAS, the current version of Section 18.2 of the First Amended Declarations of Covenants, Conditions, and Restrictions for Eagle's Bluff, entitled "Amendment", states the following:

*(a) Owners. Except as otherwise specifically provided above and elsewhere in this Declaration, this Declaration may be amended only by the affirmative vote or written consent, or any combination thereof, of Owners representing 67% of the votes in attendance at a properly noticed meeting called for the purpose of amendment. In addition, the approval requirements set forth in Article XIV hereof shall be met if applicable.*

*Notwithstanding the above, the percentage of votes necessary to amend a specific clause shall not be less than the prescribed percentage of affirmative votes required for action to be taken under that clause.*

*(b) Effective Date and Validity. To be effective, any amendment must be recorded in the Public Records.*

*If an Owner consents to any amendment to this Declaration or the Bylaws, it will be conclusively presumed that such Owner has the authority so to consent, and no contrary provision in any Mortgage or contract between the Owner and a third party will affect the validity of such amendment.*

WHEREAS, the Board has a fiduciary duty to enforce the valid Dedicatory Instruments of the Association and to ensure the accuracy of the information contained therein; and

WHEREAS, the Board has determined that it is in the best interests of the Association for it to file this Resolution and Affidavit of Correction to correct the clerical error and to avoid confusion.

NOW, THEREFORE, IT IS RESOLVED that the correct wording of Section 18.2 of the

First Amended Declarations of Covenants, Conditions, and Restrictions for Eagle's Bluff, entitled "Amendment" is as follows:

(a) Owners. Except as otherwise specifically provided above and elsewhere in this Declaration, this Declaration may be amended only by the affirmative vote or written consent, or any combination thereof, of Owners representing 67% of the total votes of the Association, with such vote tabulation being at a properly noticed meeting called for the purpose of amendment. In addition, the approval requirements set forth in Article XIV hereof shall be met if applicable.

Notwithstanding the above, the percentage of votes necessary to amend a specific clause shall not be less than the prescribed percentage of affirmative votes required for action to be taken under that clause.

(b) Effective Date and Validity. To be effective, any amendment must be recorded in the Public Records.

If an Owner consents to any amendment to this Declaration or the Bylaws, it will be conclusively presumed that such Owner has the authority so to consent, and no contrary provision in any Mortgage or contract between the Owner and a third party will affect the validity of such amendment.

IT IS FURTHER RESOLVED that the all other sections and provisions contained in the recorded First Amended Declarations of Covenants, Conditions, and Restrictions for Eagle's Bluff, remain effective and unaltered.

By signing below, I certify that the foregoing Affidavit of Correction to the First Amended Declarations of Covenants, Conditions, and Restrictions for Eagle's Bluff, was approved and adopted by the Board of Directors of Eagle's Bluff Homeowners Association, Inc., on March 17, 2015.

3/17/15  
Date

Sharon Green  
Authorized Director