

THIRD SUPPLEMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR EAGLE'S BLUFF

This Third Supplement to Declaration of Covenants, Conditions and Restrictions for **EAGLES'S BLUFF** (This "supplemental Declaration") is executed by **EAGLES BLUFF CLUB, LLC, a Texas Limited Partnership** ("Declarant"), the sole owner of the Annexed Property (defined below).

RECITALS

A. Declarant executed The First Amended Declaration of Covenants, Conditions and Restrictions for Eagle's Bluff dated August 7, 2014, which was recorded in Volume 2233, Page 147 of the Real Property Records of Cherokee County, Texas (the "Declaration"). Declarant rights were assigned to Eagles Bluff Club, LLC by Pars at the Lake, LLC and associated entities Grace Creek Development, LP, and Cypress Hills Premier Homes, LLC., on February 22, 2016, which was recorded in Volume 2311, Page 131 of the Real Property Records of Cherokee County, Texas. Declarant executed the Second Amended Declaration of Covenants, Conditions and Restrictions for Eagle's Bluff dated June 23, 2016, which was recorded in Volume 2329, Page 148 of the Real Property Records of Cherokee County, Texas (the "Declaration").

B. Section 9.1 of the Declaration allows Declarant, at any time until December 31, 2028, to unilaterally subject any real property immediately adjacent to and contiguous with the Properties to the provisions of the Declaration by filing a supplemental declaration in the Real Property Records of Cherokee County, Texas.

C. Declarant is the sole owner of the real property described in Exhibit "A" attached to this Supplement (the "Annexed Property"), which is immediately adjacent to and contiguous with the Properties. In accordance with Section 9.1 of the Declaration, Declarant desires to annex the Annexed Property into the Properties and to subject the Annexed Property to the provisions of the Declaration, under the terms as noted below.

NOW, THEREFORE. Declarant hereby annexes the Annexed Property into the Properties covered by the Declaration and subjects the Annexed Property to the provisions of the Declaration. The Annexed Property is now a part of the "Properties", as defined in the Declaration. Declarant

declares that all of the Annexed Property shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, conditions, reservations, charges and liens set out in the Declaration, as if the Annexed Property had been originally described in the Declaration as part of the Properties. Declarant reserves all rights and benefits provided in the Declaration in connection with the Annexed Property.

Except as supplemented and amended as noted above, the Declaration shall remain in full force and effect, and Declarant reserves the right in the future to annex additional real property under the terms of the Declaration and as provided by law.

DECLARANT

EAGLES BLUFF CLUB, LLC

By: Steven C. Plybo

Printed Name: Steven C. Plybo

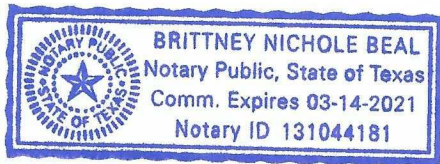
Title: Managing Director

STATE OF TEXAS

COUNTY OF CHEROKEE

This instrument was acknowledged before me, the undersigned notary public, on <sup>Nov</sup> ~~June~~ 15 2017, by  
Steve Plybon as the Managing Director of and on behalf of Eagles Bluff Club,  
LLC, a Texas corporation, the corporation acting in its capacity as the general partner of and on behalf of  
Eagles Bluff Club, LLC

SEAL



B. Beal  
Notary Public, State of Texas

Brittney Beal

Printed Name of Notary Public

My commission expires: 3/14/2021

# Cherokee Title Company

Eldridge Moak, President  
Janice Beckworth, Executive Vice President

106 East Fifth Street  
P. O. Box 514  
Rusk, Texas 75785  
Tel 903-683-4044 Fax 903-683-6553

Carrie Moak Kesler, Vice President  
Carrie Duncan, Vice President - Closings

## TITLE REPORT PREPARED FOR SURVEYOR

File No. 58658

End date of title research: November 7, 2017, at 5:00 O'clock P.M.

RECORD TITLE APPEARS VESTED IN: EAGLE'S BLUFF CLUB, LLC

VESTING DOCUMENT: Volume 2233, Page 387, Official Records of Cherokee County, Texas

### PROPERTY:

Being 8.98 acres of land in the John Walker Survey, Abstract Number 54, Cherokee County, Texas, and being more particularly described on Exhibit A, attached hereto and made a part hereof.

### PROPERTY APPEARS TO BE SUBJECT TO THE FOLLOWING MATTERS:

Right of Way from E. O. Doggett to Texas Power & Light Company in instrument dated April 4, 1979, recorded in Volume 659, Page 324, of the Deed Records of Cherokee County, Texas.

Easement Agreement between NationsBank of Texas, Successor Trustee, and Cherokee County, Texas, dated November 4, 1992, recorded in Vol. 1186, Page 151 of the Official Public Records of Cherokee County, Texas, affecting a larger tract of land from which subject property was taken.

This report has been prepared for the sole purpose of assisting the surveyor in completing his survey of the referenced property. The report is limited to showing the record owner's name, legal description, and those matters that appear on Schedule B of the Commitment for Title Insurance issued to the proposed insured.

The surveyor's certificate must specifically state that he has shown on the plat all discrepancies, conflicts in boundary lines, encroachments, overlapping of improvements, and visible or apparent easements.

  
Cherokee Title Company



# EXHIBIT

BEING A TRACT OF LAND OUT OF THE JOHN WALKER SURVEY, A BSTRACK NUMBER 54, SITUATED IN CHEROKEE COUNTY, TEXAS; BEING A PORTION OF A CALLED 249.15 ACRE TRACT CONVEYED TO LAKE PALESTINE ASSOCIATES, L.P. AS RECORDED IN VOLUME 1385, PAGE 387 OF THE DEED RECORDS OF CHEROKEE COUNTY, TEXAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a 1/2 inch steel rod found for the southeast corner of said 249.15 acre tract and being the southwest corner of a called 42.085 acre tract conveyed to Lake Palestine Associates, L.P. as recorded in Volume 1385, Page 391 of the Deed Records of Cherokee County, Texas; THENCE N 39 degrees 52 minutes 45 seconds W, crossing into the interior of said 249.15 acre tract, a distance of 419.08 feet to a 1/2 inch steel rod found; for the POINT OF BEGINNING;

THENCE, continuing within the interior of said 249.15 acre tract for the next twenty-four (24) courses as follows:

1. N 89 degrees 55 minutes 01 seconds W, a distance of 193.76 feet to a 1/2 inch steel rod found;
2. N 34 degrees 53 minutes 21 seconds W, a distance of 20.00 feet to a 1/2 inch steel rod found for the POINT OF CURVATURE for a curve to the right;
3. Along said a curve to the right, distance of 61.04 feet to a 1/2 inch steel rod found; said curve having a central angle of 69 degrees 56 minutes 39 seconds, a radius of 50.00 feet, and a chord which bears N 89 degrees 55 minutes 01 seconds W at a distance of 57.32 feet;
4. S 35 degrees 03 minutes 18 seconds W, a distance of 20.00 feet to a 1/2 inch steel rod found;
5. N 89 degrees 55 minutes 01 seconds W, a distance of 267.04 feet to a 1/2 inch steel rod found;
6. N 85 degrees 07 minutes 39 seconds W, a distance of 604.77 feet to a 1/2 inch steel rod found;
7. N 27 degrees 16 minutes 34 seconds W, a distance of 111.70 feet to a 1/2 inch steel rod found;
8. N 00 degrees 55 minutes 37 seconds E, a distance of 131.80 feet to a 1/2 inch steel rod found;
9. N 31 degrees 59 minutes 57 seconds E, a distance of 113.68 feet to a 1/2 inch steel rod found for the POINT OF CURVATURE for a curve to the left;
10. Along said a curve to the left, a distance of 69.52 feet to a 1/2 inch steel rod found; said curve having a central angle of 56 degrees 48 minutes 23 seconds, a radius of 70.12 feet, and a chord which bears N 23 degrees 12 minutes 38 seconds W at a distance of 66.71 feet;

11. N 51 degrees 38 minutes 24 seconds W, a distance of 71.27 feet to a 1/2 inch steel rod found for the **POINT OF CURVATURE** for a curve to the left;
12. Along said curve to the left, distance of 89.39 feet to a 1/2 inch steel rod found; said curve to the left having a central angle of 51 degrees 12 minutes 19 seconds, a radius of 100.03 feet, and a chord which bears N 31 degrees 24 minutes 50 seconds E at a distance of 86.45 feet;
13. N 05 degrees 48 minutes 29 seconds E, a distance of 74.84 feet to a 1/2 inch steel rod found for the **POINT OF CURVATURE** for a curve to the right;
14. Along said curve to the right, distance of 71.21 feet to a 1/2 inch steel rod found; said curve having a central angle of 16 degrees 18 minutes 51 seconds, a radius of 250.10 feet, and a chord which bears N 13 degrees 58 minutes 17 seconds E at a distance of 70.97 feet;
15. S 68 degrees 26 minutes 08 seconds E, a distance of 68.72 feet to a 1/2 inch steel rod found;
16. S 25 degrees 32 minutes 22 seconds W, a distance of 34.21 feet to a 1/2 inch steel rod found for the **POINT OF CURVATURE** for a curve to the left;
17. Along said curve to the left, a distance of 86.07 feet to a 1/2 inch steel rod found for the **POINT OF REVERSE CURVATURE** for a curve to the right; said curve to the left having a central angle of 19 degrees 43 minutes 31 seconds, a radius of 250.00 feet, and a chord which bears S 15 degrees 40 minutes 15 seconds W at a distance of 85.64 feet;
18. Along said reverse curve to the right, distance of 9.86 feet to a 1/2 inch steel rod found for the **POINT OF COMPOUND CURVATURE** for a curve to the right; said reverse curve to the right having a central angle of 00 degrees 02 minutes 55 seconds, a radius of 11,649.10 feet, and a chord which bears S 05 degrees 47 minutes 46 seconds W at a distance of 9.86 feet;
19. Along said compound curve to the right, distance of 35.48 feet to a 1/2 inch steel rod found for the **POINT OF REVERSE CURVATURE** for a curve to the left; said compound curve to the right having a central angle of 13 degrees 34 minutes 22 seconds, a radius of 149.77 feet, and a chord which bears S 12 degrees 35 minutes 22 seconds W at a distance of 35.40 feet;
20. Along said reverse curve to the left, a distance of 30.63 feet to a 1/2 inch steel rod found for the **POINT OF REVERSE CURVATURE** to the right; said reverse curve to the left having a central angle of 70 degrees 10 minutes 40 seconds, a radius of 25.01 feet, and a chord which bears S 15 degrees 44 minutes 02 seconds E at a distance of 28.75 feet;

21. Along said reverse curve to the right, a distance of 120.12 feet to a 1/2 inch steel rod found; said a curve to the right having a central angle of 30 degrees 35 minutes 40 seconds, a radius of 224.96 feet, and a chord which bears S 35 degrees 32 minutes 05 seconds E at a distance of 118.70 feet;
22. S 85 degrees 41 minutes 19 seconds E, a distance of 609.83 feet to a 1/2 inch steel rod found;
23. S 67 degrees 36 minutes 47 seconds E, a distance of 478.98 feet to a 1/2 inch steel rod found;
24. S 00 degrees 04 minutes 59 seconds W, a distance of 166.78 feet to POINT OF BEGINNING, and containing 8.98 acres of land.





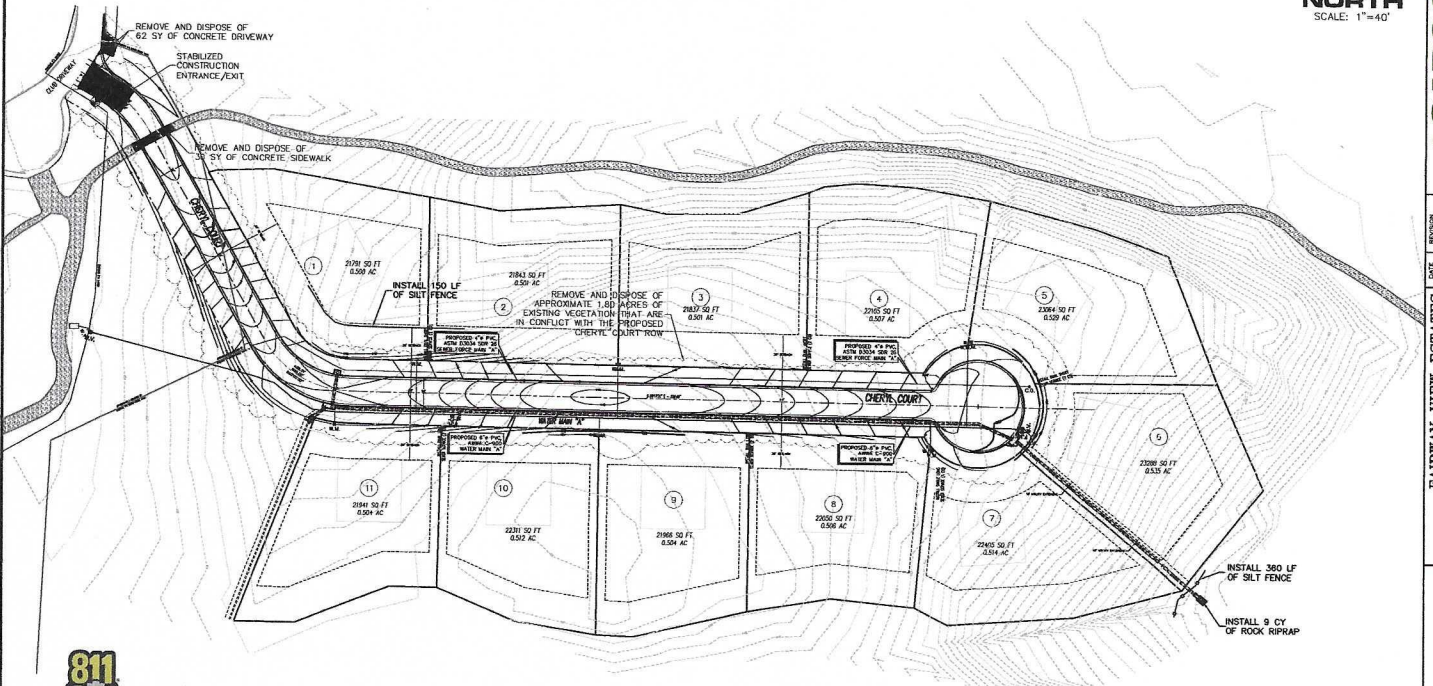




PROPOSED FAIRWAY VIEW ESTATES



**CAPECO**  
ENGINEERING INC.  
Civil & Environmental Engineering  
13040 Old Katy Road, Suite 100  
Houston, Texas 77057  
Tel: 281.331.8572  
Fax: 281.331.8573  
www.capecoeng.com



Know what's below.  
Call before you dig.

\* NOTES \*

1. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING ALL EXISTING PUBLIC & FRANCHISE UTILITIES, IF ANY.
2. CONTRACTOR TO REMOVE AND DISPOSE OF ALL VEGETATION AS NECESSARY TO CONSTRUCT THE PROPOSED SUBDIVISION.
3. CONTRACTOR TO DISPOSE OF ALL EXCAVATED SPILL MATERIAL.
4. EROSION CONTROL: ALL AREAS EXCEPT FOR TOP OF LEVEL HOUSE PADS (RYE GRASS WILL BE PLANTED ASAP)
5. CONTRACTOR TO CLEAN-OUT SEDIMENT ON TEMPORARY SEDIMENT POND PRIOR TO CONSTRUCT DETENTION POND TO ACHIEVE PLAN GRADES WITHIN POND ONCE THE STREET INFRASTRUCTURE HAS BEEN COMPLETED

BENCHMARK #1  
TOP OF EXISTING FIN @ 17' RT OF STA 10+14

FAIRWAY VIEW ESTATES  
AT  
EAGLE'S BLUFF  
COUNTRY CLUB  
SUBDIVISION  
SMITH COUNTY

THIS DRAWING IS RELEASED UNDER THE AUTHORITY OF THE ENGINEER OF RECORD, AND IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF THE ENGINEER OF RECORD.

PROPOSED SITE & SWPPP

SHEET NO. 4

HONORABLE Lavonne Lusk, COUNTY CLERK  
Cherokee County

Nov 17, 2017  
Cherokee County  
as stamped hereon by me.

STATE OF TEXAS COUNTY OF CHEROKEE  
I hereby certify that this instrument  
was filed on the date and time stamped  
hereon by me and was duly recorded in  
the volume and page of the named  
records of:

By  
Blanca Harris,  
Deputy

Document Number: 00666889

As a  
Recordings

On: Nov 17, 2017 at 01:10P  
Filed for Record in:  
Official Public Records  
Cherokee County