

AFFIDAVIT

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FINDING THAT EXHIBIT "A" OF THE FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR EAGLE'S BLUFF IS HEREBY AMENDED

WHEREAS, the Board of Directors (the "Board") of Eagle's Bluff Community Association, LLC, (the "Association") finds that there is a need to amend the master plat of the subdivision, which is currently attached thereto as Exhibit "A"; and

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

WHEREAS, the Board recognizes that the Master Plat, currently attached thereto as Exhibit "A", showing the lots and commonly owned property, does not accurately reflect all property of the Association, due to annexation, replating and other property alterations; and

WHEREAS, the Board has determined that it is in the best interests of the Association for it to amend the Master Plat to accurately reflect the current property and lots contained in the Association;

NOW, THEREFORE, IT IS RESOLVED that the Master Plat currently attached to the governing documents is hereby repealed and the attached survey, from Cain Surveying Company dated August 1, 2023, shall be the current and accurate Master Plat.

I. DEFINITIONS

In this Finding:

1. "Null and Void Document" shall refer to any improperly filed Dedicatory Instrument that will no longer be given legal effect.
2. "Valid Document" shall refer to any properly file Dedicatory Instrument that will be given full legal effect.
3. "Dedicatory Instrument" shall refer to an instrument filed in the real property records of a county that includes covenants governing a residential subdivision.



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II. FINDINGS

1. The Board was made aware that the current Master Plat was not accurate due to the annexation and other property replating.
2. The new plat, dated August 1, 2023, is accurate as of this date.
3. The August 1, 2023, plat, reflects the current status of Eagle's Bluff. Shown on this survey and plat are other property that is not contained in the Association, nor subject to the governing documents.

III. NULL AND VOID DOCUMENTS

1. Exhibit "A" to the 4th Amendment to the Declarations of Covenants, Conditions and Restrictions for Eagle's Bluff.

IV. VALID DOCUMENTS

1. The attached "Amended Exhibit "A", which was recorded as _____

By signing below, I certify that the foregoing finding that the Amended Exhibit "A", is hereby adopted by the Board of Directors of Eagle's Bluff Community Association, as the current Master Plat and shall be forthwith relied upon in relation to any reference in the governing documents on October 4, 2023.

10/4/2023
Date

Steve C. Plybow
Managing Director, Eagles Bluff Club, LLC
Steve Plybow

10/4/23
Date

Randy C. Agg
President, EB Community Association
Randy Koppman

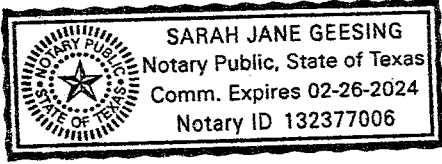


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STATE OF TEXAS

COUNTY OF CHEROKEE

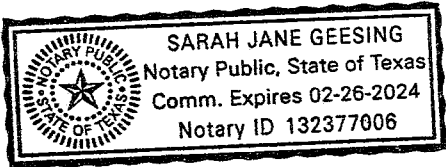
BEFORE ME, the undersigned authority, on the 4th day of October, 2023 personally appeared, Stephen C. Plybon, to me known to be the Managing Director of Eagles Bluff Club, LLC, and he/she acknowledged before me the he/she executed the same for the purposes therein expressed.



[Handwritten Signature]

Notary Public, State of Texas
My Commission Expires: 02-26-2024

BEFORE ME, the undersigned authority, on the 4 day of October, 2023 personally appeared, Randy C. Hermann, to me known to be the President of EB Community Association, and he/she acknowledged before me the he/she executed the same for the purposes therein expressed.



[Handwritten Signature] Steve Plybon ce

Notary Public, State of Texas
My Commission Expires: 02-26-2024



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315 HWY 110 SOUTH WHITEHOUSE TEXAS 75791 LICENSE NO: 10129100 PHONE 903-839-1104 FAX 903-839-1184

485.691 ACRES

JOHN WALKER SURVEY, ABSTRACT 54 & JOHN JORDAN SURVEY, ABSTRACT 27

CHEROKEE COUNTY, TEXAS

EAGLES BLUFF CLUB, LLC

J3249 REVISED 8/16/2023

JULY 19, 2023

BEING 485.691 acres situated in the John Walker Survey, Abstract 54 and the John Jordan Survey, Abstract 27, being all of a called 28.800 acres as surveyed by Stanger Surveying (March 2023), Eagle's Bluff Phase 7 as recorded in Cabinet C, Slide 354, 12.778 acres as recorded in Volume 2401, Page 1 of the Official Public Records of Cherokee County, Texas (OPRCCT), Tract 2 - 29.90 acres as recorded in Volume 2233, Page 387 (393) of the OPRCCT, Tract 10 - 115.58 acres Holes 1, 9, 10, 12-18 as recorded in Volume 2233 Page 387 (405) of the OPRCCT, Tract 11 - 26.77 acres Holes 4, 5, & 6 as recorded in Volume 2233, Page 387 (415) of the OPRCCT, Tract 12 - 26.45 acres Holes 2, 3, & 8 as recorded in Volume 2233 Page 387 (418) of the OPRCCT, Tract 13 - 9.18 acres Hole 7 as recorded in Volume 2233 Page 387 (421) of the RCCT, Tract 14 - 8.30 acres Hole 11 as recorded in Volume 2233 Page 387 (423) of the OPRCCT, all lots in The Cottage at Eagle's Bluff as recorded in Cabinet C, Slide 193-C of the Plat Records of Cherokee County, Texas (PRCCT), all of a called 2.15 acres as recorded in Volume 2486, Page 678 of the OPRCCT, all lots in Amended plat Addition to Utility Easement Fairway View Estates as recorded in Cabinet C, Slide 185-C of the PRCCT, all of a called 9.657 acres as recorded in Volume 2308 Page 342 of the OPRCCT, all lots in Eagles Bluff Town Home Addition as recorded in Cabinet B, Slide 241 of the PRCCT, all lots in Eagle's Bluff Section One as recorded in Cabinet B, Slides 93-101 of the PRCCT, all lots in Amended Eagle's Bluff Section Two as recorded in Cabinet B Slides 134 & 135 of the PRCCT, All lots in Eagle's Bluff Section Three as recorded in Cabinet B slide 175 of the PRCCT, all lots in Eagle's Bluff Section Four as recorded in Cabinet B Slide 176 of the PRCCT, all lots in Eagle's Bluff Section Five as recorded in Cabinet B Slide 210 of the PRCCT, a called 2.496 acres as recorded in Volume 2233 Page 387 of the OPRCCT, a called 0.0280 of an acre as recorded in Volume 2233 Page 387 of the OPRCCT, a called 0.0826 of an acre as recorded in Volume 2233 Page 387 of the OPRCCT and all of a called 0.820 Of an acre as recorded in Volume 2264 Page 823 of the OPRCCT. The purpose of this survey is to define the outer perimeter of all Eagle's Bluff Club not to define all interior lots and/or tracts and is being described by meets and bounds as follows:

BEGINNING at an existing ½" Iron Rod Found (w/cap Stanger) found marking the Southwest corner of said called 28.800 acres as surveyed by Stanger Surveying (March 2023), marking the Southeast corner of a called remainder of 16.205 acres as recorded in Volume 2744, Page 566 of the Land Records of Cherokee County, Texas (LRCCT) and being in the North line of said called 12.788 acres;

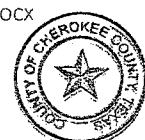
THENCE with the East line of said called remainder of 16.205 acres and the East line of a called remainder of 6.0 acres as recorded in Volume 734, Page 130 of the Deed Records of Cherokee County, Texas (DRCCT) as follows:

North 14°45'39" West a distance of 234.69 feet to an existing ½" iron rod (w/cap Stanger) found, and

North 27°29'22" East a distance of 382.55 feet to an existing ½" iron rod (w/cap Stanger) found, and

North 88°21'45" East a distance of 915.03 feet to an existing ½" iron rod (w/cap Thompson) found marking the Southeast corner of said called remainder of 6.0 acres and being in the West line of a called 26 acres as recorded in Volume 1109, Page 38 of the (DRCCT);

THENCE with the West line of said called 26 acres South 00°16'00" East a distance of 67.65 feet to an existing ½" iron rod (w/cap HALO) found marking the Southwest corner of same;



THENCE with the South line of said called 26 acres North 88°00'41" East a distance of 707.45 feet to an existing 1-1/2" shaft (leaning) found marking the Southeast corner of same marking the Southwest corner of a called 25.273 as recorded in Volume 1339, Page 1 of the (DRCCT);

THENCE with the South line of said called 25.273 acres North 88°00'18" East a distance of 333.60 feet to an existing 1/2" iron rod (w/cap Stanger) found in same marking the Northwest corner of a called remainder of 25.763 acres as recorded in Volume 2599, Page 612 of the (LRCCT);

THENCE with the West line of said called remainder of 25.763 acres South 01°33'34" East a distance of 755.30 feet to a point for corner marking the Southwest corner of same and being in the North line of a called 16.003 acres as recorded in Volume 2575, Page 329 of the (LRCCT) from which an existing 2" iron pipe fence post found for reference bears North 19°42'57" West a distance of 0.20 feet;

THENCE with the North line of said called 16.003 acres South 87°08'43" West a distance of 426.09 feet to an existing 1/2" iron rod (bent) found marking the Northwest corner of same and marking the Northeast corner of a called Tract 2 – 29.90 acres as recorded in Volume 2233, Page 387 (393) of the (LRCCT) from which an existing 1/2" iron rod (w/cap Thompson) found for reference bears South 87°08'58" West a distance of 632.64 feet;

THENCE with the East line of said Tract 2, the East line of said Tract 11 and the West line of said 16.00 acres South 01°40'16" East a distance of 1327.28 feet to a 1/2" Iron Rod Found marking the Southeast corner of Tract 11, the Southwest corner of said called 16.00 acres and being in the North margin County Road 3506;

THENCE with the South line of said Tract 11, the North margin of County Road 3506 and with the North line of a called 62.249 acres as recorded in Volume 1965, Page 504 of the OPRCCT South 88°21'44" West a distance of 1285.08 feet to a 1/2" Iron Rod Found marking an interior corner of said Tract 12 and the Northwest corner of said 62.249 acres;

THENCE with the East line of said Tract 12 and the West line of said 62.249 acres South 03°03'53" East a distance of 1325.25 feet to a 1/2" Iron Rod Found w/ cap Cowan & Associates marking the Southeast corner of said Tract 12, the Southwest of said 62.249 acres and being in the North line of a called 41.8 acres as recorded in Volume 1965 Page 504 of the OPRCCT;

THENCE with the South line of said Tract 12, the most Easterly South line of said Tract 10, the North line of said 41.8 acres and with the North margin of County Road 3508 South 88°10'29" West a distance of 2831.37 feet to a 1/2" Iron Rod Found marking an interior corner of said Tract 10;

THENCE with an East line of said Tract 10, the West margin of County Road 3508, The West line of a called 10.665 acres as recorded in Volume 2491 page 288 of the OPRCCT; the West line of a called 3.651 acres as recorded in Volume 1419 Page 761 of the OPRCCT; the West line of a called 2.438 acres as recorded in Volume 2365 Page 589 of the OPRCCT; the West line of a called 2.739 acres as recorded in Volume 2225 Page 675 of the OPRCCT; And the West line of a called 4.779 acres as recorded in Volume 2198 Page 440 of the OPRCCT, South 01°17'50" East a distance of 2251.79 feet to a 3" Iron Pipe Found (Bent) marking a corner in the East line of said Tract 10, the Southwest corner of said called 4.779 acres and being in the North line of a called 7.901 acres as recorded in Volume 2198 Page 440 of the OPRCCT;

THENCE continuing with the East line of said Tract 10 and the North line of said 7.901 acres South 87°49'03" West a distance of 320.33 feet to a 3/4" Sucker Rod Found (Bent) and marking the Northwest corner of said 7.901 acres;

THENCE continuing with the East line of said called Tract 10 and the West line of said 7.901 acres South 00°17'42" East a distance of 142.81 feet to a point for the Southwest corner of said 7.901 acres and being the Northwest corner of Shadybrook Subdivision, Units 4 & 5 as recorded in Cabinet A slide 161-A of the PRCCT;

THENCE continuing with the East line of said Tract 10 and the most Northerly West line of said Shadybrook Subdivision South 02°01'58" East a distance of 1393.79 feet to a 3/4" Sucker Rod Found marking the most Southerly Southeast corner of sad Tract 10 and being an interior corner of said Shadybrook Subdivision;

THENCE with the South line of said called Tract 10, the South line of said called 9.657 acres and the Most Westerly North line of said Shadybrook Subdivision South 88°14'22" West a distance of 1258.13 feet to a 1/2" Iron Rod Found (Bent) in the South line of said called 9.657 acres and being a conflict between



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Lake Palestine Association and Shadybrook Subdivision as per Eagle's Bluff Section 5 as Recorded in Cabinet B Slide 210 of the PRCCT;

THENCE with said conflict line South 86°28'04" West a distance of 24.77 feet to a ½" Iron Rod Found;

THENCE continuing with said conflict line South 05°20'52" East a distance of 316.65 feet to a point for corner being the Southerly Southeast corner of Lot 15, Block 2 of said Eagle's Bluff Section 5 and marking the Northeast corner of a called 0.39 of an acre tract as recorded in Volume 1978 Page 407 (deed does not close) of the OPRCCT;

THENCE continuing with said conflict line, the East line of said 0.39 of an acre and continuing with the West line of said Shadybrook Subdivision South 04°28'32" East a distance of 298.20 feet to a ½" iron rod w/cap Summit found marking the Southwest corner of said Shadybrook Subdivision and the Southeast corner of said called 0.39 of an acre;

THENCE with the West line of said Eagle's Bluff Subdivision Section Four, said called 2.496 acres and said Eagle's Bluff Section 1 as follows:

North 69°14'10" West a distance of 228.67 feet, and

North 45°14'10" West a distance of 196.47 feet, and

North 34°56'41" West a distance of 261.81 feet, and

North 24°59'11" West a distance of 132.57 feet, and

North 39°47'16" West a distance of 53.66 feet, and

North 41°39'53" West a distance of 471.06 feet, and

North 21°34'27" West a distance of 462.91 feet, and

North 02°48'06" East a distance of 210.35 feet, and

North 20°05'20" West a distance of 208.49 feet, and

North 18°50'34" East a distance of 364.73 feet, and

North 11°20'15" East a distance of 293.18 feet, and

North 00°07'55" West a distance of 559.83 feet, and

North 22°51'52" East a distance of 364.01 feet (WBL said 2.496 AC), and

North 18°56'18" West a distance of 222.81 feet, and

North 35°25'20" West a distance of 77.98 feet, and

North 05°50'31" West a distance of 518.13 feet, and

North 13°20'13" East a distance of 270.92 feet, and

North 04°58'23" East a distance of 800.00 feet to a point for corner for the Northwest corner of Lot 1, Block 5 of said Eagle's Bluff Section One and the Southwest corner of a called 24.00 acres as recorded in Volume 2147 Page 364 of the OPRCCT, said point having a 1/2" iron rod with SUMMIT cap for reference North 87°59'42" East a distance of 930.66 feet;

THENCE with the South line of said 24.00 acres North 87°59'42" East a distance of 930.66 feet to a ½" Iron Rod Found marking a break in same;

THENCE continuing with the South line of said called 24.00 acres North 45°29'22" East a distance of 1374.87 feet to a ½" Iron Rod Found marking a break in same;



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THENCE continuing with the South line of said called 24.00 acres North 88°11'49" East a distance of 1881.73 feet to a ½" Iron Rod Found marking the Southeast corner of same;

THENCE with the East line of said called 24.00 acres North 00°09'07" West a distance of 110.42 feet to a ½" iron rod (w/cap RPLS #5980) set in same and being in the West margin of County Road 3507 (CR 3507);

THENCE with the West margin of said CR 3507, the East line of said called 24.00 acres and the East line of a called 14.294 acres as recorded in Volume 1260 Page 554 of the OPRCCT North 07°13'28" West a distance of 291.91 feet to a ½" Iron Rod Found (Bent) w/ cap Cowan & Associates marking the Northeast corner of said called 14.294 acres, the Southeast corner of a called 227.81 acres as recorded in Volume 2357 Page 798 of the OPRRCT and being in the West margin of said CR 3507;

THENCE across said CR 3507 as follows:

South 89°51'21" East a distance of 14.31 feet to a point, and

North 71°47'03" East a distance of 20.44 feet to a point, and

North 00°05'04" East a distance of 531.22 feet to a Mag Nail marking the Southwest corner of said 12.788 acres and having a ½" iron rod found as reference N 89°59'21" E a distance of 29.96 feet, and

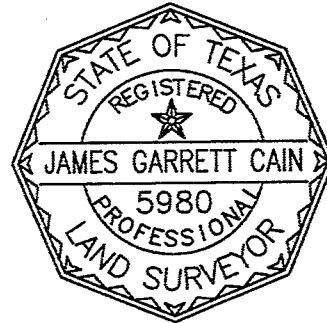
North 19°38'23" East a distance of 73.55 feet to a Mag Nail found in same marking the Southwest corner of said called 16.027 acres and the Northwest corner of said 12.788 acres, said mag nail having a ½" iron rod w/cap Thompson & Associates for reference North 75°14'07" East a distance of 38.41 feet;

THENCE with the North line of said 12.788 acres and the South line of said called 16.027 acres North 75°14'08" East a distance of 862.22 feet to the place of beginning containing 485.691 acres of land;

NOTE: Bearings are based on the Texas State Plane Coordinate System, Texas North Central, Zone 4202, NAD 83.

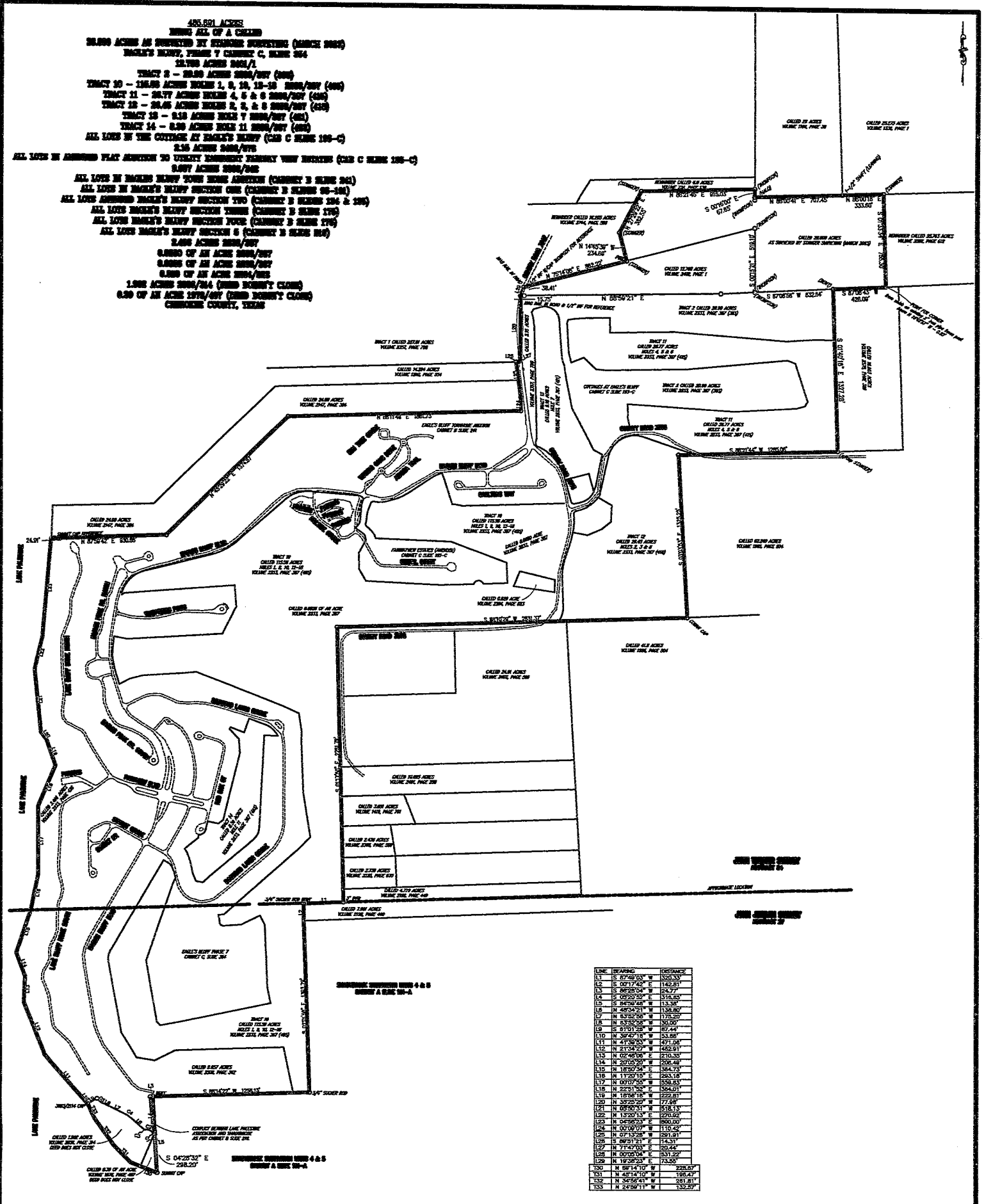
I, James Garrett Cain, do hereby state that this Legal Description represents an on the ground survey made under my supervision on July 19, 2023 and is being submitted along with a Plat of said tract herein described.


James Garrett Cain
Registered Professional Land Surveyor
State of Texas No. 5980



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485.881 ACRES
BEING ALL OF A CERTAIN
28.80 ACRES AS SURVEYED BY SHERMAN SURVEYING (MARCH 1988)
EAGLE'S HAVEN, TRACT 7 CORNER C, BEING 284
28.798 ACRES 284/L
TRACT 8 - 28.80 ACRES 284/RW (284)
TRACT 9 - 28.80 ACRES 284/L, 8, 10, 12-20 284/RW (284)
TRACT 11 - 28.77 ACRES 284/L 4, 5 & 6 284/RW (284)
TRACT 12 - 28.46 ACRES 284/L 2, 3, & 8 284/RW (284)
TRACT 13 - 0.18 ACRES 284/L 7 284/RW (284)
TRACT 14 - 0.18 ACRES 284/L 11 284/RW (284)
ALL LOTS IN THE COVERAGE AT EAGLE'S HAVEN (284 C BEING 100-C)
0.18 ACRES 284/RW
ALL LOTS IN ANNOUNCED PLAT AGREEMENT TO URGENT EMBANKMENT HIGHWAY NEW RIGHTS (284 C BEING 100-C)
0.007 ACRES 284/RW
ALL LOTS IN EAGLE'S HAVEN TOWN HOME ADDITION (CORNER B BEING 284)
ALL LOTS IN EAGLE'S HAVEN SECTION ONE (CORNER B BEING 284)
ALL LOTS ANNOUNCED EAGLE'S HAVEN SECTION TWO (CORNER B BEING 284 & 284)
ALL LOTS EAGLE'S HAVEN SECTION THREE (CORNER B BEING 174)
ALL LOTS EAGLE'S HAVEN SECTION FOUR (CORNER B BEING 174)
ALL LOTS EAGLE'S HAVEN SECTION FIVE (CORNER B BEING 184)
2.800 ACRES 284/RW
0.800 OF AN ACRE 284/RW
0.800 OF AN ACRE 284/RW
0.800 OF AN ACRE 284/RW
1.800 ACRES 284/RW (BEING BOUNDARY CLOSE)
0.80 OF AN ACRE 1274/RW (BEING BOUNDARY CLOSE)
CHEROKEE COUNTY, TEXAS



LINE	BEARING	DISTANCE
L1	S 87°49'03\"	133.37
L2	E 00°17'42\"	142.81
L3	S 02°25'04\"	24.77
L4	S 02°25'02\"	131.82
L5	S 84°29'44\"	113.39
L6	N 45°43'21\"	138.89
L7	N 03°32'58\"	1178.29
L8	N 03°32'58\"	303.00
L9	S 93°51'59\"	83.44
L10	N 59°42'18\"	53.85
L11	N 41°30'55\"	471.04
L12	N 21°24'22\"	442.93
L13	N 02°48'00\"	210.30
L14	N 20°02'20\"	268.49
L15	N 18°25'24\"	354.73
L16	N 11°20'10\"	283.10
L17	N 00°07'55\"	338.80
L18	N 22°31'58\"	194.01
L19	N 16°09'18\"	222.87
L20	N 33°25'29\"	173.88
L21	N 02°50'51\"	818.13
L22	N 13°20'13\"	220.62
L23	N 04°29'23\"	180.00
L24	N 02°07'07\"	110.22
L25	N 07°13'28\"	281.91
L26	N 89°11'21\"	14.31
L27	N 71°47'40\"	203.44
L28	N 00°02'04\"	331.22
L29	N 14°26'22\"	123.25
L30	N 88°14'10\"	228.97
L31	N 88°14'10\"	188.27
L32	N 58°28'41\"	281.81
L33	N 24°56'11\"	122.97

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	448.20	81.29	50°15'03\"	N 27°15'48\"	43.77
C2	485.91	81.29	50°15'06\"	N 77°33'25\"	43.77
C3	111.81	18.20	84°08'20\"	N 79°28'11\"	11.36
C4	50.12	228.00	1°19'18.34\"	N 86°13'38\"	58.24
C5	448.84	78.00	137°25'13\"	N 49°25'19\"	145.06

- LEGEND:
- 1) RED ONL
- 2) 1/4\" AND 1/2\" (SEE ATTACHED)
- 3) 1/2\" AF
- 4) FENCE
- 5) 1/4\"
- 6) POWER POLE
- 7) POWER LINE
- 8) WATER METER
- 9) SURVEYING PEG/STAKE
- 10) CHAIN END
- 11) ELECTRIC BOX
- 12) ELECTRIC METER
- 13) GAS METER
- 14) SET-HAND
- 15) METER POLE
- 16) FIRE HYDRANT
- 17) SEPTIC TANK
- 18) SET-HAND
- 19) CLEAN CUT
- 20) SHADY/SEMI SHADE
- 21) UNDER WALK
- 22) UNLESS OTHERWISE NOTED

NOTE: The purpose of this survey is to define the outer boundary of all Eagle's Haven Club lots in the State of Texas and to show the location of all utility lines.

This survey was prepared without the benefit of a Title Commitment and is subject to any records of record not indicated or shown hereon.

NOTE: Bearings are based on the Texas State Plane Coordinate System, Zone North Central, Zone 432E, NAD 83.

I, James Garrett Cain, do hereby certify that this Plat is a true and correct copy of the original survey made under my direct supervision on July 15, 2023 and is being submitted along with a legal description of the Plat(s) shown hereon.



DATE OF SURVEY: 7/15/2023	APPROVED BY: J.G.C.	SCALE: 3/4\"/>284 ACRES ADDED 28.800 ACRES	A SURVEY FOR: EAGLE'S HAVEN CLUB	SURVEYOR: JAMES GARRETT CAIN
FILE NO.: 25248	TRACT NO.: 284	DATE OF SURVEY: 7/15/2023	CHEROKEE COUNTY, TEXAS	CHEROKEE COUNTY CLERK'S OFFICE



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Filed for Record in:
Official Public Records
Cherokee County

On: Feb 07, 2025 at 09:46A

As a
Recording

Document Number: 00738427

By:
Marion Loftin,
Deputy

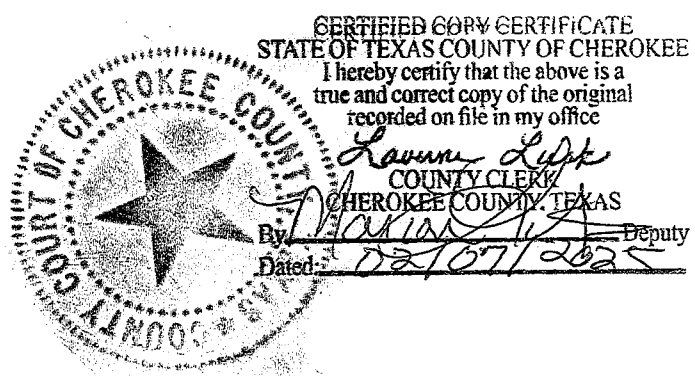
STATE OF TEXAS COUNTY OF CHEROKEE

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:

Cherokee County
as stamped hereon by me.

Feb 07, 2025

HONORABLE Laverne Lusk, COUNTY CLERK
Cherokee County



#47 (Lonna Blake)
Rosecity Property Mng
PO Box 167
Bullard, TX
75757