171952 OPR Vol:463 P:485 Pages:8
06/05/2024 08:12:34 AM By: marier
Franklin County, TX
Brook Bussell- County Clerk

The Oaks of Lake Cypress Springs, Inc.

Management Certificate

As required by Section 209.004 of the Texas Property Code

1. **Name of the Development:** The Oaks
2. **Name of the Association:** The Oaks of Lake Cypress Springs, Inc.
3. **Development Recording Data:**

The Oaks Phase I

- Plat No. 158A Plat Records of Franklin County, Texas
  - Located within Blair Survey A39 / Blackburn Survey A74 of Franklin County, Texas
  - Date: 04/26/1996, Instrument No. 64312
  - Oaks Lots 1-15
- Revised Plat No. 178A & 178B Plat Records of Franklin County, Texas
  - Date: 4/24/2000, Instruments No. 80432 & 80433
  - Oaks Lots 10,11,12,13,14,15 to Oaks Lots 11R, 13R, 14, 15
- Revised Plat No. 201A Plat Records of Franklin County, Texas
  - Date: 10/27/2003, Instrument No. 95204
  - Oaks Lot 5 to Oaks Lot 5R
- Revised Plat No. 267A Plat Records of Franklin County, Texas
  - Date: 8/10/2009, Instrument No. 121103
  - Oaks Lots 6, 7, 8 to Oaks Lots 6R & 7R
- Revised Plat No. 311A Plat Records of Franklin County, Texas
  - Date: 7/27/2017, Instrument No. 149647
  - Oaks Lots 1, 2, 3 to Oaks Lot 1R
- Revised Plat No. 324A Plat Records of Franklin County, Texas
  - Date: 6/11/2019, Instrument No. 154521
  - Oaks Lot 1R to Oaks Lot 1R1
- **Current Oaks Phase 1 Lot Names: 1R1, 4, 5R, 6R, 7R, 9, 10, 11R, 13R, 14, 15.**

The Oaks Phase II

- Plat No. 173B Plat Records of Franklin County, Texas
  - Located within Blair Survey A39 / Blackburn Survey A74 of Franklin County, Texas
  - Date: 01/27/1999, Instrument No. 75413
  - Oaks Lots 16-29
- Revised Plat No. 255B Plat Records of Franklin County, Texas
  - Date: 11/29/2005, Instrument No. 105273
  - Oaks Lots 24, 25, 26 to Oaks Lots 24R, 25R, 26R.
- Revised Plat No. 100A Plat Records of Franklin County, Texas
  - Date: 03/25/2008, Instrument No. 115270

- Oaks Lots 27, 28 to Oaks Lot 27R
- Lot 29 & ½ of LD Kemp / Boiler Cove Lot 14R to Oaks Lot 28R

- Revised Plat No. 324A Plat Records of Franklin County, Texas
  - Date: 06/11/2019, Instrument No 154521
  - Lot 16 to 16R
- **Current Oaks Phase II Lot Names: 16R, 17, 18, 19, 20, 21, 22, 23, 24R, 25R, 26R, 27R, 28R.**

LD Kemp / Boiler Cove (BC)

- Plat No. 48B Plat Records / Volume G, Page 283 of Surveyor Records of Franklin County, Texas
  - Located within JC Miller Survey A311 of Franklin County, Texas
  - Date: 08/15/1980
  - **Includes BC Lots 9, 11R, 12R, 13, 14**
- Revised Plat Vol 90 Page 158 of Real Property Records of Franklin County
  - Date: 08/11/2003, Instrument No. 93927
  - BC Lots 11, 12, 13, 14 to BC Lots 11R, 12R, 13R, 14R
- Revised Plat No. 100A Plat Records of Franklin County, Texas
  - Date: 03/25/2008, Instrument No. 115270
  - Oaks Lot 29 & ½ of BC Lot 14R to Oaks Lot 28R
  - BC Lots 13R & ½ 14R to BC Lot 14R2
- Revised Plat No. 285A&B Plat Records of Franklin County, Texas
  - Date: 04/05/2013, Instrument No. 135091
  - .11 acres of BC Lot 12R & BC Lot 14R2 to BC Lot 14R3
  - .89 acres of BC Lot 12R & BC Lot 11R to BC Lot 12R2.
- **Current BC Lot Names that are a part of The Oaks: BC Lots 9, 12R2, 14R3.**

Acreage Lots

Warranty Deed Vol 242, Pages 464-469, dated September 1, 1995 of the Real Property Record of Franklin County. Instrument No. 61852. Page 466, Exhibit A, Tract One – 60.353 Acres out of a certain 75-Acre tract within the JC Miller Survey A311, Franklin County, Texas. Out of the aforementioned Tract One of 60.353 acres, the following Acreage Lots would be created and join The Oaks - **Acreage Lots 1a (0.537 acres), 1b (0.575 acres), 1c (18 acres), 2 (15 acres), 3 (15.004 acres) & The Oaks Trailer Lot (1.50 acres)** located within the JC Miller Survey A311, Franklin County, Texas.

- **Acreage 1a – 0.573 Acres** in JC Miller Survey A311, Franklin County, Texas.
  - Warranty Deed Vol 118, Pages 171-175, dated October 28th, 2004 of the Real Property Record of Franklin County. Instrument No 100159. Pages 173-174, Exhibit A, Pages 1 & 2, Field Notes and Survey Plat for **0.573 Acres** out of 60.353 Acres in JC Miller Survey A311, Franklin County, Texas.
- **Acreage 1b - 0.575 Acres** in JC Miller Survey A311, Franklin County, Texas.
  - Warranty Deed Vol 118, Pages 278-282, dated October 28th, 2004 of the Real Property Record of Franklin County. Instrument No 100178. Pages 280-281, Exhibit A, Pages 1 & 2, Field Notes and Survey Plat for **0.575 Acres** out of 60.353 Acres in JC Miller Survey A311, Franklin County, Texas.

- **Acreage 1c – 18.00 Acres** in JC Miller Survey A311, Franklin County, Texas.
    - **Acreage 1c** - Warranty Deed Vol 150, Pages 914-917, dated April 26th, 2006 of the Real Property Record of Franklin County. Instrument No 107099. Page 917, Exhibit A, Field Notes for Tract Two - **18.00 Acres** out of 60.353 acres in JC Miller Survey A311, Franklin County, Texas.
- **Acreage 2 – 15.00 Acres** in JC Miller Survey A311, Franklin County, Texas.
    - Warranty Deed Vol 38, Pages 321-324, dated July 28th, 2000 of the Real Property Record of Franklin County. Instrument No 81464. Page 321, Field Notes for 17.112 Acres out of 60.353 Acres in JC Miller Survey A311, Franklin County, Texas.
        - **Acreage 2** - Warranty Deed Vol 193, Pages 328-330, dated May 30th, 2008 of the Real Property Record of Franklin County. Instrument No 116640. Page 330, Exhibit A, Field Notes for **15.00 Acres** out of 17.112 Acres in JC Miller Survey A311, Franklin County, Texas.
- **Acreage 3 – 15.004 Acres** in JC Miller Survey A311, Franklin County, Texas.
    - Warranty Deed Vol 38, Pages 190-192, dated July 28th, 2000 of the Real Property Record of Franklin County. Instrument No 81431. Page 190, Field Notes for **15.004 Acres** out of 60.353 Acres in JC Miller Survey A311, Franklin County, Texas.
- **The Oaks Trailer Lot – 1.5 Acres** in JC Miller Survey A311, Franklin County, Texas.
    - **The Oaks Trailer Lot** - Warranty Deed Vol 118, Pages 273-277, dated October 28th, 2004 of the Real Property Record of Franklin County. Instrument No 100177. Pages 275-276, Exhibit A, Pages 1 & 2, Field Notes and Survey Plat for **1.5 Acres**, out of 60.353 Acres in JC Miller Survey A311, Franklin County, Texas.

4. Declaration Information:

The CC&Rs for the Association are recorded in the Real Property Records of Franklin County, Texas as follows:

- Declaration of Covenants, Conditions and Restrictions Vol 246 Pages 932 – 938 dated July 24, 1996. Instrument No. 65285
- Amended Declaration of Covenants, Conditions and Restrictions Vol 248 Pages 536 – 544 dated November 6, 1996. Instrument No. 66526
- Second Amended and Restated Declaration of Covenants, Conditions and Restrictions Vol 402 Pages 675 – 682 dated February 8, 2021. Instrument No. 160253
- Third Amended Declaration of Covenants, Conditions and Restrictions Vol 453, Pages 371 – 378, dated September 26, 2023. Instrument No. 169900

Affidavits for Additional Lots joining The Oaks of Lake Cypress Springs Inc recorded in the Real Property Records of Franklin County, Texas as follows:

- Affidavit Adopting Restrictive Covenants of The Oaks as to Additional Acreage Vol 80, Pages 369 – 376, dated March 1, 2003. Instrument No. 91811

- **Acreage 1a, 1b, 1c, The Oaks Trailer Lot**
  - Tract of 20.648 Acres - Page 374-375, Exhibit A, Page 1-2, Field Notes and Survey of a tract of 20.648 acres within 60.353 Acres, described in Warranty Deed Vol 242, Page 464-469, dated September 1, 1995 of the Real Property Record of Franklin County. Instrument No. 61852. Page 466, Exhibit A, Tract One – 60.353 Acres out of a certain 75-Acre tract within the JC Miller Survey A311, Franklin County, Texas.
  - The aforementioned tract of 20.648 acres is later subdivided into **0.537 acre (Acreage 1a), 0.575 acre (Acreage 1b), 18 acres (Acreage 1c), 15 acres (Acreage 2), 15.004 acres (Acreage 3) & 1.50 acre (The Oaks Trailer Lot)** lots and Deeds specify that they are subject to the CCRs of The Oaks.
  - Subdivision
    - 20.648 acre tract is allowed to subdivide into parcels of not less than five (5) acres.
    - Parcels are deemed a regular lot for purposes of participating as a voting lot with membership in The Oaks.
    - Original tract and each lot created under reserved right of subdivision shall have one vote and constitute one lot within The Oaks.
  - Reserves rights to further restrict use of 20.648 acre tract and subdivide, provided use is not inconsistent with The Oaks CCRs.
  - 20.648 acre tract shall become a Lot within The Oaks, subject to the CCRs and with all benefits, privileges, obligations and liabilities of membership in The Oaks.

- Affidavit Adopting Amended Restrictive Covenants As To Acreage Subject to Covenants of The Oaks Vol 150, Page 003 – 012, dated April 11, 2006. Instrument No. 106914.
  - **Acreage 1c – 18.00 Acres in JC Miller Survey A311.**
  - Amends Affidavit Vol 80, Pages 369 – 376, dated March 1, 2003. Instrument No. 91811. Related to tract of 20.648 acres, less three small tracts (0.573 acres, 0.575 acres, 1.50 acres) leaving 18 acres subject to these revised covenants.
  - The additional acreage consisting of 18.0 acres subject to following restrictions.

    Tract of additional acreage of 18.0 acres shall be treated as one lot.
    - Tract may be subdivided, but into not more than 4 residential tracts. Each tract when subdivided, shall be treated as a standalone lot and member of The Oaks.
    - Tract of additional acreage of 18.0 acres and future subdivided portions shall have obligations of paying dues and assessments as members of The Oaks.
    - Tract of additional acreage of 18.0 acres and future subdivided portions are subjects to rules and restrictions and shall have rights

to ingress and egress allowed to all property owners and members of The Oaks.
        - Tract of additional acreage of 18.0 acres and future subdivided portions shall not be subject to compliance of rules and regulations of The Oaks as to the authority of the architectural control committee.
        - Tract of additional acreage of 18.0 acres and future subdivided portions will not be used for commercial purposes and is subject to any additional restrictions applicable in Franklin County, Texas.
- Affidavit Adopting Restrictive Covenants of The Oaks As to Additional Acreage Vol 80, Pages 382 – 386, dated March 1, 2003. Instrument No. 91813.
    - **Acreage 2 – 17.112 Acres in JC Miller Survey A311**
        - Subdivision
            - 17.112 acre tract is allowed to subdivide into parcels of not less than five (5) acres.
            - Parcels are deemed a regular lot for purposes of participating as a voting lot with membership in The Oaks.
            - Original tract and each lot created under reserved right of subdivision shall have one vote and constitute one lot within The Oaks.
        - Reserves rights to further restrict use of 17.112 acre tract and subdivide, provided use is not inconsistent with The Oaks CCRs.
            - This includes the right to utilize a portion of the 17.112 acre tract for septic system operations serving Lot 8 of Boiler Cove.
        - 17.112 acre tract shall become a Lot within The Oaks, subject to the CCRs and with all benefits, privileges, obligations and liabilities of membership in The Oaks.
- Amendment to Affidavit Adopting Restrictive Covenants Of The Oaks As to Additional Acreage Vol 193, Pages 351 – 353, dated May 30, 2008. Instrument No. 116642.
    - **Acreage 2 – 17.112 Acres in JC Miller Survey A311 subdivided and reduced to 15 Acres**
    - Amends Affidavit Adopting Restrictive Covenants of The Oaks As to Additional Acreage Vol 80, Pages 382 – 386, dated March 1, 2003. Instrument No. 91813. This was for a lot that was originally 17.112 acres.
    - Out of the 17.112 acres, 15 acres were purchased by the title owners of LD Kemp / Boiler Cove Lot 9 and it was reaffirmed that the title owners of this new 15 acre lot adopted the restrictive covenants of The Oaks. The remaining 2.112 acres were no longer a part of The Oaks and were retained by the title owners of LD Kemp / Boiler Cove Lot 8. Right is waived for LD Kemp / Boiler Cove Lot 8 title owner to further restrict use of 15-acre tract or to utilize any portion of the 15-acre tract for septic system operations serving Lot 8 of Boiler Cove.
- Affidavit Adopting Restrictive Covenants of The Oaks As to Additional Acreage Vol 80, Pages 377 – 381, dated March 1, 2003. Instrument No. 91812.

- **Acreage 3 – 15.004 Acres in JC Miller Survey A311**
  - Subdivision
    - 15.004 acre tract is allowed to subdivide into parcels of not less than five (5) acres.
    - Parcels are deemed a regular lot for purposes of participating as a voting lot with membership in The Oaks.
    - Original tract and each lot created under reserved right of subdivision shall have one vote and constitute one lot within The Oaks.
  - Reserves rights to further restrict use of 15.004 acre tract and subdivide, provided use is not inconsistent with The Oaks CCRs.
  - 15.004 acre tract shall become a Lot within The Oaks, subject to the CCRs and with all benefits, privileges, obligations and liabilities of membership in The Oaks.

- Affidavit Adopting Restrictive Covenants of The Oaks as to Additional Acreage Vol 81, Pages 1 – 4, dated March 13, 2003. Instrument No. 91937.
  - **LD Kemp / Boiler Cove Lot 9**
- Affidavit Adopting Restrictive Covenants of The Oaks as to Additional Acreage Vol 80, Pages 369 – 376, dated March 1, 2003. Instrument No. 91811
  - **LD Kemp / Boiler Cove Lots 13 & 14**
    - LD Kemp / Boiler Cove Lots 13 & 14 tract shall become a Lot within The Oaks, subject to the CCRs and with all benefits, privileges, obligations and liabilities of membership in The Oaks.
- Affidavit To The Public Inclusion of Lots 13 & 14 of Boiler Cove Addition under Covenants of The Oaks Subdivision and Confirming Access Easements for such Lots, dated April 21, 2004. Instrument No. 98895.
  - **LD Kemp / Boiler Cove Lots 13R & 14R**
- Affidavit Adopting Restrictive Covenants of The Oaks as to Phase II of The Oaks, a Subdivision In Franklin County, Texas Vol 132, Pages 332B – 332E, dated June 7, 2005. Instrument No. 103073.
  - **The Oaks Lots 16-29**
    - The Oaks Lots 18-27 of Phase II shall have an updated Section II, paragraph 8 of the Amended Covenants Vol 248, Page 536, Instrument 66526.
    - No improvement (other than fences, boathouse, walks and uncovered decks) shall be constructed on any lot within fifty feet (50') of the waterfront lot lines, within thirty feet (30') from the roadway or rear lot lines, within fifteen feet (15') of side street right of way lines or within five feet (5') from side lot lines. Any improvements under power lines shall comply with the utility company building regulations. If it is impossible or impractical for a lot owner to comply with one or more of these set back requirements due to size or configuration of a lot, the lot owner may request a variance from the Committee. The Committee may, but is not required to grant a variance in response to such written request.

- Affidavit Adopting Restrictive Covenants of The Oaks as to Lot 11R and Lot 12R, Section I, L.D Kemp Property (Boiler Cove) Vol 133, Pages 673-676, dated June 27, 2005. Instrument No. 103349.
    - **LD Kemp / Boiler Cove Lots 11R & 12R**

Bylaws for the Association are recorded in the Real Property Records of Franklin County, Texas as follows

- Bylaws of The Oaks of Lake Cypress Springs Inc Vol 453, Pages 765-775, dated October 03, 2023. Instrument No. 170018.

Easements for the Association are recorded in the Real Property Records of Franklin County, Texas as follows

- Right of Way Easement Vol 251, Pages 256 – 264, dated May 15th, 1997. Instrument No. 68650.
- Right of Way Easement In Favor of The Oaks of Lake Cypress Springs, Inc. Vol 108, Pages 492 – 493, dated April 26th, 2004. Instrument No. 97927.
- Easement and Maintenance Agreement Vol 280, Pages 819 – 842, dated June 28, 2013. Instrument No. 135944.
- Easement For Septic Operations Vol 316, Pages 764 – 768, dated August 6, 2015. Instrument No. 143793.

Deed of Trust for the Association is recorded in the Real Property Records of Franklin County, Texas as follows

- Deed of Trust Vol 280, Pages 843 – 848, dated June 28th, 2013. Instrument No. 135945 related to Easement and Maintenance Agreement, Instrument No. 135944.
- Release of Lien Vol 456, Page 696, dated December 12th, 2023. Instrument No. 170522.

5. Association Registered Agent Contact Information:

5900 Balcones Drive Ste. 8296
Austin, TX 78731

6. Contact Information:

Email: theoaksoflcs@gmail.com
Mailing Address: 5900 Balcones Drive Ste. 8296, Austin, TX 78731

7. Association Fees:

New Construction Fee	$1,500.00
Annual Dues	$600.00 per Lot
Late Fees	$100.00 per 30 days delinquency
Change of Ownership Fee	$50.00 per transfer
Covenants, Conditions and Restrictions Violations	$5.00 per day
Lot Maintenance for CC&R Violators	$300.00 per month

Prospective purchasers are advised to independently examine the Conditions, Covenants and Restrictions, Bylaws and all other dedicatory instruments of the Association. This Management Certificate does not purport to identify every publicly recorded document affecting the subdivision. Rather the purpose of this Management Certificate is to provide information sufficient for a title company or others to correctly identify the subdivision and to contact the Association. No person should rely on this Management Certificate for anything other than identifying and contacting the Association.

IN WITNESS WHEREOF, the undersigned Board Member of The Oaks of Lake Cypress Springs, Inc., has executed this Management Certificate this 4 day of JUNE 2024.

Paul Dybala
Board Member of The Oaks of Lake Cypress Springs, Inc.

SUBSCRIBED AND SWORN TO BEFORE ME by the President of The Oaks of Lake Cypress Springs, Inc., this 4th day of June, 2024.

CINDY R. MENDEZ
Notary Public
State of Texas
ID # 130048857
My Comm. Expires 01-04-2027

Notary Public in and for the State of Texas