

LOON BAY PROPERTY OWNER'S ASSOCIATION, INC.

PROPERTY RESTRICTIONS

1. All of the following provisions and restrictions shall apply to the residential area of Loon Bay Subdivision as designated in the plat that is filed in the Court of Henderson County, Athens, Texas and shall be binding on all owners, their heirs and assigns without regard as to their membership in Loon Bay Property Owner's Association, Inc. hereinafter called the Association.
 - a. The Association exists for the reasons spelled out in Article II, sections 1-3 of the Bylaws for said Association. Membership in the Association shall depend upon the payment of dues as set forth in those Bylaws. All proceeds received as a result of dues payment shall be used for the maintenance of and the providing of street lighting, maintenance and upkeep of the common areas (ie. two parks with facilities for recreation), and other expenses as established by the Bylaws, General Membership and or the Board of Directors for the good of the Association and it's members.
 - b. Only a residence, garage, carport or tool house may be built on those lots as set forth in City Zoning Code section 156.033 (or as may be amended) and the paragraphs hereof. Occupancy of any garage, tool house, other building units designed as temporary dwellings, except as provided for by paragraph "g." such as travel trailers, campers, tents and other devices intended for camping and not designed to be a permanent residence as a residential dwelling is hereby expressly prohibited.
 - c. All buildings shall be built of new materials, comply with all city codes and ordinances in effect at the time of construction including, but not limited to, City Zoning Code, section 156.033 for single family detached residential district (R-1) or as shall become applicable.
 - d. Residential dwellings shall be constructed on site and shall be permanently affixed to an approved foundation and expressly prohibits mobile homes, Modular Homes, HUD manufactured homes, dwellings constructed with or be intended for transport by means of an axle(s), or other types of pre-fabricated buildings not designed to be constructed on site. Existing local codes and or ordinances shall apply to all other buildings including, but not limited to carports, garages, tool houses, sheds, etc.
 - e. All buildings and properties shall be maintained according to all applicable local, county, and state codes, ordinances, regulations and laws. Continual violations of deed restrictions, city ordinances, codes and laws will result in the loss of membership privileges.
 - f. All residential dwellings or other constructions shall be completed according to, and within the constraints of property obtained and issued permits and shall comply with all existing governing codes, ordinances and laws.
 - g. Property owners and authorized guests of owners shall be permitted the use of camping type devices on their own property, for weekends, holidays, vacations and other short term periods providing that such use complies with all local codes, ordinances, regulations and laws. Use of these devices within the common areas of Loon Bay Subdivision is expressly prohibited.
2. Easements along property lines are reserved for roadways, utilities, or other activities as authorized by local, county, or state authorities having that right to establish such easements. Due process is hereby reserved on behalf of the individual owner(s).
3. These restrictions shall remain in effect to property unless or until a change becomes necessary for the good of the Association. Such change call be caused to occur in accordance with the governing Bylaws of said Association. The general membership of Loon Bay Property Owner's Association, Inc. reserves all rights in accordance with the Bylaws for said Association.

These restrictions were duly adopted in accordance with the governing Bylaws of this Association as attested to by the affixed signature of the current Board of Directors on this 11th day of June 2008.


Rick Smith, President


Carrol Young, Vice President


Helayne Wendel, Secretary


Larry Lamp, Board Member


Lana Lockwood, Board Member

This instrument was acknowledged before me in the
State of Texas, County of Henderson.



