

VG-13-2025-3907

Nacogdoches County
Sandra "Sandy" Yates
Nacogdoches County Clerk

Instrument Number: 2025 - 3907

Real Property Recordings

Parties: ANDERSON COVE
SUBDIVISION

Parties: PUBLIC

Recorded On: June 09, 2025 10:13 AM

Number of Pages: 8

" Examined and Charged as Follows: "

Total Recording: \$49.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2025-3907
Receipt Number: 20250609000023
Recorded Date/Time: June 09, 2025 10:13 AM
User: Monick G
Station: cckx03

Record and Return To:

ANDERSON COVE
100 INDIAN IN DR
GARRISON TX 75946



STATE OF TEXAS

Nacogdoches County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Nacogdoches County, Texas

Sandra "Sandy" Yates
Nacogdoches County Clerk
Nacogdoches County, TX

Sandra "Sandy" Yates

Anderson Cove LLC

Organizational Structure Ver 3.1

(+ Notes)

Anderson Cove LLC is a Texas Limited Liability Company (LLC) that is formed in order to legally and efficiently sell land owned by Anderson Cove Sub-Division located on Lake Naconiche, in Nacogdoches County Texas.

The LLC provides the legal structure for all standard Home owners Association requirements. The LLC is the Governing entity of the ANDERSON COVE HOMEOWNERS ASSOCIATION (HOA). In addition the LLC provides the business and structure to manage and maintain daily activities and to equally address any and all issues that may arise. In short the HOA's goal is to solely keep a peaceful and enjoyable environment and maintain property values. It is intended that the HOA is an active management entity in which all members participate for the common good. Any and all legal rules and or covenants can be changed, added or deleted by formal membership voting. The six (6) lot owners control their environment using this democratic process.

Developers Rights: The developers of this Sub-Division are Franklin Lee Anderson (Frank) and Philip Ray Anderson (Phil). Their goal is to sell all properties in Anderson Cove Sub-Division and then turn control over to the 6 new landowners: therefore

Notwithstanding any Restrictive Covenants to the contrary the Developers—Philip and Franklin Anderson, retain the right to grant variances to purchasers of the lots of Anderson Cove LLC without any approval from any other source for the initial sale of subdivision lots.

Frank Anderson will be primary developer for lots 4, 5, & 6 and secondary developer for Lots 1, 2, & 3.

Phil Anderson will be primary developer for lots 1, 2 & 3 and secondary developer for Lots 4, 5, & 6.

Secondary developer will assume all rights of primary in case of death or mental incapacity.

The **LLC/HOA** is the mechanism that will have three functions:

- A. Provide a standard management structure for common business activities by and for the subdivision. Manages common Sub-Division assets and services such as State & Local Legal compliance, road, easements, utilities, and overall public appearance.
- B. Manage any updates or additions related to the restrictive covenants(**RC**).
- C. Manage any Home Owners Association (HOA) assessments and compliance issues.

Function A. Organization and Voting process

Membership: There are 6 lots in the sub-division. When a lot is purchased the land owner is made a **LLC/HOA** voting shareholder. All actions related to changing Covenants, enforcing covenants and adopting business actions will be voted on by all members. **Until all lots are sold** the **Primary Developer** will have the tie breaking ability for majority voting requirements. After all lots are sold the CEO will cast any tie breaking votes.

Officers of LLC & Developer : There will three officers in the LLC CEO, President and Secretary Treasurer. Officers do not have to be a landowner and may be compensated or non-compensated.

Chief Executive Officer

This position is a elected position by majority vote of landowners. The CEO is the one person who runs the daily operations for Anderson Cove Sub-division. If 2 of the 6 owners request (by vote), the CEO can replaced. This vote can be taken only if a new CEO is nominated and agrees to take the position. At that point a full vote of the members is required.

If the CEO dies or becomes mentally incapacitated the President will immediately be interim CEO until new CEO is elected. The current CEO can resign at any time with 30 days notice. If after 30 days a new CEO is not elected and takes office, the current/interim CEO can, without further authorization, contract with a person or business to legally assume CEO functionality.

CEO Duties: The CEO runs the LLC and makes any and all necessary decisions for daily operations. He also presides over all meetings and voting. He will also be the person that will know how all voting was done and seek to negotiate any issues to resolve conflicts.

The CEO will have authority to engage with contractors, vendors and government agencies on behalf of the LLC. The CEO will have a debit card account available to him to make approved level of purchases on behalf of the LLC. Finally, the CEO is responsible for all IRS and State of Texas tax and filing requirements.

President

The President position is solely to preform CEO duties if the CEO becomes unavailable or incapacitated.

Secretary Treasurer

The Secretary Treasurer – manages the accounting of the Anderson Cove Sub-division bank account, and supports CEO cash and payments.

Voting Process:

Each LOT represents a 1/6 ownership of the sub-division. Each LOT owner can cast 1 (one) vote per lot, in any and all HOA issues.

There will be 4 quarterly voting Meetings:

First Saturday in March, June, September & December of the calendar year.

There will be no quorum requirements. Voting may be done by letter, email, in-person or on Sub-Division website if available.

Items to be voted on may be added onto the meeting agenda, by any member. Agenda can be opened 14 days prior to the meeting. Voting and voting changes may be done anytime up to midnight of two (2) days prior to the meeting.

The CEO will preside over the meeting and or voting.

Voting will be by secret ballot with only CEO knowing who and what votes were registered. CEO will declare results of vote, and a written resolution is filed in the company book.

The CEO can call emergency meetings if necessary but all voters must be contacted 48 hours ahead of the meeting. If a meeting is not practical the CEO must consult with the President and then can make discretionary decisions.

Unanimous / Majority decisions will be defined by landowners. There are two groups of issues that require voting:

Unanimous: All 6 voters must agree.

Majority: 4 or more voters must agree or 3 voters + CEO tiebreaker.

Currently all **RC** and **Organizational** issues require **Unanimous** vote. Going forward Landowners can define groups of items/issues that can be in either group.

Function B. Changing Restrictive Covenants

The initial filing of Restrictive Covenants (RC) by the developers is to set some general basic rules so that prospective buyers know how the Anderson Cove Subdivision is to evolve. To a limited extent, these covenants can be changed by buyers prior to purchase as long as developers or other LOT owners agree. The buyer should work with the Developer on any issues they feel is problematic to their ownership. A standard HOA vote will officially be necessary to change or issue a variance to a RC.

Function C. Manage Assessments & HOA Rules Compliance issues.

ASSESSMENTS: In order to maintain and improve the subdivision shared common areas. These include the road, gate, easements, landscaping drainage and others. Each Lot owner must contribute funds as necessary.

The total dollar assessment for each lot is to be determined by mandatory shared items as well as voluntary shared items. Currently the *YEARLY MINIMUM* assessment per lot is for road material (\$200.00), Garbage (\$90) and * Lawn Deposit (\$720.00) for a total of \$1010.00 paid at closing to Anderson Cove HOA.

The secretary treasurer will maintain an account for each lot with current balance reports.

Any voluntary shared costs will also be added to each lots assessment.

*Lawn deposit is a prepaid amount by each lot owner to assure that lots are mowed during the summer, if the lot owner can't or won't mow. The CEO will, at his discretion hire a contractor to mow a lot and be paid from this deposit.

COMPLIANCE: The CEO has the primary authority to enforce compliance of RC issues. There is no vote required and CEO has power to engage whatever legal remedies are available

END OF Organization Structure

NOTES:

As of this date all of these LOTS 1-6 have the physical infrastructure to enable sharing of common systems. Owners can be totally independent if desired. There are no requirement to share.

Utilities and services available for Anderson Cove Sub-division.

Electricity – Furnished by Deep East Texas electric. All power is underground and maintained by them.

Sanitary Waste – each lot has been evaluated by Rural Waste Water Systems, Bob Harbuck Certified designer. Each lot can be serviced by common anaerobic septic systems. Some lots have operating systems installed and some do not. Owners are responsible for their systems installation and maintenance.

Garbage – Garbage pick-up is managed by the HOA to achieve lower rates. Home owners are responsible for containing their trash in 40 gallon minimum sanitary garbage bags and depositing those bags into the pick up location located on County road 137.

Water – The HOA is not obligated to provide water. Any lot in the subdivision may get potable water to their property in one of three ways:

Individual Waterwells – These wells can be provided by local well installers. Cost approximately \$15,000.00

HOA shared water - Currently there are 2 private wells which can be shared by any or all lots. The HOA can lease these wells to provide shared water for a fee.

Appleby Water District – is a state certified provider of water through their widely distributed system. They can provide “City” water.

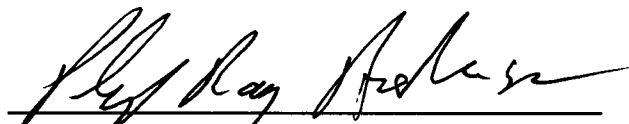
Their fees are \$1000.00 connection fee, \$3000.00 equity buy in and 30.00 per month plus usage fee.

In addition Appleby requires they design the water infrastructure and have provided a quote for \$30,000 to design and install.

The Sub-division has no requirement for landowners. Each land owner can choose to get their water from any of these methods and can opt in or out at their choosing.

Internet – Currently the Sub Division is providing private Starlink network which is shared. New owners can join this shared network at a fee or contract with Starlink or other providers for their personal internet service.

June 9, 2025



PHILIP RAY ANDERSON, Chief Executive Officer
and Co-Developer

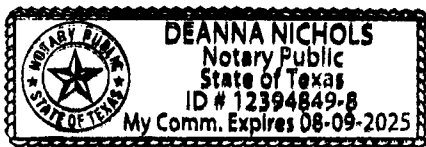


FRANKLIN LEE ANDERSON, Co-Developer

STATE OF TEXAS §
COUNTY OF NACOGDOCHES §

BEFORE ME, the undersigned authority, on this day personally appeared Philip Ray Anderson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of Anderson Cove LLC, and as the Chief Executive Officer and Co-Developer, thereof, for the purposes and consideration therein expressed:

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9 day of June, 2025.

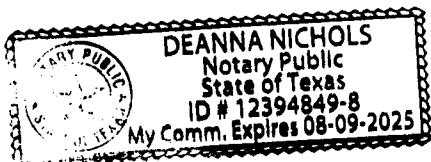


Deanna Nichols
NOTARY PUBLIC - STATE OF TEXAS

STATE OF TEXAS §
COUNTY OF NACOGDOCHES §

BEFORE ME, the undersigned authority, on this day personally appeared Franklin Lee Anderson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of Anderson Cove LLC, and as the Co-Developer, thereof, for the purposes and consideration therein expressed:

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9 day of June, 2025.



Deanna Nichols
NOTARY PUBLIC - STATE OF TEXAS