

Proposed Eagle Landing CC&Rs

“Article-by-Article What
Changed”

Purpose of This Presentation

This presentation is intended to:

- identify what changed in the proposed Restated CC&Rs,
- compare major differences from the original 1985 documents,
- explain likely modernization goals,
- and identify possible community reactions and discussion points.
- The goal is not to advocate for or against adoption, but to help the Board and community clearly understand the proposed changes.

Big Picture Overview



Original 1985 Documents	Proposed Restated CC&Rs
Developer-era structure	Modern HOA governance structure
Simpler restrictions	Detailed operational procedures
Limited procedural systems	Formal governance systems
Fewer owner protections	Expanded owner procedural rights
Limited Board operational tools	Expanded Board operational authority
Informal rural governance style	Structured policy-driven governance

Big Picture Overview

Goals of the Change

- Modernize the governing documents
- Align with Texas Property Code Chapters 202 & 209
- Improve operational clarity and enforceability
- Create long-term governance structure

Possible Community Reactions

-  Better organization and legal clarity
-  Concern regarding increased operational complexity and Board authority

ARTICLE I: Definitions

What Changed

- Expanded definitions significantly
- Added Rules and Guidelines definitions
- Added ARC procedures and written decision timelines
- Added livestock and grazing definitions
- Added foreclosure purchaser definitions
- Increased Board size from minimum 4 directors to 5–7 directors
- Added statutory references throughout

ARTICLE I: Definitions

Goals of the Change

- Clarify ambiguous terms
- Improve enforceability
- Align with modern Texas HOA law
- Create operational consistency

Possible Community Reactions

-  Clearer governance language and procedures  More detailed definitions may create broader enforceable restrictions

ARTICLE II: General Provisions & Easements

What Changed

- Added utility protection language
- Added “811 Call Before You Dig” provisions
- Clarified easement responsibilities
- Expanded utility and ingress/egress language
- Added liability protections related to utility/easement work

ARTICLE II: General Provisions & Easements

Goals of the Change

- Reduce utility disputes
- Improve infrastructure protection
- Limit Association liability exposure
- Modernize easement language

Possible Community Reactions

-  Better infrastructure protection and legal clarity  Concern over expanded access or reduced liability for property impacts

ARTICLE III: Common Areas

What Changed



- Expanded Board authority over Common Areas
- Added guest limitations
- Added agreements with non-members
- Added owner damage liability provisions
- Added suspension rights tied to violations/delinquency
- Modernized mortgage approval language

ARTICLE III: Common Areas

Goals of the Change

- Protect HOA assets
- Clarify owner responsibilities
- Improve operational flexibility
- Strengthen enforcement capability

Possible Community Reactions

-  Better asset protection and operational structure
-  Concern regarding broader Board discretion and suspension authority

ARTICLE IV: Commercial Areas

What Changed

- New commercial development prohibited unless approved by 67% owner vote
- Restaurants and certain commercial uses removed from prior language
- Increased owner control over future commercial development

Possible Goals of the Change

- Preserve residential/rural character
- Limit unwanted commercial growth
- Increase owner control over future development

Possible Community Reactions

-  Better protection of rural and residential character  Concern regarding reduced future flexibility or amenities

ARTICLE V: Membership & Ownership

What Changed



- Removed outdated ownership restrictions
- Removed family inheritance limitations
- Removed husband/wife ownership restrictions
- Simplified ownership definitions
- Added lease compliance filing requirements
- Added modern foreclosure terminology

ARTICLE V: Membership & Ownership

Goals of the Change

- Improve legal enforceability
- Simplify transfers and ownership structure
- Modernize outdated developer-era provisions

Possible Community Reactions

-  Cleaner and more modern ownership structure
-  Concern regarding reduced ownership restrictions or increased investor ownership over time

ARTICLE VI: Voting Rights

What Changed



- Eliminated outdated Declarant voting structure
- Added electronic voting
- Added remote participation
- Added ballot retention requirements
- Added modern election procedures

ARTICLE VI: Voting Rights

Goals of the Change

- Improve election transparency
- Modernize participation methods
- Align with Texas HOA law
- Equalize owner voting rights

Possible Community Reactions

-  Fairer and more accessible voting systems
-  Increased administrative complexity and election management needs

ARTICLE VII: Powers of the Association

What Changed

- Added 144-hour meeting notice requirements
- Added owner speaking rights
- Added records inspection rights
- Added fine authority
- Added Rulemaking authority
- Added transfer fee authority
- Added insurance authority
- Added legal counsel authority
- Added record retention requirements
- Added open meeting compliance requirements
- Expanded borrowing authority

ARTICLE VII: Powers of the Association

Significant Governance Change

Original Documents

- Borrowing generally required owner approval

Proposed Documents



- Board may borrow up to \$100,000 without direct Membership approval

ARTICLE VII: Powers of the Association

Goals of the Change

- Improve operational flexibility
- Modernize governance systems
- Improve legal compliance
- Improve transparency and operational continuity
- Improve emergency response capability

Possible Community Reactions

-  Stronger governance structure and operational tools
-  Concern regarding expanded Board authority and borrowing discretion

ARTICLE VIII: Assessments

What Changed



- Modernized collections procedures
- Added late fees
- Added cure periods
- Added hearing rights
- Added due-process procedures
- Added written decisions
- Modernized foreclosure language
- Removed original hard assessment cap

ARTICLE VIII: Assessments

Goals of the Change

- Improve collections enforceability
- Align with Texas foreclosure law
- Improve procedural fairness
- Improve long-term financial sustainability

Possible Community Reactions

-  Better due-process protections and financial structure
-  Concern regarding stronger collection powers and no fixed assessment ceiling

ARTICLE IX: Lots & Subdivision

What Changed



- Maintains 750-lot cap
- Retains subdivision rights for 5+ acre tracts
- Clarifies combined-lot treatment
- Adds recording requirements
- Modernizes subdivision language

ARTICLE IX: Lots & Subdivision

Goals of the Change

- Improve administrative clarity
- Align with county recording practices
- Preserve density limitations

Possible Community Reactions

-  Clearer lot administration and density protections
-  Concern regarding continued subdivision ability for larger tracts

ARTICLE X: Architectural Review Committee (ARC)

What Changed



- Formal ARC structure established
- Written ARC guidelines authorized
- Written ARC decisions required within 30 days
- Added Texas Property Code compliance language
- Clarified Board appointment/removal authority over ARC
- Expanded procedural requirements

ARTICLE X: Architectural Review Committee (ARC)

Goals of the Change

- Improve procedural fairness
- Improve consistency of ARC decisions
- Align with Texas HOA law
- Improve legal defensibility

Possible Community Reactions

-  Better consistency and procedural clarity
-  Concern regarding increased ARC oversight and future expansion of standards

Overall Benefits Identified in the Proposal

Potential Benefits

- Better alignment with modern Texas HOA law
- Improved owner due-process protections
- Better records transparency
- More organized governance systems
- Better operational continuity
- More consistent enforcement procedures
- Better legal defensibility
- Improved emergency operational flexibility
- Reduced ambiguity in governing documents

Potential Owner Concerns

Possible Concerns

- Expanded Board authority
- Increased operational complexity
- Increased ARC oversight
- Greater dependence on Board interpretation
- Future expansion of Rules and Guidelines over time
- Reduced informal flexibility
- Potential increase in management/legal costs over time
- Concern regarding future governance philosophy of later Boards

Closing

Final Thought

The proposed Restated CC&Rs represent a significant modernization and restructuring of the original 1985 documents.

The proposal contains:

- substantial legal modernization,
- expanded governance systems,
- increased operational tools,
- and stronger procedural protections.

The long-term impact of these changes will depend not only on the language itself, but also on how future Boards, ARC members, and the community choose to implement and govern under the proposed structure.