

Henderson County  
Mary Margaret Wright  
County Clerk  
Athens, TX 75751

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Instrument Number: 2022-00002755

As

Recorded On: 02/16/2022 10:43 AM Recordings - Land

Parties: BROWNS LANDING PROPERTY OWNERS ASSOCIATION

To: PUBLIC

Number of Pages: 10 Pages

Comment:

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(Parties listed above are for Clerks reference only)

**\*\*Examined and Charged as Follows:\*\***

Total Recording: 62.00

**File Information:**

Document Number: 2022-00002755

Receipt Number: 2022-02954

Recorded Date/Time: 02/16/2022 10:43 AM

Recorded By: Janice Hankins

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\*\*\*\*\*DO NOT REMOVE. 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.

I hereby certify that this instrument was filed and duly recorded  
in the Official Records of Henderson County, Texas



A handwritten signature in cursive script, appearing to read "Mary Margaret Wright", is written over the printed name.

County Clerk  
Henderson County, Texas

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**Record and Return To:**

BROWNS LANDING PROPERTY OWNERS  
5473 NATHAN DR

CHANDLER, TX 75758



**FILING OF MANAGEMENT CERTIFICATE**

Browns Landing Property Owners Association

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF Smith

BEFORE ME, the undersigned authority, a Notary Public, on this day personally appeared Barry A. Beresik, Vice President – Board of Directors of the Browns Landing Property Owners Association, a Texas non-profit corporation, personally known to me and who, having been first by me duly sworn, did thereupon depose and say as follows:

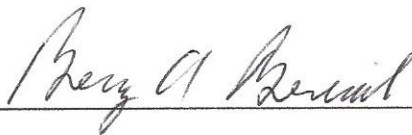
THAT attached to this document are the following dedicatory instruments:

Exhibit A – Management Certificate.

Exhibit B – Minutes of the January 15, 2022 Browns Landing Property Owners Association Board of Directors Meeting.

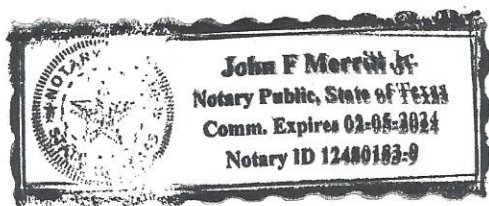
That this document with the attached instruments is to be filed in the Deed of Records of Henderson County, Texas in order to comply with Texas Property Code §209.004, and with the Texas Real Estate Commission.


WHITNESS my hand this 13 day of February, 2022.



BARRY A. BERESIK, Vice President – Board of Directors  
Browns Landing Property Owners Association

Signed under oath before me on the 13 day of February, 2022,  
by BARRY A. BERESIK, in the capacity as the Vice President – Board of Directors of the Browns Landing Property Owners Association.



  
Notary Public, State of Texas

**Record and Return to:**

**Barry A. Beresik**

**Secretary – Board of Directors**

**Browns Landing Property Owners Association**

**5473 Nathan Drive**

**Chandler, Texas 75758**

# EXHIBIT-A

## MANAGEMENT CERTIFICATE

This Management Certificate is recorded pursuant to Section 209.004 of the Texas Property Code

This amends all prior Management Certificates filed for this Association

This MANAGEMENT CERTIFICATE (This "Certificate") is made effective January 15, 2022.

by Browns Landing Property Owners Association, A Texas non-profit corporation (the "Association").

### WITNESSETH:

WHEREAS, the Declarant for Browns Landing has previously placed of record that certain Declaration of Covenants, Conditions and Restrictions for Browns Landing Phase 1 filed of record on or about July 14, 2008 (the "Declaration") and recorded in Volume 2889, Page 839 in the Real Property Records of Henderson County, Texas.

WHEREAS, Declarant has created the Association for the benefit of Browns Landing.

WHEREAS, the Association was duly formed on May 10, 2010 as the Browns Landing Property Owners Association.

WHEREAS, the Association has caused the Certificate to be prepared and filed in accordance with the provisions of the Texas Property Code as provided in Section 209 of the Texas Property Code.

NOW, THEREFORE the undersigned hereby certifies as follows on behalf of the Association:

1. Name of the Subdivision. The name of the subdivision which is subject to the Declaration is Browns Landing.
2. Name of the Association. The name of the Association is the Browns Landing Property Owners Association, and is located in Henderson County, Texas.
3. Recording Data for the Subdivision. The Declaration, Bylaws and Plats to the subdivision and any amendments, supplements and additions thereto have been recorded in the Henderson County Clerk's office.
4. Recording Data for the Declaration. The Declaration for the Association was filed on or about July 14, 2008 (the "Declaration") recorded Volume 2889, Page 839 in the Real Property Records of Henderson County, Texas: which Declaration is incorporated herein for all purposes and any amendments or supplements thereto.

The Browns Landing Property Owners Association Certificate of Formation, Nonprofit Corporation, and the Bylaws of the Browns Landing Property Owners Association were recorded on or about July 20, 2010 at Document # 2010-00009574.

The Declaration was amended as follows:

- A Declaration of Restrictions known as the Hardee Restrictions was recorded on or about January 9, 2006 at Document #0015208, Vol. 2789, Page 390.
  - The First Amendment to the Declaration of Covenants, Conditions and Restrictions was recorded on or about July 9, 2010 at Document #2010-00009137.
  - A Final Plat Browns Landing Phase II was recorded on or about July 20, 2010 at Document #2010-00009549.
  - An Affidavit Declaring Members Approval of Amended and Restated: Bylaws; Certificate of Formation; and Restrictive Covenants. Amended and Restated Bylaws of Browns Landing Property Owners Association, Amended and Restated Certificate of Formation nonprofit Corporation for Browns Landing Property Owners Association, Amended and Restated Declaration of Covenants, Conditions and Restrictions of Browns Landing, Policy Regarding Members Right to Use and Enjoyment of Common Areas Browns Landing Property Owners Association, Policy Regarding Document Retention Browns Landing Property Owner Association, Policy Regarding Open Records Browns Landing Property Owners Association, Policy Regarding Alternative Payment Schedules Browns Landing Property Owners Association, Affidavit Declaring Assignment of All Previous Developer and Declarant Rights to Browns Landing Property Owner Association, Letter of Consent to Use Entity Name, was filed on or about October 27, 2017 at Document # 2017-000165522.
  - Policy Regarding Combining Lots Browns Landing Property Owners Association, Rule Regarding Members Right to the Number of Spaces Allowed in the RV and Boat Storage Area Browns Landing Property Owners Association, Amended and Restated Rule Regarding Members Right to the Number of Spaced Allowed in the RV and Boat Storage Area Browns Landing Property Owner Association, Rule Regarding Requirement to Install Oversized Rock Over Fabric Barrier at Culvert Construction Access Browns Landing Property Owner Association was recorded on or about February 27, 2020 at Document #2020-00002782.
  - Amended and Restated Policy Regarding Combining Lots Browns Landing Property Owners Association was filed on or about April 14, 2020 at Document #2020-00004867
  - Policy Regarding Separation of Previously Combined Lots Browns Landing Property Owners Association was filed on or about August 7, 2020 at Document #2020-00011430.
  - Covenant Running with The Land (Sharing Agreement – Final) was filed on or about April 23, 2021 at Document # 2021-00007490.
  - Policy Allowing for Grey Color Vinyl Panels as an Alternative to Galvanized Steel Panels for Bulkhead Walls was filed one or about FEBRUARY 10, 2022 at Document #2022-00002357.
5. Name and mailing address of the Association. The mailing address for the Association is Browns Landing Property Owners Association, 5655 Browns Landing Dr., Chandler, TX 75758.
  6. Name and mailing address of the Association's registered agent. Browns Landing Property Owners Association, Attn: Barry Beresik, 5473 Nathan Drive, Chandler, TX 75758, Email: [barryberesik@gmail.com](mailto:barryberesik@gmail.com), Phone: 713-560-8061.
  7. Website Address. None.
  8. Fees charge by the Association relating to property transfer in the subdivision. None.
  9. Additional Information. None.

This Management Certificate is effective on January 15, 2022.

Browns Landing Property Owners Association

By: *Barry Beresik*

By: Barry Beresik

Title: Registered Agent – Vice President - Board of Directors

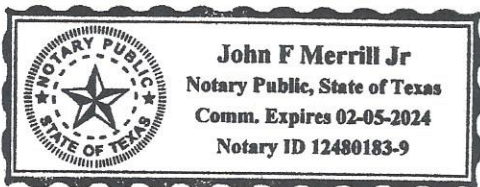
Browns Landing Property Owners Association

STATE OF TEXAS

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§  
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COUNTY OF SMITH

This instrument was acknowledged before me on the 13 day of February, 2022, by Barry Beresik as the Registered Agent and Vice President – Board of Directors for the Browns Landing Property Owners Association, nonprofit corporation under the laws of the State of Texas of said corporation.



*John F Merrill Jr*  
Notary Public for the State of Texas

AFTER RECORDING, RETURN TO:

Barry Beresik

Browns Landing Property Owners Association

5473 Nathan Drive

Chandler, TX 75758

# EXHIBIT-B

**Approved by 7/0 email vote on 01/31/22**

## **Brown's Landing POA Board Meeting**

**Location: Beresik's House**

**5473 Nathan Drive**

**January 15, 2022**

**10:00 AM**

**Agenda/Minutes**

Call to order and establish a quorum (Jim J)

Jim Johnson called the meeting to order at 10:05 AM and a quorum was established. All Board members were present.

Acknowledge POA Members present and ask for their Comments (Jim J)

POA Members present included Alicia Freeman, Larry Broussard, Tony Harvey, Kristi Akervik, and Paul Hashim. No comments were offered.

Approve/Amend Meeting minutes from November 13, 2021 Annual Meeting & Board Meeting (Group)

Minutes from the Nov. 13, 2021 Meeting were electronically approved on November 22, 2021. (7-0)

Budget Review Year-to-Date (Jack)

Jack Foster covered YTD spend and noted we will be right on budget for 2021. (attached)

Final planning/ approval of the 2022 Budget (to include road repair, landscaping upgrade and maintenance, pavilion cleaning service) (Group)

The Board made a final review of the 2022 preliminary budget including line items for landscaping upgrade and maintenance, one time pavilion and walk to the dock power washing, new cleaning service for the pavilion, and continued road repair to include sealcoating all community roads in 2022. Kyle Harville made motion to

approve the 2022 budget, Stewart Kenderdine seconded the motion and the 2022 budget was approved with no changes.

#### Set dues for 2022 – 2023 (Group)

The Board discussed 2022 dues Based on approved 2022 budget of \$71,000 and 58 lot paying dues. Jim Hoover made motion to approve annual 2022 dues of \$1250. Kyle Harville seconded and all approved. (7-0) Dues are payable for POA members by March 15. Dues for Board Members are due January 31.

#### Board elections (two positions) for April 2022 (Group)

We will have two Board positions open in April 2022. Any POA member interested in running for a Board position should contact Karen Willis.

#### Clean up work completed around pump house, bridge and dock area (Jim J)

Jim Johnson discussed the landscape clean-up work around the pump house, bridge, dock area, and front entrance. This work has been completed and paid for within the 2021 budget.

#### Cleaning fence line along Jamison Dr (Jim J)

Jim Johnson acquired a bid for \$300 to clean up the fence line along Jamison. The bid was approved and work has been completed.

#### Cut grasses and bushes around the front entrance. (Jim J)

Jim Johnson commented that this work was completed at the same time as the clean up around the pump house and dock area.

#### Consideration for planning holly bushes along Jamison Dr. (Jim J)

Jim Johnson discussed the fountain grass located at the far end of Jamison Dr. Since there are also a few holly bushes already there, Jim made a motion to remove the dead fountain grass and add 3 more holly bushes. Barry Beresik made motion to approve and Jack Foster seconded. All approved. (7-0) This work will be completed later in the Spring.

#### Comments regarding front entrance landscaping plan (Jim J)

Jim Johnson referred to the diagram (attached) presented at last board meeting for a proposed maintenance friendly landscaping plan for the front entrance. The

Board agreed to keep it open for further discussion and review cost estimates at the next meeting. POA Members are invited to review the plan and provide any comments/suggestions.

#### **Bulkhead vinyl plan approval and color selection (Barry and Jim J.)**

It was suggested by a homeowner that we consider approving use of vinyl bulkhead panels as an alternative to galvanized steel panels when doing bulkhead repairs. Barry Beresik presented samples of these panels in various colors at the meeting. The panels presented have a 50 year warranty. The ACC approved use of the vinyl panels in grey so it will blend in with the current galvanized material. Barry made a motion to adopt a policy allowing only the gray color vinyl panels as an alternative to galvanized metal panels when doing bulkhead repairs. Stewart Kenderdine made motion for approval. Jack Foster seconded and all approved. (7-0) This policy will be filed with the County.

#### **Provide ACC Update current construction projects (Barry)**

Barry Beresik reviewed status of current new homes construction. He also reported that the cottage renovation is expected to be finished by April. Once the stonework is completed on the cottage, we will review condition for pavilion use. Barry also reviewed the bulkhead repairs currently underway or planned by several homeowners.

#### **Review Brown's Landing To-Do List (Barry)organization.**

Barry Beresik reviewed To-Do List noting tasks that have recently been completed. (attached)

#### **Establish next Board Meeting date: March?**

The next Board Meeting has been tentatively scheduled March 19 at 10:00 AM. Location will be determined at a later date.

#### **Final Questions & Comments**

Tony Harvey asked about the road conditions on 4202. Barry suggested homeowners call County Mark Richardson, (903-681-2114) Precinct 4 commissioner for Henderson County to communicate your concerns.

Tony mentioned possibility of having a CPR certified First responder group in the community.

Paul Hashim asked about non-lit street lights. It was communicated that this has been addressed with TVEC but they are still waiting for parts. (supply chain issues)

Jim Johnson stated that there have been occasions where he found the heaters turned off or unplugged in the bathrooms, storage closet and the pump house. PLEASE DO NOT unplug or turn off heaters in these areas and let a Board Member know if you notice these heaters turned off. It would be a large expense to the POA to repair the damage from frozen pipes.

#### Adjourn Board Meeting

Jack Foster made motion to adjourn the Meeting and Kyle Harville seconded. All approved. (7-0)

#### Executive Session

Executive Session was called to order by Jim Johnson. Jim Johnson and Barry Beresik discussed new State legislation pertaining to Homeowner Associations and action needed to meet these requirements. The Board was also updated on an ACC matter.

*Barry Beresik*  
Barry Beresik

Vice President - Board of Directors  
Browns Landing Property Owners Association