




Council Creek South
Covenants, Conditions, and Restrictions
Established in 1965 and Amended (Amendment #1) in 2009 and in 2011
(Amendment #2) and in 2024 (Amendment #3)

Council Creek South, Unit 1, Unit 2, and Unit 3, is a subdivision in Burnet County, Texas. Unit 1 and Unit 2 are shown by a Plat recorded in Cabinet 1, Slides 48-A, B and Cabinet 1, Slides 58-A, B, respectively, of the Plat Records of Burnet County, Texas. Unit 3 is not recorded. Council Creek South (CCS) Deed Covenants, Conditions and Restrictions (CC&Rs) were originally established in 1965 and amended in 2009 for maintenance fee only.

The following CC&Rs represent an amended version (amended #2) approved by CCS property owners in accordance with the CCSPOA amendment process that is recorded in the office of the County Clerk of Burnet County.

1. The premises herein conveyed shall be used only for single family residential purposes and not for any business or commercial purposes. No trailer houses. No old houses moved in.
2. All improvements such as a home, outbuildings, or fences to be constructed shall be approved by the Council Creek South (CCS) Property Owners Association, INC. (CCSPOA) as to a design, size, construction, location on the property, and buyer agrees to abide by set-backs from front, rear, and side property lines. Outbuildings and/or temporary structures will not be approved for use as residential structures. Outbuildings will not be approved as a sole project unless the residential structure is already in place and fully constructed as previously proposed and approved, but outbuildings are accepted as part of a larger construction project to build a residential structure. Temporary structures, approved by the CCSPOA, may be used during the approved construction phase for storage of tools and materials.
3. No residence constructed on this lot or lots shall have a living area less than 800 square feet, waterfront lots; 600 square feet, back lots, unless a special permit in writing is granted by CCS POA.
4. Any residence constructed on this lot shall have a three-piece bathroom minimum, and must have a lavatory, commode, and shower stall with approved onsite sewage treatment system. The kitchen shall have a minimum of one kitchen sink. **No outside toilet permitted.** All onsite sewage treatment systems must be approved by Lower Colorado River Authority (LCRA) prior to submitting the mandatory construction request to the CCSPOA.
5. No livestock such as cattle, goats, pigs, etc. shall be allowed on premises: only household pets such as dogs, cats, etc.
6. The owner guarantees that all taxes are paid prior to date of selling property. All taxes due subsequently to the sell transaction date to be paid by buyer.
7. An assessment of \$150 per lot per year shall run against each lot in said subdivision for maintenance of the park, roads, streets, and beach area. Such assessment shall be and it hereby secured by lien on each property owner respectively and shall be payable to the CCS POA on the first day of January of each year, commencing January

- 1, 2010, with adjustments made thereafter for inflation every five years, using the Consumer Price Index based on the Bureau of Labor statics. In cases where one owner owns more than one (1) lot, there will be only one (1) assessment per owner. Provided, however, that if such an owner should sell one or more of his lots to a party who therefore did not own property in Council Creek South, then said lot or lots so transferred shall thereafter be subject to the lien provided in Covenant 7.
8. Commencing January 1, 2024 a \$250.00 transfer fee shall also be assessed at the closing of the sale of a property and shall be payable to the CCS POA. This fee will also be adjusted for inflation every five years, using the Consumer Price Index based on the Bureau of Labor statics.
 9. Such CC&Rs shall be binding upon and are to be observed by the Buyer herein, as well as the heirs and assigns of Buyer, and are to run in favor of and be enforceable by any person who owns property in Council Creek South. These CC&Rs are to run with the land and shall be binding for a term of five (5) years from the date these CC&Rs are recorded, after which time the same shall be automatically extended for successive periods of five (5) years. With respect to future amendments of these CC&Rs, an instrument, approved by not less than 2/3 of the voting property owners of record hereof, may amend the provisions. Any election for amending these CC&Rs must be conducted in accordance with the CCSPOA amendment process that is recorded in the office of the County Clerk of Burnet County.


Joe Donahue. Date 4-23-24
President Council Creek South POA

