

LAKESHORE DRIVE DAMAGE AGREEMENT

State of Texas
County of Smith

Whereas, **Country Place Community Association, Inc.** ACPCA@, is a duly formed association consisting of the homeowners of Country Place Subdivision according to the plats filed of record in the office of the County Clerk of Smith County, Texas.

Whereas, the undersigned Ahomeowners@ desire to construct a new residence or make an addition to an existing residence or part thereof.

Whereas, the existing Lakeshore Drive is the only means of entering homeowner=s property. Because Lakeshore Drive is a privately maintained road, it is imperative to all homeowners that Lakeshore Drive be properly maintained for peaceable and safe passage.

Now therefore, it is hereby agreed that Homeowner will submit a road damage and drainage deposit in the amount of \$10,000.00 payable to Country Place Community Association Inc., prior to the commencement of any new construction on any property located on Lakeshore Drive.

CPCA agrees to deposit said \$10,000.00 in an account that is controlled by its governing board and is to be managed as hereinafter stated.

It is understood and agreed by CPCA and Homeowner that upon completion of any construction located on Lakeshore Drive that Homeowner, their contractors, subcontractors, or their employees, agree that any damage caused to the road, Lakeshore Drive, will be repaired to its original condition as it was prior to the start of any construction.

If said road is not damaged or has been repaired to its original condition as it was prior to the start of new construction, along with any drainage improvements, then CPCA will within 30 days of written request by Homeowner, refund the \$10,000.00 deposit in its entirety.

If said road is not properly repaired to its original condition as it was prior to the start of new construction, and drainage improvements have not been completed, then Homeowner hereby grants and conveys to CPCA permission to apply the \$10,000.00 toward the repair of Lakeshore Drive and the installation of drainage improvements. If additional funds are needed to complete the repair, Homeowner agrees to reimburse CPCA for all expenses in excess of \$10,000.00 within 30 days of receipt of written request and copies of all repair bills submitted by a reputable road repair company. If Homeowner fails to reimburse CPCA within 10 days after the 30 day receipt of written request, CPCA is hereby granted and conveyed the authority to place a lien upon the property of Homeowner until payment has been made in full, as stated and permitted in the Restrictions and Covenants of the Country Place Subdivision as filed in the office of the County Clerk of Smith County, Texas.

Country Place Community Association, Inc.

President Date

Homeowner Date

Homeowner Date