

**NOTICE OF FILING OF DEDICATORY INSTRUMENTS
FOR
FLEMING POINTE HOMEOWNERS ASSOCIATION, INC.**

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TARRANT §

THIS NOTICE OF FILING OF DEDICATORY INSTRUMENTS FOR FLEMING POINTE HOMEOWNERS ASSOCIATION, INC. (this "**Notice**") is made this 8th day of August, 2023, by FLEMING POINTE HOMEOWNERS ASSOCIATION, INC., a Texas non-profit corporation (the "**Association**").

WITNESSETH:

WHEREAS, Beaten Path Development II-Lakeside, LLC, a Texas limited liability company (the "**Declarant**"), prepared and recorded an instrument entitled "Declaration of Covenants, Restrictions and Easements for Fleming Pointe Homeowners Association, Inc." filed of record in the Official Public Records of Tarrant County, Texas (the "**Declaration**"); and

WHEREAS, the Association is the homeowners' association created by the Declarant to manage or regulate the planned development covered by the Declaration, which development is more particularly described and depicted on Exhibit 1 attached hereto and incorporated herein by reference; and

WHEREAS, Section 202.006 of the Texas Property Code provides that a property owners' association must file each dedicatory instrument governing the Association that has not been previously recorded in the Real Property Records of the county in which the planned development is located; and

WHEREAS, the Association desires to record the attached dedicatory instruments in the real property records of Tarrant County, Texas, pursuant to and in accordance with Section 202.006 of the Texas Property Code.

NOW THEREFORE, true and correct copies of the following dedicatory instruments are hereby filed of record in the Real Property Records of Tarrant County, Texas, in accordance with the requirements of Section 202.006 of the Texas Property Code:

- EXHIBIT A** Certificate of Formation
- EXHIBIT B** Bylaws
- EXHIBIT C** Document Production and Copying Policy
- EXHIBIT D** Document Retention Policy
- EXHIBIT E** Collection Policy

- EXHIBIT F** Alternative Payment Schedule Guidelines for Certain Assessments
- EXHIBIT G** Policy for Priority of Payments
- EXHIBIT H** Guidelines Applicable to Waiver Requests
- EXHIBIT I** Guidelines for Rainwater Recovery Systems
- EXHIBIT J** Guidelines for Display of Certain Religious Items
- EXHIBIT K** Guidelines for Solar Energy Devices
- EXHIBIT L** Guidelines for Flag Displays
- EXHIBIT M** E-mail Registration Policy
- EXHIBIT N** Design Guidelines

IN WITNESS WHEREOF, the Association has caused this Notice to be executed as of the date first written above.

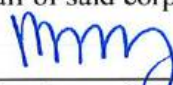
ASSOCIATION:

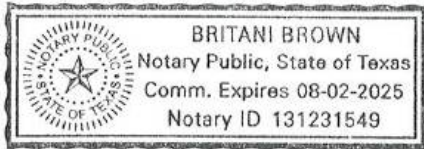
Fleming Pointe Homeowners Association, Inc.,
a Texas non-profit corporation

By: 
John Pitstick, President

STATE OF TEXAS §
 COUNTY OF Tarrant §

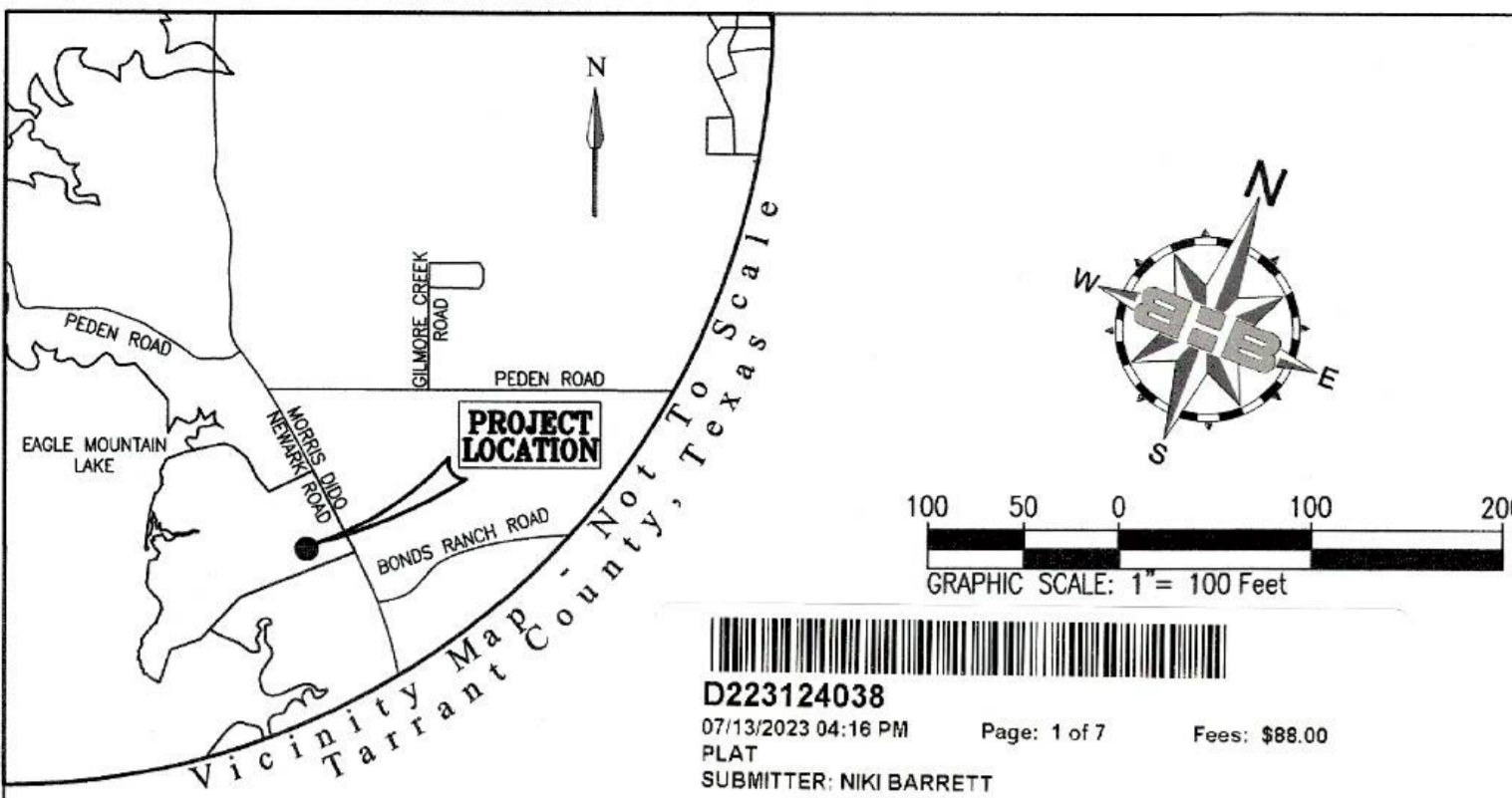
The foregoing instrument was acknowledged before me on this the 8 day of August, 2023, by John Pitstick, President of Fleming Pointe Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.


Notary Public, State of Texas



AFTER RECORDING RETURN TO:
 Beaten Path Development II-Lakeside, LLC
 700 W Harwood Rd. Ste G2
 Hurst, TX 76054
 Attn: Jeffrey David

EXHIBIT 1
FINAL PLAT



D223124038
07/13/2023 04:16 PM Page: 1 of 7 Fees: \$88.00
PLAT
SUBMITTER: NIKI BARRETT

GENERAL NOTES

1. Basis of bearing being U.S. State Plane Grid - Texas North Central Zone (4202) NAD83 as established using the AllTerra RTKNet Cooperative Network. Reference frame is NAD83(2011) Epoch 2010.0000. Distances shown are U.S. Survey feet displayed in surface values.
2. This plat does not alter or remove any existing easements that affect this property and may not be shown.
3. The surveyor, as required by state law, is responsible for surveying information only and bears no responsibility for the accuracy of the engineering data, such as floodplain and floodway locations and minimum finished floor elevations data placed on this plat.
4. Notice: Selling a portion of any lot in this addition by metes and bounds is a violation of state law and City ordinance and is subject to penalties imposed by law.
5. Unless otherwise noted all property corners are set 5/8-inch capped iron rods marked "BIB INC".
6. All of OS1, Block A, is a private road right-of-way.
7. Rear building setback lines are 30' unless otherwise noted.
8. The Home Owners Association (HOA) reserves the right to utilize the Fence Maintenance Easement to remove, replace or maintain the fence within the easement as deemed necessary by the Home Owners Association (HOA).
9. Lots 11 thru Lot 16, Lots 19 thru Lot 22 and Lots 28 thru Lot 34, Block A, have witness corners (WC) along the side lot lines as shown hereon.
10. Private on-site sewage facilities will be subject to permitting through the Tarrant County Regional Water District.

TARRANT COUNTY PLAT NOTES

1. Development in unincorporated Tarrant County shall be subject to applicable municipal regulations, the current Tarrant County Subdivision and Land Use Regulations and the Tarrant County Fire Code.
2. Tarrant County permits required prior to development within this subdivision, as applicable, include, but are not limited to, construction within the public rights-of-way, driveway access to public roads, development within a designated floodplain, salvage yards, stormwater mitigation, and on-site sewage systems.
3. All drainage easements shall be kept clear of fences, buildings, foundations, plantings, and other obstructions to the operation and maintenance of the drainage facility.
4. The siting and construction of water wells shall be subject to the regulations of the Northern Trinity Groundwater Conservation District.
5. Any existing creek, stream, river or drainage channel traversing along or across portions of this addition will remain unobstructed at all times and will be maintained by the adjacent property owner, or the Home Owners Association, if applicable. The County will not be responsible for the maintenance, erosion control, and/or operation of said drainage ways. The Home owners shall keep the adjacent drainage ways traversing their property clean and free of debris, silt or other substances which would result in unsanitary conditions, and the County shall have the right of entry for the purposes of inspecting maintenance work by the property owners. The drainage ways are occasionally subject to storm water overflow damages resulting from the storm water overflow and/or bank erosion that cannot be identified. The County shall not be liable for any damages resulting from the occurrence of these phenomena, nor the failure of any structures within the drainage ways. The drainage way crossing each lot is contained within the floodplain/drainage easement line as shown on the plat.
6. Tarrant County shall not be responsible for the maintenance of private streets, drives, emergency access easements, recreation areas, and open spaces; and the owners shall be responsible for the maintenance of private streets, drives, emergency access easements, recreation areas, and open spaces, and said owners agree to indemnify and save harmless Tarrant County from all claims, damages, and losses arising out of or resulting from performance of the obligations of said owners set for in this paragraph.
7. Tarrant County does not enforce subdivision deed restrictions.
8. Land owners and subsequent owners of lots or parcels within this subdivision are encouraged to contact Tarrant County's Transportation Services Department prior to conducting any development activities.
9. All parties with an interest in the title of this property have joined in any dedication. Tarrant County will not accept the dedication of roads without proof of clear title to those roads.

FLOODPLAIN RESTRICTION:
NO CONSTRUCTION SHALL BE ALLOWED WITHIN THE FLOODPLAIN EASEMENT, WITHOUT THE WRITTEN APPROVAL OF THE DIRECTOR OF TRANSPORTATION AND PUBLIC WORKS. IN ORDER TO SECURE APPROVAL, DETAILED ENGINEERING PLANS AND/OR STUDIES FOR THE IMPROVEMENTS, SATISFACTORY TO THE DIRECTOR, SHALL BE PREPARED AND SUBMITTED BY THE PARTY(S) WISHING TO CONSTRUCT WITHIN THE FLOOD-PLAIN, WHERE CONSTRUCTION IS PERMITTED. ALL FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF TWO (2) FEET ABOVE THE FLOODPLAIN BASE FLOOD ELEVATION RESULTING FROM ULTIMATE DEVELOPMENT OF THE WATERSHED.

FLOODPLAIN/DRAINAGE-WAY MAINTENANCE:
THE EXISTING CREEK, STREAM, RIVER, OR DRAINAGE CHANNEL TRAVERSING ALONG OR ACROSS PORTIONS OF THIS ADDITION, WILL REMAIN UNOBSTRUCTED AT ALL TIMES AND WILL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS WHOSE LOTS ARE TRAVERSED BY, OR ADJACENT TO, THE DRAINAGE-WAYS. THE CITY OF FORT WORTH WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE, EROSION CONTROL, AND/OR OPERATION OF SAID DRAINAGE-WAYS. PROPERTY OWNERS SHALL KEEP THE DRAINAGE-WAYS TRAVERSING THEIR PROPERTY CLEAN AND FREE OF DEBRIS, SILT OR OTHER SUBSTANCES WHICH WOULD RESULT IN UNSANITARY CONDITIONS, AND THE CITY SHALL HAVE THE RIGHT OF ENTRY FOR THE PURPOSE OF INSPECTING THE MAINTENANCE WORK BY THE PROPERTY OWNERS. THE DRAINAGE-WAYS ARE OCCASIONALLY SUBJECT TO STORM WATER OVERFLOW AND/OR BANK EROSION THAT CANNOT BE IDENTIFIED. THE CITY OF FORT WORTH SHALL NOT BE LIABLE FOR ANY DAMAGES RESULTING FROM THE OCCURRENCE OF THOSE PHENOMENA, NOR THE FAILURE OF ANY STRUCTURE(S) WITHIN THE DRAINAGE-WAYS. THE DRAINAGE-WAY CROSSING EACH LOT IS CONTAINED WITHIN THE FLOODPLAIN EASEMENT LINE AS SHOWN ON THE PLAT.

CONSTRUCTION PROHIBITED OVER EASEMENTS:
NO PERMANENT BUILDINGS OR STRUCTURES SHALL BE CONSTRUCTED OVER ANY EXISTING OR PLATTED WATER, SANITARY SEWER, DRAINAGE, GAS, ELECTRIC, CABLE OR OTHER UTILITY EASEMENT OF ANY TYPE.

UTILITY EASEMENTS:
ANY PUBLIC UTILITY, INCLUDING THE CITY OF FORT WORTH, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDING, FENCE, TREE, SHRUB, OTHER GROWTH OR IMPROVEMENT WHICH IN ANY WAY ENDANGERS OR INTERFERES WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE EASEMENTS SHOWN ON THE PLAT; AND THEY SHALL HAVE THE RIGHT AT ALL TIMES TO INGRESS AND EGRESS UPON SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING, AND ADDING TO OR REMOVING ALL OR PARTS OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.

OTHER NOTES:
1) DOMESTIC WATER FOR RESIDENTIAL LOTS SHALL BE PROVIDED BY PRIVATE ON SITE WELLS.
SEWAGE DISPOSAL FOR RESIDENTIAL LOTS SHALL BE PROVIDED BY PRIVATE ON SITE SEWAGE FACILITIES.

2) TARRANT COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY EASEMENTS, PUBLIC ACCESS EASEMENTS, PEDESTRIAN ACCESS EASEMENTS, RECREATION AREAS, OPEN SPACES, AND DRAINAGE FACILITIES AND THE OWNER AGREE TO INDEMNIFY AND SAVE HARMLESS THE TARRANT COUNTY FROM CLAIMS, DAMAGES, LOSSES, ARISING OUT OF OR FROM PERFORMANCE OF THE OBLIGATIONS OF SAID OWNER SET FORTH IN THIS PARAGRAPH.

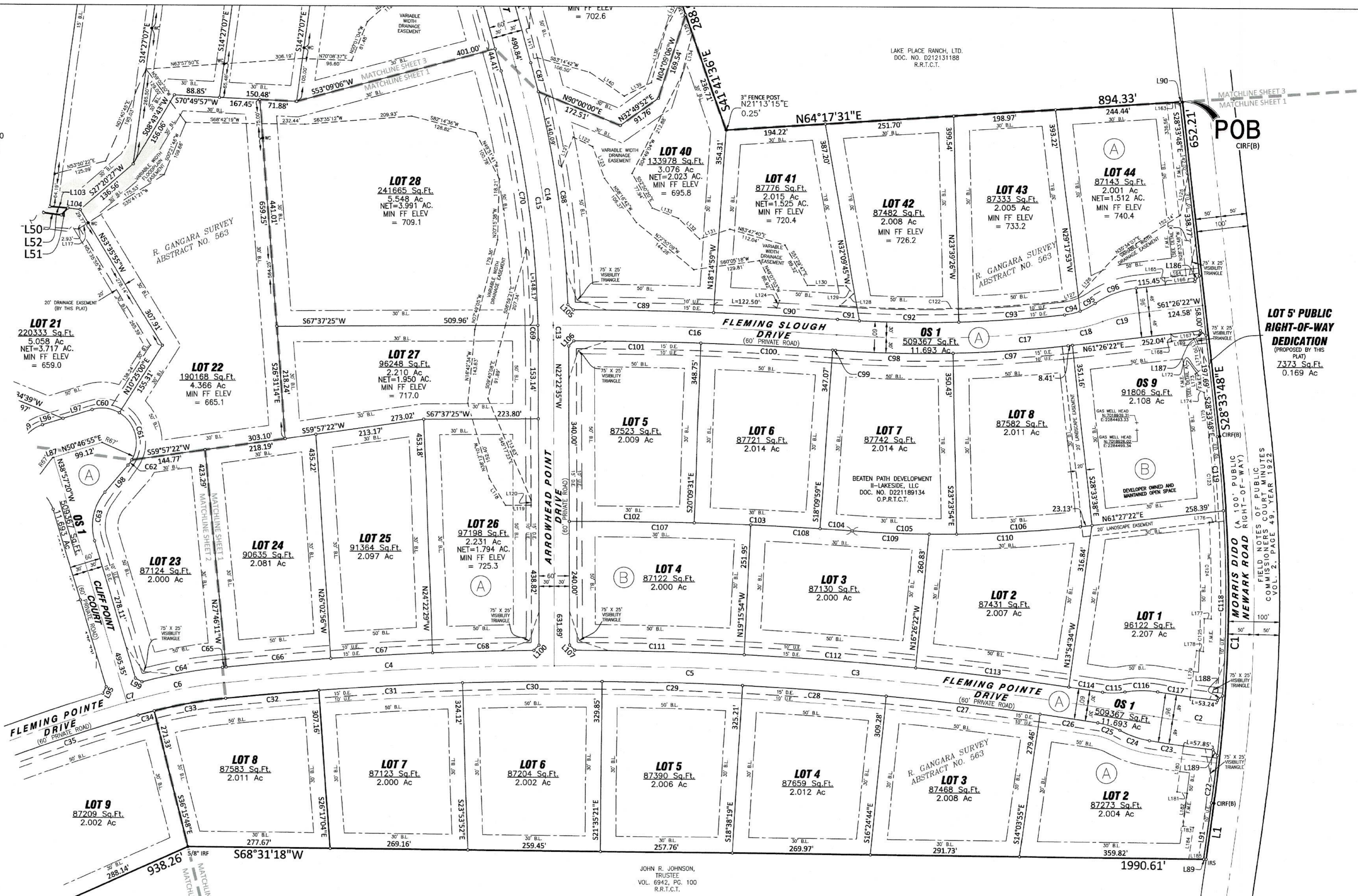
3) TxDOT PERMITS ARE REQUIRED FOR ACCESSING FM 1220 (MORRIS DIDO NEWARK ROAD)

4) THE PROPOSED RIGHT-OF-WAY DEDICATION ALONG MORRIS DIDO NEWARK ROAD IS CONSISTENT WITH THE RIGHT-OF-WAY WIDTH RECOMMENDED IN THE CITY'S MASTER THROUGHFARE PLAN.

SURVEYOR:

BIB
BAIRD, HAMPTON & BROWN
building partners
949 Hilltop Drive, Weatherford, TX 76086
Toby G. Stock
tstock@bhinc.com • 817.598.7575 • bhinc.com
TBPELS Firm #44, #10011300, #10011302, #10194146

OWNER: BEATEN PATH DEVELOPMENT II-LAKESIDE, LLC
ATTN: DUSTY ALUSTIN
700 W. HARWOOD DRIVE, SUITE G-2
HURST, TEXAS 76054
817-281-3388



FLOOD ZONE NOTE

A portion of the subject property lies within SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD.

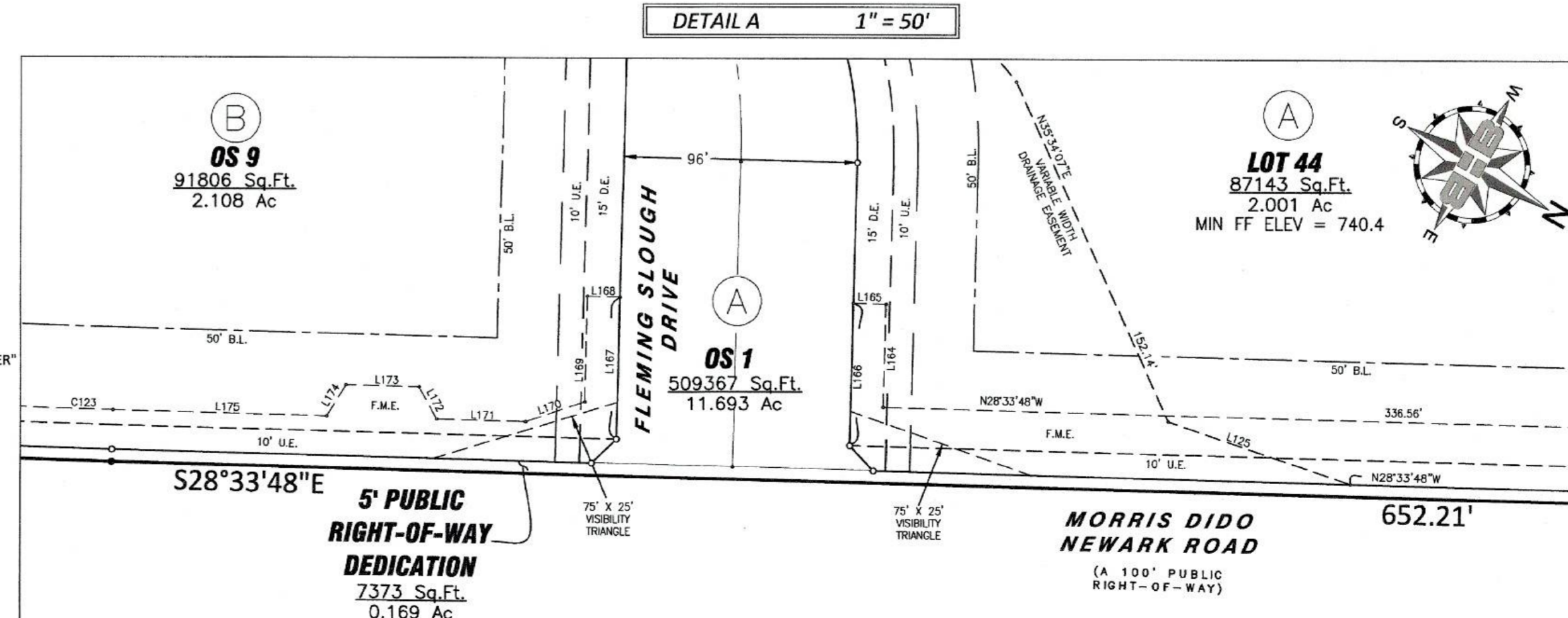
| | |
|-------------------------|------------|
| RESIDENTIAL LOTS | 143,570 AC |
| RIGHT-OF-WAY DEDICATION | 0.169 AC |
| OPEN SPACE LOTS | 13,801 AC |
| TOTAL | 157,540 AC |

Zone AE - Base flood elevations determined per FIRM, Flood Insurance Rate Map, Community Panel Number 48439C0040K, Map Revised September 25, 2009. The location as shown is per scaling. This does not represent a drainage study floodplain limits.

- A. A portion of the subject property lies within OTHER FLOOD AREAS - Zone X - Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood per FIRM, Flood Insurance Rate Map, Community Panel Number 48439C0040K, Map Revised September 25, 2009. The location as shown is per scaling. This does not represent a drainage study floodplain limits.
- The remainder of the subject property lies within Zone X - Areas determined to be outside the 0.2% annual chance floodplain per FIRM, Flood Insurance Rate Map, Community Panel Number 48439C0040K, Map Revised September 25, 2009.

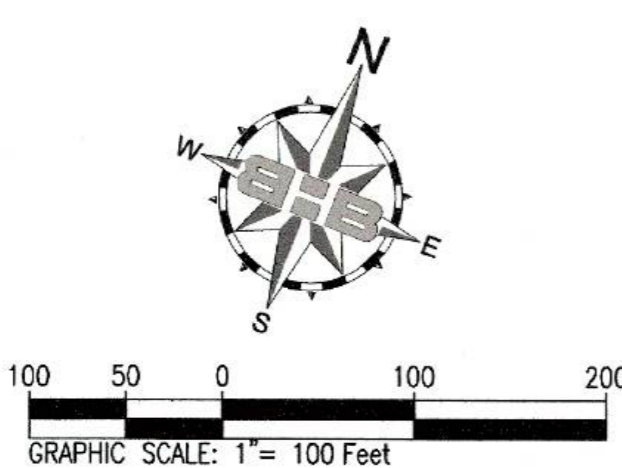
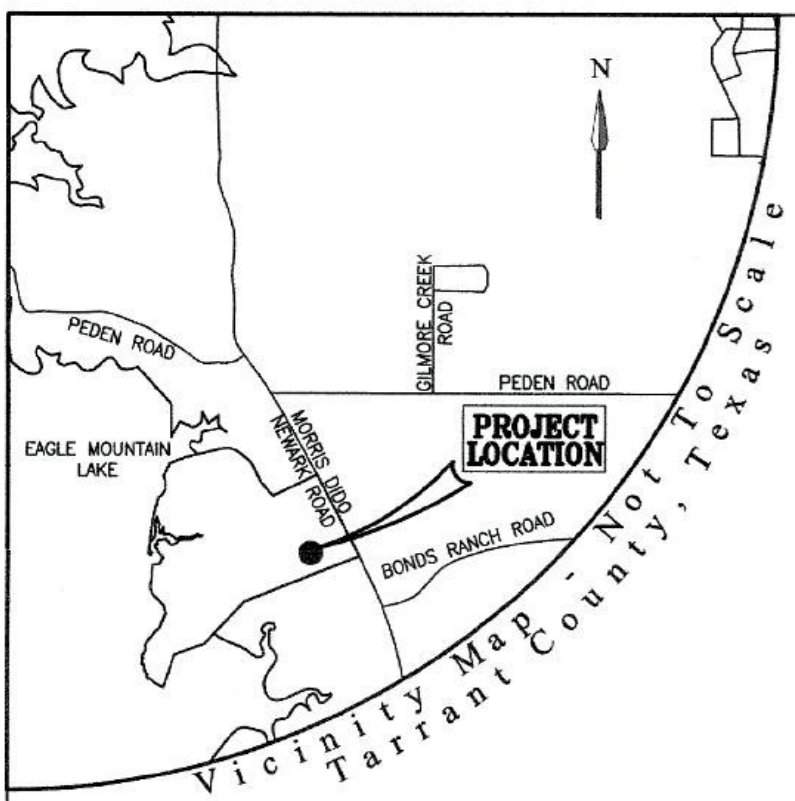
LEGEND

- BL.....Building Line
- CIRF(B).....Found 5/8" Capped Iron Rod Marked "BROOKS BAKER"
- D.E.....Drainage Easement
- F.M.E.....Fence Maintenance Easement
- IRF.....Iron Rod Found
- IRS.....5/8" Capped Iron Rod Marked "BIB INC" Set
- D.R.T.C.T.....Deed Records, Tarrant County, Texas
- O.P.R.T.C.T.....Official Public Records, Tarrant County, Texas
- POB.....Point Of Beginning
- R.R.T.C.T.....Real Records, Tarrant County, Texas
- U.E.....Utility Easement
- WC.....Witness Corner (Set 5/8" Capped Iron Rod Marked "BIB INC" On Line)



FP-22-167
PP-21-074
FINAL PLAT

FLEMING POINTE
OS 1, LOTS 2 THRU 44, BLOCK A,
LOT 1 THRU 8 & OS9, BLOCK B
A 157.540 ACRE ADDITION TO TARRANT COUNTY, TEXAS
SITUATED IN THE R. GANGARA SURVEY ABSTRACT NUMBER 563 &
THE M. HUNT SURVEY ABSTRACT NUMBER 760
FIFTY ONE SINGLE-FAMILY LOTS, AND 2 OPEN SPACE LOTS
REVISED: JUNE 1, 2023 SHEET 1 OF 4



FLOOD ZONE NOTE

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LEGEND

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F.M.E. Fence Maintenance Easement
IRF Iron Rod Found
IRS 5/8" Capped Iron Rod Marked "BHB INC" Set
D.R.T.C.T. Deed Records, Tarrant County, Texas
O.P.R.T.C.T. Official Public Records, Tarrant County, Texas
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3. TXDOT PERMITS ARE REQUIRED FOR ACCESSING FM 1220 (MORRIS DIDO NEWARK ROAD)
4. THE PROPOSED RIGHT-OF-WAY DEDICATION ALONG MORRIS DIDO NEWARK ROAD IS CONSISTENT WITH THE RIGHT-OF-WAY WIDTH RECOMMENDED IN THE CITY'S MASTER THOROUGHFARE PLAN.

BAIRD, HAMPTON & BROWN
building partners
949 Hilltop Drive, Weatherford, TX 76086
Toby G. Stock
tstock@bhinc.com • 817.596.7575 • bhinc.com
TBPELS Firm #44, #10011300, #10011302, #10194146

OWNER: BEATEN PATH DEVELOPMENT II-LAKESIDE, LLC
ATTN: DUSTIN AUSTIN
700 W. HARWOOD DRIVE, SUITE G-2
HURST, TEXAS 76054
817-281-3388

LAND USE TABLE
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RIGHT-OF-WAY DEDICATION.....0.169 AC
OPEN SPACE LOTS.....13.801 AC
TOTAL.....157.540 AC



JOHN R. JOHNSON,
RUSTEE
VOL. 6942, PGS. 100
R.R.T.C.T.



FP-22-167
PP-21-074
FINAL PLAT
FLEMING POINT
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A 157.540 ACRE ADDITION TO TARRANT COUNTY, TEXAS
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REVISED: JUNE 1, 2023 SHEET 2 OF 4