

Kaufman County
Laura Hughes
County Clerk

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STATE OF TEXAS
COUNTY OF KAUFMAN

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the Official Public Records of Kaufman County, Texas.

Laura A. Hughes

Laura Hughes, County Clerk

Recorded By: Jacklyn Salazar, Deputy

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.

Record and Return To:

HENRY ODDO AUSTIN & FLETCHER
1700 PACIFIC AVENUE
DALLAS, TX 75201



AFTER RECORDING, PLEASE RETURN TO:
Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Ave., Suite 2700
Dallas, Texas 75201

**THIRTEENTH SUPPLEMENTAL
CERTIFICATE AND MEMORANDUM OF RECORDING
OF DEDICATORY INSTRUMENTS FOR
HEARTLAND COMMUNITY ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF KAUFMAN §

The undersigned, as attorney for the Heartland Community Association, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instrument affecting the owners of property described on Exhibit "B" attached hereto, hereby states that the dedicatory instrument attached hereto is a true and correct copy of the following:

- ***Policy Resolution of the Board of Directors of Heartland Community Association, Inc.'s Establishing Rules Governing Use of Pool During COVID-19 Pandemic*** (Exhibit "A").

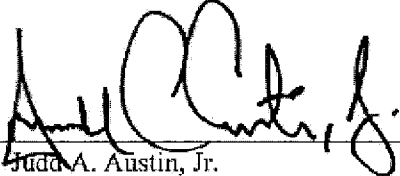
All persons or entities holding an interest in and to any portion of property described on Exhibit B attached hereto are subject to the foregoing dedicatory instrument.

IN WITNESS WHEREOF, Heartland Community Association, Inc. has caused this Thirteenth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments to be filed of record with the office of the Kaufman County Clerk and, except as hereinafter set forth in the dedicatory instruments attached hereto, serves to supplement that certain Certificate and

Memorandum of Recording of Association Documents for Heartland Community Association, Inc. filed on March 2, 2009, and recorded as Instrument No. 2009-00003584 in the Official Public Records of Kaufman County, Texas; that certain First Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Heartland Community Association, Inc. filed on November 27, 2013, and recorded as Instrument No. 2013-0021721 in the Official Public Records of Kaufman County, Texas; that certain Second Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Heartland Community Association, Inc. filed on February 28, 2014, and recorded as Instrument No. 2014-0003256 in the Official Public Records of Kaufman County, Texas; that certain Third Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Heartland Community Association, Inc. filed on October 22, 2014, and recorded as Instrument No. 2014-0018093 in the Official Public Records of Kaufman County, Texas; that certain Fourth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Heartland Community Association, Inc. filed on October 7, 2015, and recorded as Instrument No. 2015-0019237 in the Official Public Records of Kaufman County, Texas; that certain Fifth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Heartland Community Association, Inc. filed on November 4, 2015, and recorded as Instrument No. 2015-0021214 in the Official Public Records of Kaufman County, Texas; that certain Sixth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Heartland Community Association, Inc. filed on September 15, 2016, and recorded as Instrument No. 2016-0018479 in the Official Public Records of Kaufman County, Texas; that certain Seventh Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Heartland Community Association, Inc. filed on May 10, 2017, and recorded as Instrument No. 2017-0010348

in the Official Public Records of Kaufman County, Texas; that certain Eighth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Heartland Community Association, Inc. filed on September 14, 2017, and recorded as Instrument No. 2017-0020934 in the Official Public Records of Kaufman County, Texas; that certain Ninth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Heartland Community Association, Inc. filed on October 9, 2017, and recorded as Instrument No. 2017-0023071 in the Official Public Records of Kaufman County, Texas; that certain Tenth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Heartland Community Association, Inc. filed on March 8, 2018, and recorded as Instrument No. 2018-0005501 in the Official Public Records of Kaufman County, Texas; that certain Eleventh Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Heartland Community Association, Inc. filed on January 23, 2019, and recorded as Instrument No. 2019-0001655 in the Official Public Records of Kaufman County, Texas; and that certain Twelfth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Heartland Community Association, Inc. filed on January 23, 2019, and recorded as Instrument No. 2020-0000442 in the Official Public Records of Kaufman County, Texas.

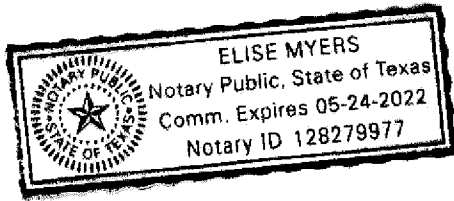
**HEARTLAND COMMUNITY
ASSOCIATION, INC.**

By  _____
Judd A. Austin, Jr.

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Judd A. Austin, Jr., attorney for the Heartland Community Association, Inc., known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 20th day of May, 2020.



Elise Myers

Notary Public, State of Texas

EXHIBIT A

STATE OF TEXAS §
 §
COUNTY OF KAUFMAN §

**POLICY RESOLUTION OF THE
BOARD OF DIRECTORS OF THE HEARTLAND COMMUNITY
ASSOCIATION, INC. ESTABLISHING RULES
GOVERNING USE OF POOL DURING COVID-19 PANDEMIC**

WHEREAS, the Board of Directors of the Heartland Community Association, Inc. (the "Board") is the entity responsible for the operation of the Heartland Community Association, Inc. (the "Association") in accordance with and pursuant to that certain Amended and Restated Community Declaration of Covenants, Conditions and Restrictions for Heartland filed as Document No. 2011-0019517 and recorded in Volume 4053, Page 321 of the Official Public Records of Kaufman County, Texas , including any amendments or supplements thereto (collectively, the "Declaration") and the Bylaws of the Heartland Community Association, Inc. (the "Bylaws"); and

WHEREAS, pursuant to the Declaration and Bylaws the Board is authorized to adopt rules pertaining to the use of the Common Area including the pool; and

WHEREAS, the Board has determined the need to promulgate rules applicable to the use of the pool in light of municipal and other governmental regulations established during the COVID-19 pandemic and to promote the safety of residents; and

WHEREAS, a meeting of the Board was held on the 19 day of MAY, 2020 (the "Meeting"); and

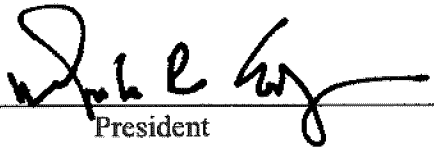
WHEREAS, a quorum of the Directors was present at the meeting; and

WHEREAS, a motion was made, and duly seconded, to adopt the Rules Governing Use of Common Area Pool and COVID-19 Precautionary Measures, attached hereto as Exhibit "1", in accordance with the authority provided the Board under the Declaration and the Bylaws.

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS that the Board has resolved to adopt, and does hereby adopt, the Rules Governing Use of Common Area Pool and COVID-19 Precautionary Measures attached hereto as Exhibit "1".

IT IS FURTHER RESOLVED, that such Rules shall be filed of record with the Office of the Kaufman County Clerk and shall become effective upon notification to the Owners of property subject to the Declaration of the adoption thereof by: (i) posting same on the Association's website, and (ii) forwarding a copy of the Rules to those Owners who have registered an electronic mail address with the Association.

**HEARTLAND COMMUNITY
ASSOCIATION, INC.**

By: 
President

Date: 19 May 2020

Exhibit "1"

**RULES GOVERNING USE OF THE POOL AND RELATED FACILITIES
& COVID-19 PRECAUTIONARY MEASURES**

In order to respond to governmental mandates and to further the health and welfare of residents given concerns due to COVID-19 spread and infection, the following Rules are implemented and shall apply to all users of the Pool and Related Facilities made a part of the Common Area until modified by the Board of Directors:

- Residents will not be allowed access to the pool or related facilities until a release in favor of the Heartland is signed by individuals over the age of 18 and the parents or guardians of minor children. No guests are allowed at this time.
- Maximum occupancy requirements will be observed as established by the Governor. Residents may be required to make reservations for use of the pool and such use may be limited in time.
- Each resident is responsible for cleaning surfaces of tables, chairs or other surfaces which will be used. Each user of the pool or related facilities is responsible for sanitizing and disinfecting the area before and after use. Heartland does not guarantee that any surface is free from the COVID-19 virus or that any resident will not be exposed to such virus. Heartland will schedule cleaning of facilities on a periodic basis as time and resources permit. **USE OF THE POOL IS AT YOUR OWN RISK.**
- All persons using the pool and related facilities are solely responsible for and must take all precautions recommended by the CDC and local health agencies to avoid infection and prevent others from being infected including, but not limited to, washing hands frequently, maintaining family gatherings to five (5) or less individuals, and wearing masks whenever possible.
- Any resident over the age of 65 or who has a compromised immune system shall be solely responsible for obtaining clearance from their physician before entering the pool area.
- You should stay home and not enter the pool or related facilities if -
 - you have a cough, fever or shortness of breath
 - you or anyone in your household has been sick in the past 2 weeks or exposed to someone who has been sick in the past 2 weeks
 - you are at high risk for COVID-19.

- For your safety, social- distancing practices shall be observed. Your failure to do so is AT YOUR OWN RISK. Maintain physical distance of at least 6 feet between you and others who are not a part of your household.
- The Board of Directors reserves the right to close the pool and/or related facilities if, in the sole judgment of the Board, it determines residents are willfully not complying with the rules, regulations, and/or restrictions in place to address COVID-19 health or any of the safety protocols in effect at that time as recommended by the Governor of the State of Texas and/or the United States Center for Disease Control (CDC).

EXHIBIT B

Those tracts and parcels of real property located in the City of Forney, Kaufman County, Texas and more particularly described as follows:

- (a) Tract A, Phase 1A of **HEARTLAND**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on February 22, 2006 as Document No. 00004036 in Volume 2827, Page 511; in Cabinet 2, Slide 705 of the Plat Records of Kaufman County, Texas;
- (b) Tract A, Phase 1B of **HEARTLAND**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on February 22, 2006 as Document No. 00004037 in Volume 2827, Page 512; in Cabinet 2, Slide 706 of the Plat Records of Kaufman County, Texas;
- (c) Tract A, Phase 2A of **HEARTLAND**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on October 20, 2006 as Document No. 2006-00025073 in Volume 2996, Page 208; in Cabinet 2, Slide 757 of the Plat Records of Kaufman County, Texas;
- (d) Tract A, Phase 2B of **HEARTLAND**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on October 23, 2007 as Document No. 2007-00025180 in Volume 3276, Page 11; in Cabinet 3, Slide 38 of the Plat Records of Kaufman County, Texas;
- (e) Tract A, Phase 2C of **HEARTLAND**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on October 20, 2006 as Document No. 2006-00025071 in Volume 2996, Page 205; in Cabinet 2, Slide 756 of the Plat Records of Kaufman County, Texas;
- (f) Tract A, Phase 3A of **HEARTLAND**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on October 23, 2007 as Document No. 2007-00025182 in Volume 3276, Page 14; in Cabinet 3, Slide 37 of the Plat Records of Kaufman County, Texas;
- (g) Tract A, Phase 3B of **HEARTLAND**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on October 25, 2010 as Document No. 2010-0017318 in Volume 3847, Page 82; in Cabinet 3, Slide 128 of the Plat Records of Kaufman County, Texas;

- (h) Tract B, Phase 1A of **HEARTLAND**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on February 22, 2006 as Document No. 00004035 in Volume 2827, Page 510; in Cabinet 2, Slide 704 of the Plat Records of Kaufman County, Texas;
- (i) Tract B, Phase 2A of **HEARTLAND**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on August 31, 2007 as Document No. 2007-00020983 in Volume 3241, Page 266; in Cabinet 3, Slide 25 of the Plat Records of Kaufman County, Texas;
- (j) Tract B, Phase 3A of **HEARTLAND**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on April 22, 2009 as Document No. 2009-00006790 in Volume 3573, Page 408; in Cabinet 3, Slide 99 of the Plat Records of Kaufman County, Texas;
- (k) **HEARTLAND Parcel 5**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded as Document No. 2014-0011725 of the Plat Records of Kaufman County, Texas;
- (l) **HEARTLAND Parcel 6**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on September 14, 2015 as Document No. 2015-00147460 in Volume 4874, Page 186 of the Plat Records of Kaufman County, Texas;
- (m) **HEARTLAND Parcel 6A**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on September 21, 2015 as Document No. 2015-0017943 in Volume 4878, Page 521 of the Plat Records of Kaufman County, Texas;
- (n) **HEARTLAND Parcel 7A**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on May 13, 2016 as Document No. 2016-0009010 in Volume 3, Page 279 of the Plat Records of Kaufman County, Texas;
- (o) **HEARTLAND Parcel 8**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on August 28, 2017 as Document No. 2017-0019577 in Volume 3, Page 352 of the Plat Records of Kaufman County, Texas;

- (p) **HEARTLAND Parcel 8 of Windfield Village Phase I**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on May 16, 2016 as Document No. 2016-0009091 in Volume 3, Page 280 of the Plat Records of Kaufman County, Texas;
- (q) **HEARTLAND Parcel 9A of Windfield Village Phase I**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on May 16, 2016 as Document No. 2016-0009112 in Volume 3, Page 281 of the Plat Records of Kaufman County, Texas;
- (r) **HEARTLAND Parcel 10A**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on May 13, 2016 as Document No. 2016-0009007 in Volume 5039, Page 476 of the Plat Records of Kaufman County, Texas;
- (s) **HEARTLAND Phase 7, Parcel 10B**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on March 30, 2017 as Document No. 2017-0006797 in Volume 5300, Page 559 of the Plat Records of Kaufman County, Texas;
- (t) **HEARTLAND Phase 7B**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on February 23, 2017 as Document No. 2017-0003985 in Volume 5270, Page 401 of the Plat Records of Kaufman County, Texas;
- (u) **HEARTLAND Tract A4A, Autumn Village Phase Two**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on May 13, 2016 as Document No. 2016-0019473 in Volume 5152, Page 101 of the Plat Records of Kaufman County, Texas;
- (v) **HEARTLAND 9A**, an Addition to the City of Forney, Kaufman County, Texas, according to the map or plat thereof recorded on May 29, 2015 as Document No. 2015-0009718 in Volume 4795, Page 35 of the Plat Records of Kaufman County, Texas;
- (w) **HEARTLAND Phase 9**, according to the Plat thereof recorded as Instrument No. 2018-017357 in the Map or Plat Records of Kaufman County, Texas;

- (x) **HEARTLAND Phase 10A**, according to the Plat thereof recorded as Instrument No. 2018-017244 in the Map or Plat Records of Kaufman County, Texas;
- (y) **HEARTLAND Phase 10B**, according to the Plat thereof recorded as Instrument No. 2018-017300 in the Map or Plat Records of Kaufman County, Texas;
- (z) **HEARTLAND Phase 11**, according to the Plat thereof recorded as Instrument No. 2019-0006671 in the Map or Plat Records of Kaufman County, Texas;
- (aa) **HEARTLAND Phase 12B**, according to the Plat thereof recorded as Instrument No. 2019-0014082 in the Map or Plat Records of Kaufman County, Texas;
- (bb) **HEARTLAND Phase 13**, according to the Plat thereof recorded as Instrument No. 2020-0001330 in the Map or Plat Records of Kaufman County, Texas.
- (cc) **Any other real property subjected to the Amended and Restated Community Declaration of Covenants, Conditions and Restrictions for Heartland, filed on December 29, 2011 as Document No. 2011-0019517, and recorded in Volume 4053, Page 321, et seq. of the Official Public Records of Kaufman County, Texas, including any amendments or restatements thereof and supplements thereto.**