

Emerald Bay Club, Inc.

&

Homeowners Association

**Application for
Membership**

Confidential

**This application contains confidential
information which may be viewed on a
need to see and know basis only**

Revised 9/30/2016

Name-First: _____ Middle Initial (Required) _____ Last _____

SSN _____ - _____ - _____ DOB _____ - _____ - _____ Single _____ Married _____

Spouse-First: _____ Middle Initial (Required) _____ Last _____

SSN _____ - _____ - _____ DOB _____ - _____ - _____

Residence Address _____

City _____ State _____ Zip _____

How Long At This Address _____ Phone (_____) _____ - _____

Employer _____

City _____ State _____ Zip _____

How Long _____ Bus. Phone (_____) _____ - _____

Position _____

Spouse's Employer _____

City _____ State _____ Zip _____

How Long _____ Bus. Phone (_____) _____ - _____

Position _____

Former Residence _____

City _____ State _____ Zip _____

How Long At This Address _____ Phone (_____) _____ - _____

Names and Ages of all Children Residing in Household:

1. _____ Age _____

2. _____ Age _____

3. _____ Age _____

Other Clubs you have belonged to:

1. _____ State _____ City _____

2. _____ State _____ City _____

3. _____ State _____ City _____

Bank References:

1. _____ State _____ City _____

2. _____ State _____ City _____

3. _____ State _____ City _____

Personal References:

Name _____ City _____ State _____ Phone (____) _____
 Name _____ City _____ State _____ Phone (____) _____
 Name _____ City _____ State _____ Phone (____) _____
 Name _____ City _____ State _____ Phone (____) _____
 Name _____ City _____ State _____ Phone (____) _____

Do you know, or are you related to any current or former Emerald Bay Club Members?

_____ Yes _____ No If "yes" Who? _____

Please rank the amenities – in order of their importance to you – that most influenced your decision to apply for membership and to purchase and own property in Emerald Bay.

_____ 7x24 Security _____ Clubhouse & Facilities _____ Tyler
 _____ Golf Course _____ Neighborhood Appearance _____ Bullard ISD
 _____ Private Club _____ Water Sports _____ Cost of Housing

Legal description of property under contract to buy _____ or lease _____ (check one):

Lot _____ Unit _____ Emerald Bay Subdivision

Street Address: _____

Title Now Vested In: _____

You are advised that only electric, any make, standard model, white Golf Carts with a top are permitted on the golf course and that you must notify the office and obtain a registration sticker for all carts. You are also advised that all homes in Emerald Bay are limited to single family occupancy.

If you are making application for membership as a Lessee, both you and your Lessor must execute, and you must furnish with this application, an Assignment of Rentals, on a form provided by Emerald Bay, Inc. Assigning rentals to the Club and Association during any period of delinquency in payment of dues and assessments.

The granting of membership results in the opening of a line of credit; therefore, by your signature to this application, you agree that Emerald Bay, Inc. is authorized to obtain credit information from any source available and further agree to furnish a financial statement, on a confidential basis, of your income and assts if requested to do so by the membership committee.

By making this application, applicant authorizes the Membership Committee to disclose to the member from whom applicant is attempting to lease or buy, any adverse financial information used by the committee to reject the application.

You are further advised that by your signature to this application you authorize Emerald Bay, Inc. to seek verification of any and all statements contained herein, including the obtaining of criminal records and court records and filings from any source, and that you may be asked for further explanation and clarification of any information or answers appearing on this application.

Once you are accepted for owner/membership, you have paid all initiation fees and charges and have closed on your Real Estate purchase, then upon delivery of a photocopy of your fully executed deed to Emerald Bay Club's Business Office your stockholder membership will be registered and a membership number will be issued to you.

The following questions apply to each and all applicants, as well as all other occupants who will be residing in the same household - on either a temporary or permant basis. Please be advised that a "Yes" or "No" answer to any question or questions will not necessarily disqualify you for membership. Our aim is to get to know as much as possible about you and your family and to aid us in our determination of whether or not we wish to extend to you an acceptance of your application to become a member.

Have you or your spouse ever been convicted of a felony? Yes _____ No _____

Do you use, possess, or deal in any drugs which are unlawful to use, possess or sell? Yes _____ No _____

Have you ever been denied Membership at any Club? Yes _____ No _____

Have you ever been expelled from Membership at any Club? Yes _____ No _____

Have you been a party to any Civil Suit in the last 7 years? Yes _____ No _____

Have you taken Bankruptcy in the last 7 years? Yes _____ No _____

Do you verify that the property intended to be leased or purchased has been inspected by applicant and by your signature to this application you agree to waive and hold harmless Emerald Bay Club, Inc. and Emerald Bay Homeowners Association, their officers, directors, employees, representatives and agents thereof, from any and all cost, loss, liability, damage, expense, demand, action or cause of action, including attorney's fees arising from or related to such property, including, but not limited to drainage, the property's nature and condition, any construction defect, errors and omissions, whether known or unknown, and that this is a covenant running with the land and binding upon the applicant and all those in privity with applicant? Yes _____ No _____

The undersigned does hereby make application for Membership in the Emerald Bay Club, Inc. and the Emerald Bay Homeowners Association and if accepted, agree to comply with all of the deed restrictions and covenants of the Emerald Bay Subdivision as well as all of the By-Laws, Rules and Regulations heretofore and hereafter adopted by the Association or Club and their Board of Directors. (Initial here _____)

Persons contracting to purchase one or more platted lots (whether improved or unimproved) within Emerald Bay must meet the qualifications for membership, as prescribed in Article Two, Section C, Club Bylaws, including the acceptance of the Protective Covenants for Emerald Bay recorded in Document No. 2008-R00007233, Land Recording of Smith County, Texas, as those covenants have been amended from time to time. Said Protective Covenants shall be specifically referenced in the deed of conveyance to be received by said persons upon closing of the purchase. A copy of the deed of conveyance shall be provided to the Emerald Bay Club, Inc. office immediately after closing of the purchase.

This _____ day of _____ 20_____

Applicant Signature

Applicant Signature

**NOTICE OF MEMBERSHIP IN PROPERTY OWNER'S ASSOCIATION
CONCERNING THE PROPERTY AT:**

(Street Address)

EMERALD BAY HOMEOWNERS ASSOCIATION

As purchaser of property in the residential community in which this property is located, you are obligated to be a member of a property owners' association. Restrictive covenants governing the use and occupancy of the property and **all** dedicatory **instruments** governing the establishment, maintenance, **or** operation of this residential community have been or will be recorded in the Real Property Records of the county in which the property is located. Copies of the restrictive covenants and dedicatory **instruments** may be obtained from the county clerk.

You are obligated to pay assessments to the property owner's association. The amount of the assessments is subject to change. Your failure to pay the assessments could result in **enforcement of the association's** lien on and the foreclosure of your property.

Section 207.003, Property Code, entitles an owner to receive copies of any document that governs the establishment, maintenance, or operation of a subdivision, including, but not limited to, restrictions, bylaws, rules and regulations, and a resale certificate from a property owners' association. A resale certificate contains information including, but not limited to, statements specifying the amount and frequency of regular assessments and the style and cause number of lawsuits to which the property owner's association is a party, other than lawsuits relating to unpaid ad valorem taxes of an individual member of the association. These documents must be made available to you by the property owners' association or the association's agent on your request.

Date: _____

Signature of Purchaser

Real Estate Agent Responsibilities Relating to a Real Estate Transaction

Between a Selling Member/Owner and A Prospective New Member/Owner Buyer

- **Emerald Bay Club Non-Member Real Estate Agents must show their POCKET CARD identification as a Real Estate Agent to the security staff in order to gain access to Emerald Bay.**
- **Buyer's Real Estate Agent must get the completed application to the Emerald Bay Club Business Manager within a day of the executed contract date and complete the check list.**
- **Buyer's Real Estate Agent must provide the office with dates that the buyer will be available to return to the Club for an interview with the Membership Committee. If the initial background check results do not meet qualifying standards, the Buyer's Real Estate Agent will be notified by the Membership Committee Chairperson within 3 business days after receipt of the application. No application will be processed unless it is complete.**
- **Buyer's Real Estate Agent must call the Security Gate Staff to schedule inspections and appraisals as may be required in the contract. No inspections will be allowed until the gate has received initial approval from the Business Manager's office.**
- **Buyer's Real Estate Agent is responsible for following up with the Business Office to verify status of the application.**

As a Real Estate Agent you are responsible for obtaining all the appropriate signatures on the TREC documents required to complete and close a transaction. In all Real Estate Transactions involving property sold or leased to non-members of Emerald Bay Club, this application and interview process is a mandatory requirement by the State of Texas for Private Clubs selling Alcoholic beverages. Hence, this becomes your responsibility to assure the documents are completed and processed.

This Process was adopted and approved by the Emerald Bay Board of Directors on 03/21/2005.

**A REAL ESTATE AGENT'S CHECK LIST FOR PROCESSING
AN APPLICATION TO PURCHASE A PROPERTY
IN EMERALD BAY AND TO BECOME A MEMBER
OF EMERALD BAY CLUB.**

- **APPLICATION COMPLETED BY PROSPECTIVE BUYERS?**

___Y ___N

- **CONTRACT DATE _____ CLOSING DATE _____**

- **BUYER'S REAL ESTATE AGENT CONTACT INFORMATION:**

NAME _____

BROKER _____

TELE. # _____

- **SELLER'S REAL ESTATE AGENT CONTACT INFORMATION:**

NAME _____

BROKER _____

TELE. # _____

- **SELLER'S CONTACT INFORMATION:**

NAME _____

ADDRESS _____

TELE. # _____

- **TITLE CO.** _____

- **GF # _____ CLOSER _____**

- **PHONE # _____ FAX # _____**

FOR EMERALD BAY OFFICE USE ONLY

- **DATE OFFICE REC'D** _____

- **CREDIT-BACKGROUND CHECK COMPLETED**
___Y ___N **DATE VERIFIED** _____

- **DATE REFERRED TO MEMBERSHIP COMMITTEE**
