

Governors Point Property Owners' Improvement Association
Sample **DRAFT** Ballot of
Proposed Deed Restrictions & Bylaws Revisions

An Information Sharing Session is scheduled to be held with the Board on Saturday, April 18, 2026, starting at 10:30am, at the Civic Center, 101 Counts Road, in Point Blank. At that event, the Board will be asking for your input regarding the following *Proposed* Deed Restrictions and Bylaws revisions, additions, and/or changes. These revisions are the result of either recent state law changes, the need for clarification regarding some of the current Deed Restriction or Bylaw language, and/or to the need to update to current best practices.

Our current Deed Restrictions and Bylaws are available on the governorspointPOA.com website. For comparison, a **DRAFT** copy of both the Deed Restrictions and Bylaws utilizing the *proposed* new language is posted on the governorspointPOA.com website as well.

A vote on the final proposed revisions will be held in June. The purpose of this Sample DRAFT is to allow you time to review it prior to attending the Information Sharing Session.

The following is a **Sample DRAFT** of the Ballot that will be used in June. This is **NOT** a final version of the Ballot language that will be voted on in June as your input has not been heard.

Please note that the new language being voted on is in **GREEN** ink, underlined, and is in **bold** text.

Deed Restrictions

DR#1 – Current Language

No Temporary Dwellings. No shack or any outbuilding (other than a private boathouse, garage, or storage building complying with these restrictions) shall be erected or placed on any lot, and no boathouse, garage or storage building erected on any lot shall at any time be used as a dwelling, temporarily or permanently.

Reason For Change: Recreational Vehicle language is being added to address recent questions and requests regarding their use and parking within our neighborhood.

Proposed New Language:

Recreational Vehicles: Recreational vehicles may only be used as short term (15 days or less) accommodations for overflow guests at a property owner's home. Recreational vehicles parked within the subdivision are required to be maintained in roadworthy condition and must be used periodically; otherwise, they must be removed from the subdivision.

Your Vote: For Against

DR#2 - Current Language:

No lot or portion of any lot shall be used as a dumping ground for rubbish or trash, nor for storage of items or materials, building material, or metal material (except during construction of a building), and all lots shall be kept clean and free of any boxes, rubbish, trash or other debris and

inoperative cars, trucks, vans, buses, golf carts, ATV's, 4-wheelers, motorcycles, tractors, lawn mowers, boats or personal watercraft.

Reason For Change: Clarification is being provided on the specifics of what the current language means and/or what it applies to. Examples were added.

Proposed New Language:

No lot or portion of any lot (**i.e., wooded areas, yards, carports, porches, etc.**) shall be used as a dumping ground for rubbish or trash, nor for storage of items or materials, building material, or metal material (except during construction of a building). All lots shall be kept clean and free of any boxes, rubbish, trash, or other debris. Inoperative cars, trucks, vans, buses, **recreation vehicles**, golf carts, ATV's, 4-wheelers, motorcycles, trailers, tractors, tractors, lawn mowers, boats, or personal watercraft **must be removed**.

Your Vote: For Against

DR#3 - Current Language:

Grass and weeds may not exceed twelve inches in height. All grass must be mowed in ditches and to the road frontage. All ditches must be kept clean and free of overgrowth. Refrigerators and other large appliances shall not be placed outdoors.

Reason For Change: Clarification is being provided on the specifics of what the current language means and/or applies to. Outdoor refrigerators and other large appliances were separated from the grass height language. Outdoor kitchens were also included in the new language.

Proposed New Language:

Unless they are part of an Outdoor Kitchen, refrigerators and other large appliances shall not be placed outdoors. **ACC approval is required prior to initiating construction on any Outdoor Kitchen.**

Your Vote: For Against

DR#4 - Current Language:

No noxious or offensive trade or activity shall be carried on upon this property, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood such as allowing junk automobiles or excessive garbage and trash accumulation on the property.

Reason For Change: Clarification is being provided on the specifics of what the current language means and/or what it applies to. Examples were added.

Proposed New Language:

No noxious or offensive trade or activity shall be carried on upon **any property**, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood such as allowing **inoperable equipment (i.e., mowers, trailers, etc.), abandoned or junk vehicles (i.e., automobiles, watercraft, side-by-sides, golf carts, ATVs, etc.), or** excessive **garbage, junk, or trash to accumulate** on the property.

Your Vote: For Against

DR#5 - Current Language:

Set Back Lines. No building, or structure other than a fence shall be located nearer to the side street line than five (5) feet or nearer the side lot line or rear lot line than five (5) feet. “Side lot line”, as used in this paragraph, in respect to any two or more contiguous whole and/or fractional lots owned by (and/or under contract to be conveyed by Governors Point Property Owners Improvement Association, Inc. to) the same person or persons and used as a single building site, shall thereafter mean, respectively, each and/or either of the two outermost side lot lines, considering said contiguous whole and/or fractional lots as one lot. No building or structure shall be located nearer to the front lot line than twenty (20) feet.

Reason For Change: The Board and ACC were threatened with a lawsuit in 2024 regarding where the front setback/build line is/was measured from. Historically, various Boards/ACC Members measured from the center of the street whereas others measured from the edge of the street. After paying to consult with our attorney, we learned that the correct starting point was the line between the front two property pins. Therefore, January 1, 2025, was set as the date to start using the correct definition of where to start measuring for the front setback/build line.

Proposed New Language:

Set Back Lines. No building, or structure other than a fence shall be located nearer to the side street line than five (5) feet or nearer the side lot line or rear lot line than five (5) feet. “Side lot line”, as used in this paragraph, in respect to any two or more contiguous whole and/or fractional lots owned by (and/or under contract to be conveyed by Governors Point Property Owners’ Improvement Association, Inc. to) the same person or persons and used as a single building site, shall thereafter mean, respectively, each and/or either of the two outermost side lot lines, considering said contiguous whole and/or fractional lots as one lot. No building or structure shall be located nearer to the front lot line than twenty (20) feet. **“Front lot line,” as used in this paragraph, is the straight line between the two front property pins that are documented on the survey on record with the county, unless that survey conflicts with the plat of the subdivision to which the plat will be used.**

Your Vote: For Against

DR#6 – Current Language

No used existing building or structure of any kind and no part of a used existing building or structure shall be moved onto, placed on, or permitted to remain on any lot without written approval of the Board.

Reason For Change: Clarification is being added regarding shipping containers within the subdivision.

Proposed New Language:

Shipping Containers, new or used, are expressly prohibited within the subdivision.

Your Vote: For Against

DR#7 – Current Language

All construction must be of new material, except stone, brick, inside structural material, or other materials used for antique decorative effect if such use is approved in writing by the Board.

Reason For Change: Clarification is being provided on the specifics of what the current language means and/or what it applies to. Examples were added.

Proposed New Language:

All construction materials must be of **solid quality and integrity, be in harmony with the neighborhood, and present a clean and new appearance upon completion,** except stone, brick, inside structural material, or other materials used for antique decorative effect if such use is approved in writing by the Board.

Your Vote: For Against

DR#8 – Current Language:

No tar type roof or siding materials will be used on any structure, and no sheet metal type roof or siding materials will be used without written approval of the Board on any structure.

Reason For Change: Clarification is being provided on the specifics of what the current language means and/or what it applies to. Sheet metal type roofing or siding materials are now permitted. State Law (HB431) now requires Solar Tiles to be permitted. Examples were added.

Proposed New Language:

No tar type roof or siding materials will be used on any structure. **Acceptable roofing materials include, but are not limited to, composition/asphalt/shingles, solar tiles, or metal (i.e., galvanized/galvalume steel, aluminum, etc.). Before any construction starts, the ACC must approve the selected roofing material.**

Pre-Engineered Metal/Steel buildings and structures (i.e., homes, garages, carports, etc.) must be approved by the ACC, prior to construction beginning. These structures must be erected/installed by licensed contractors in accordance with and to industry standards.

Your Vote: For Against

DR#9 – Current Language:

The exterior of any building (excluding roof, glass, and masonry) must be painted or stained. All buildings and structures shall be completely underpinned and underskirted with no piers or pilings exposed to view except as approved by the Board. No natural drainage shall be altered, nor shall any drainage ditch, culvert, or drainage structure of any kind be installed or altered, nor shall any driveway, curb, or other such impediment to the free flow of water be installed or altered, without prior written consent of the Board.

Reason For Change: This paragraph included multiple topics. The Board split the paragraph up while

providing clarification and examples.

Proposed New Language:

The exterior of any building or structure (excluding roof, glass, fences, and masonry) must be painted or stained. All exterior painted and/or stained structures must be properly maintained (i.e., no mildewed, peeling, blistering, fading, etc.). ACC approval is required prior to painting, staining, repainting, or re-staining, regardless of color.

Paint and/or stain color(s) chosen for exterior structures and the color of the roofing material of said structures must be in harmony with the surrounding community.

All buildings and structures shall be completely underpinned and under skirted with no piers or pilings exposed to view. The ACC must approve the materials to be used when under skirting is required.

No natural drainage shall be altered, nor shall any drainage ditch, culvert, or drainage structure of any kind be installed or altered, nor shall any driveway, curb, or other such impediment to the free flow of water be installed or altered, without prior written consent of the appropriate governing authority (i.e., State, County, City, TRA, etc.) and the Board.

Your Vote: For Against

DR#10 – Current Language:

No current deed restriction language addresses this item.

Reason For Change: State law (HB431) created a need for deed restriction language. The Board created the following new deed restriction language from the law’s permitted language.

Proposed New Language:

Solar Energy Devices. Solar energy devices (i.e., panels and/or tiles) used to power and/or supplement the energy needed to heat and/or cool a residence must comply with all applicable laws and be approved by the ACC prior to installation. The ACC request for approval must include, but is not limited to, the following:

1. A diagram “drawn to scale” by the licensed contractor installing the device showing where the device will be installed;
2. Photographs of the roof area where the device will be mounted, if applicable;
3. Plans showing the visibility of the device from areas open to common or public access;
4. Materials to be used and/or manufacturer’s description of the device; and
5. Where possible, provide photographs of similar existing devices as examples.

Roof mounted solar energy devices must not extend higher than or beyond the roofline; they must conform to the slope of the roof, and the top edge must be parallel to the roofline. All frames, brackets, piping, and wiring must be silver,

bronze, or black in tone/color. Where practical, all wiring must be hidden from view. Ground mounted solar energy devices may not be taller than the fenceline or five (5) feet if no fence is present, and must not extend into any easements, setbacks, or build lines as depicted on the survey on file at the County.

Your Vote: For Against

DR#11 – Current Language:

The Board of Directors of the Association shall exercise architectural control and shall protect the owner of lots hereunder against such improper use of lots as will depreciate the value of their property; to preserve, so far as practical, the natural beauty of said property; to guard against the erection thereon of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to obtain harmonious architectural schemes; to insure the highest and best development of said property; to secure and maintain proper setbacks from streets and adequate free spaces between structures; and, in general, to provide adequately for a high type of quality of improvements in said property; and thereby to enhance the value of investments made by purchasers of lots therein.

Reason For Change: State law (209.00506) created a need for this item to be revised. The Board created the following deed restriction language to comply with the law change and provided clarification.

Proposed New Language:

The **Architectural Control Committee (ACC)** of the Association shall exercise architectural control. **Once the ACC has received all the relative documentation (i.e., drawings, survey, color samples, etc.) it deems necessary to properly evaluate a Property Owner’s submittal of the ACC Improvement Request Form, the ACC will have thirty (30) days to respond to the request.**

The ACC and the Board of Directors (Board) shall protect the owner of lots hereunder against such improper use of lots as will depreciate the value of their property; to preserve, so far as practical, the natural beauty of said property; to guard against the erection thereon of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to obtain harmonious architectural schemes; to insure the highest and best development of said property; to secure and maintain proper setbacks and adequate free spaces between structures; and, in general, to provide adequately for a high type of quality of improvements in said property; and thereby to enhance the value of investments made by purchasers of lots therein.

Your Vote: For Against

DR#12 – Current Language:

These restrictions and covenants are hereby declared to be covenants running with the land and shall be fully binding upon all persons acquiring property in said subdivision whether by descent, devise, purchase or otherwise, and any person by the acceptance of title to any lot of this subdivision shall thereby agree and covenant to abide by and fully perform the foregoing restrictions and covenants.

The Association shall have the right to enter the property where a violation exists under this paragraph and remove the incomplete structure or other items at the expense of the offending

party.

Reason For Change: The current language is in other sections of the Deed Restrictions; however, it is often overlooked during the ACC process. The current language will remain in its current locations, the Board is simply clarifying the language and adding it here.

Proposed New Language:

Property owners are responsible for ensuring their compliance with the Association’s Deed Restrictions and By-Laws. All ACC approved plans must be adhered to throughout the building/improvement process. An ACC and/or Board Member may meet with a Property Owner at any time prior to, during, and/or after the various phases of the construction/improvement process to take measurements and/or make other observations as needed to confirm compliance.

Your Vote: For Against

DR#12 – Current Language:

Plumbing and Sanitation. All plumbing and sanitation shall comply with the requirements of the Trinity River Authority.

Reason For Change: Plumbing and Sanitation were separated. State law now allows for regulation of the use of Rain Barrels and Composting Devices.

Proposed New Language:

Plumbing. All plumbing shall be installed in compliance with the governing authorities’ (i.e., County, City, Trinity River Authority (TRA), etc.) rules and regulations.

Sanitation. All sanitation **installations (i.e., septic systems, etc.)** shall comply with the requirements of the Trinity River Authority **(TRA) and be approved by the ACC prior to installation.**

Rain Barrels and Composting Devices: **The Association reserves the right to regulate the location, size, type, shielding, and/or materials used for either a Rain Barrel or Composting Device. Prior to installation, property owners must obtain ACC approval regarding any Rain Barrel or Composting Device that will be visible from the street.**

Your Vote: For Against

DR#13 – Current Language:

No current deed restriction language addresses this item.

Reason For Change: State law (202.019) created a need for deed restriction language. The Board created the following new deed restriction language from the law’s permitted language.

Proposed New Language:

Standby Electric Generators. Standby Electric Generators must be installed by licensed contractors, to the manufacturer's specifications, and in compliance with all applicable laws and regulations. Prior to installation, property owners must obtain approval by submitting an ACC request. The ACC request, at a minimum, must document its location, size, type, and what type of screening will be used if said generator is visible from the street or from an adjacent neighbor's yard. Portable Electric Generators will be removed from view when not in use. Electric Generators are to be used only as a backup or standby source of electrical power during utility provided power outages and/or at construction sites, if no utility provided power is available at the site.

Your Vote: For Against

DR#14 – Current Language:

Pets. No animals or birds, other than household pets, shall be kept on any lot. Any household pets allowed shall be raised or maintained on the property in such manner, or with such lack of care, as to cause offensive odors or noise, or so as to otherwise be a nuisance or annoyance or be raised for commercial purposes. Pursuant to ordinances of Point Blank and San Jacinto County, all dogs shall be permitted only if continuously contained by a leash or within a fenced area. Limit of ten (10) household pets per owner.

Reason For Change: Clarification is being provided on the specifics of what the current language means and/or what it applies to. Examples were added.

Proposed New Language:

Pets. No animals or birds, other than household pets, shall be kept on any lot. **No** household pets **will** be raised or maintained on the property in such manner, or with such lack of care, as to cause offensive odors or noise, or so as to otherwise be a nuisance or annoyance or be raised for commercial purposes. Pursuant to ordinances of Point Blank and San Jacinto County, all dogs shall be permitted only if continuously contained by a leash or within a fenced area. **No household will have more than ten (10) total household pets (The number of dogs, cats, and other household pets combined).**

Your Vote: For Against

DR#15 – Current Language:

No current deed restriction language addresses this item.

Reason For Change: State law (202.012) created a need for deed restriction language. The Board created the following new deed restriction language from the law's permitted language.

Proposed New Language:

Flagpoles. Prior to installation, the ACC must approve the location, size, and type of material of a standalone flagpole. No more than two (2) flagpoles per household will be permitted. Standalone flagpoles placed in the front of a property may not be greater than twenty (20) feet in height. Standalone flagpoles placed in the back of a property may not be greater than thirty (30) feet in

height. Structure mounted flagpoles (approximately 5-6 feet in length) designed to be attached to the side of a structure do not require ACC approval; however, both standalone and structure mounted flagpoles must be harmonious with the dwelling and/or structure as to color, size, and construction type. All flagpoles must be maintained in good condition or immediately be repaired, replaced, or removed.

Flags. No more than two (2) flags per flagpole will be permitted. Flags displayed in the front of a property cannot be larger than three (3) feet by four (4) feet. Flags displayed at the back of a property cannot be larger than four (4) feet by six (6) feet in size. All displayed flags must remain in good condition or be replaced or removed.

Your Vote: For Against

DR#16 – Current Language:

Signs. No billboards, sign boards, unsightly objects or advertising displays of any kind shall be installed, maintained or permitted to remain on any residential lot of the subdivision; except that one (1) sign containing not more than three (3) square feet of surface area may be displayed for the sale of a dwelling house and lot, but only after the construction of the dwelling house has actually been started. All signs must be removed ten (10) days after the ending of every event.

Reason For Change: State law (259.002) created a need for additional deed restriction language. The Board created the following new deed restriction language from the law’s permitted language. The term Graffiti was added as well.

Proposed New Language:

Signs/Graffiti. To maintain a family friendly environment, community standards, and aesthetics; any visible vulgar, profane, and/or intimidating language, writings, graphics, and/or drawings on any surface, including but not limited to signs, billboards, sign boards, banners, flags, fencing, siding, trees, etc. that would be offensive to the ordinary person is prohibited and must be removed immediately.

Only one (1) for sale sign, of not more than three (3) square feet of surface area, advertising a dwelling or lot may be ground-mounted for the sale of a house or lot. The sign must be removed not more than ten (10) days after the sale.

Political signs, including but not limited to banners, flags, and/or other displays, must comply with Federal, State, and Local laws.

Your Vote: For Against

DR#17 – Current Language:

No noxious or offensive trade or activity shall be carried on upon this property, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood such as allowing junk automobiles or excessive garbage and trash accumulation on the property.

Reason For Change: Clarification is being provided on the specifics of what the current language means and/or what it applies to. Examples were added.

Proposed New Language:

No noxious or offensive trade or activity shall be carried on upon any property, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood such as allowing **inoperable equipment (i.e., mowers, trailers, etc.), abandoned or junk vehicles (i.e., automobiles, watercraft, side-by-sides, golf carts, ATVs, etc.) or excessive garbage, junk, or trash to** accumulation on the property.

Your Vote: For Against

DR#18 – Current Language:

Fences. Fences shall be permitted to extend to the side lot lines and back lot lines and to no less than fifteen (15) feet of the front lot lines, but without impairment of the easements reserved and granted in these restrictions. Any fence fronting on (HIGHWAY) shall be twenty-five (25) feet from the front lot line. All fences that face a street must be of wood or steel construction. No barbwire fencing facing a street is allowed.

Reason For Change: State law (202.023) created a need for additional deed restriction language. The Board created the following new deed restriction language from the law’s permitted language. Due to recent ACC requests, privacy fence language was added along with clarification and examples.

Proposed New Language:

Fences. **Prior to installation, all fencing must be approved by the ACC.** Fences shall be permitted to extend to the side lot lines and back lot lines and **(other than as noted below) the front lot line,** but without impairment of the easements reserved and granted in these restrictions. Any fence fronting on (HIGHWAY) shall be twenty-five (25) feet from the front lot line. All fences that face a street must be wood, **masonry,** or steel **(i.e., chain-link, pipe, wrought iron, etc.)** construction **and cannot be greater than sixty (60) inches in height.** No barbwire fencing facing a street is allowed.

Privacy Fences. **No privacy fence shall be constructed to be greater than eighty-four (84) inches in height. Privacy fences will be limited to the backyard of the homesite as the privacy fence cannot extend beyond the street facing edge of either the abutting residence or garage (not carport) to which it abuts.**

As a lake/waterfront community, owners of waterfront lots are prohibited from erecting privacy fences. By design, privacy fences restrict views and reduce visibility of the lake and/or waterways, reducing the overall aesthetic of the neighborhood.

Your Vote: For Against

DR#19 – Current Language:

Board of Directors. “Board of Directors” shall refer to the board of directors elected by the members of the Association.

Reason For Change: Clarification is being provided on the specifics of what the current language means

and/or what it applies to.

Proposed New Language:

Board of Directors. “Board of Directors” shall refer to the board of directors elected by the members of the Association. **The terms “Board of Trustees” or “Board” are interchangeable with the term “Board of Directors” within this document.**

Your Vote: For Against

DR#20 – Current Language:

No current deed restriction language addresses this item.

Reason For Change: The following definitions are being added for clarification as to their use within the Deed Restrictions. Examples are provided as well.

Proposed New Language:

Building: A roofed and walled structure, designed for occupancy and/or storage (i.e., a house, garage, storage building, etc.). Generally, it’s a permanent or fixed structure.

Structure: Any man-made construction, including but not limited to a building, shed, carport, fence, deck, etc. A structure may or may not be permanent or fixed.

Survey: The official record and evaluation that establishes the legally recognized boundaries and features of a property, created by a licensed surveyor, and on file with San Jacinto County.

Your Vote: For Against

BYLAWS

B#1 – Current Language

Section 5: Proxies - At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and may be assigned to the Board or another member but, in either case, notice will be filed with the Secretary. The Election Committee at the beginning of each meeting shall announce proxy votes assigned to the Board or the other members of the Association. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his Lot.

Reason For Change: To match the language with best practices, the term “absentee ballot” was added to the first sentence.

Proposed New Language:

At all meetings of members, each member may vote in person, **absentee ballot**, or by proxy.

Your Vote: For Against

B#2 – Current Language

Section 3: Nomination - Nomination for election to the Board of Trustees shall be made by a Nominating Committee. Nomination may also be made from the floor at the annual meeting. The Nomination Committee shall consist of three or more members of the Association and shall be appointed by the Board of Trustees prior to each annual meeting of the members, to serve from the close of such annual meeting until the close of the next annual meeting. The Committee shall elect its own chairman. The Nominating Committee shall make as many nominations for election to the Board of Trustees as it shall in its discretion determine, preferably no less than two for each vacancy to be filled. The Committee shall solicit nominations from the membership at large, by whatever means deemed necessary, prior to the annual meeting. Brief resumes of the nominees shall be made available in the notice of the annual meeting. Such nominations must be made from among members of the Association.

Reason For Change: To match the language with best practices, in the first sentence, “and the Architectural Control Committee was added and in the second to last sentence the term “and/or via the Association’s website” was added.

Proposed New Language:

Nomination for election to the Board of Trustees **and the Architectural Control Committee** shall be made by a Nominating Committee.

Brief resumes of the nominees shall be made available in the notice of the annual meeting **and/or via the Association’s website.**

Your Vote: For Against

B#3 – Current Language

Section 4: Election - Election of the Board of Trustees shall be by written ballot. At such election of the members or their proxies may cast, in respect to each vacancy, each member who is eligible to vote being entitled to one (1) vote for all lots owned in the Governor's Point Subdivision. The persons receiving the largest number of votes shall be elected. Cumulative voting shall not be permitted.

Reason For Change: To match the language with best practices, the terms “in person at the annual meeting, by proxy, or absentee ballot” and “(in person or absentee ballot)” were added.

Proposed New Language:

Section 4: Election - Election of the Board of Trustees shall be by written ballot **in person at the annual meeting, by proxy, or absentee ballot.** At such election, of the members **(in person or absentee ballot)** or their proxies may cast, in respect to each vacancy, each member who is eligible to vote being entitled to one (1) vote for all lots owned in the Governors Point Subdivision. The persons receiving the largest number of votes shall be elected. Cumulative voting shall not be permitted.

Your Vote: For Against

B#4 – Current Language

To charge reasonable admission and other fees for the use of the recreational facilities located on the Common Properties, and to make, publish and enforce reasonable rules and regulations governing the use and enjoyment of Common Properties and Facilities, or any part thereof, all of which reasonable rules and regulations shall be binding upon, complied with, and observed by each Member. These rules and regulations may include provisions to govern and control the use of the Common Properties and Facilities by guests and invitees of the Members, including, without limitation, the number of guests or invitees who may use the Common Properties and Facilities ,or any pat thereof, at the same time;

Reason For Change: The term “and storage” was added to the first sentence due to the fact the Association has the trailer lot for “storing” trailers and a “storage” unit within the trailer lot.

Proposed New Language:

To charge reasonable admission and other fees for the use of the recreational facilities **and storage** located on the Common Properties, and to make, publish and enforce reasonable rules and regulations governing the use and enjoyment of Common Properties and Facilities, or any part thereof, all of which reasonable rules and regulations shall be binding upon, complied with, and observed by each Member.

Your Vote: For Against

B#5 – Current Language

To suspend the voting rights of a Member and his right and the rights of the members of his immediate family residing with him and his guests, to use and recreational Common Facility of the Common Properties during the period he is in default in excess of thirty (30) days beyond the close of the calendar year in the payment of any maintenance charge assessment against his Lot;

Reason For Change: To match the language with current State Law by removing “To suspend the voting rights of a Member...” The Board added new language to be allowed to assess fines on Property Owners that violate our Deed Restrictions or Bylaws.

Proposed New Language:

To **assess a fine and/or** suspend the rights of a Member and the rights of the members of his immediate family residing with him and his guests, to use **any** recreational Common Facility of the Common Properties during the period he is in default in excess of thirty (30) days beyond the close of the calendar year in the payment of any maintenance charge assessment against his Lot;

Your Vote: For Against

B#6 – Current Language

To suspend the rights of a Member and the rights of the members immediate family residing with him and his guests, to use any recreational Common Facility of the Common Properties for a period of not to exceed sixty (60) days for any infraction of its published rules and regulations;

Reason For Change: The Board added new language to be allowed to assess fines on Property Owners that violate our Deed Restrictions or Bylaws and removed the sixty (60) day limit to suspensions.

Proposed New Language:

To assess a fine and/or suspend the rights of a Member and the rights of the members immediate family residing with him and his guests, to use any recreational Common Facility of the Common Properties for a period determined by the Board (removed sixty days) for any infraction of its published rules and regulations;

Your Vote: For Against

B#7 – Current Language

Section 1. Nominating Committee - The Association shall appoint a Nominating Committee, as provided by the Bylaws.

Reason For Change: The term “Association” was changed to “Board” to match current practice. Additional language was added to document current and best practices.

Proposed New Language:

Section 1. Nominating Committee - The Board shall appoint a Nominating Committee, as provided by the Bylaws. The Nominating Committee shall solicit candidates for the Board of Trustees as well as the Architectural Control Committee (ACC).

At least thirty (30) days prior to the annual meeting, the Nominating Committee must notify the Association’s Members of the vacancies and invite interested parties to submit their names for consideration. The notification may be sent by mail or electronically and must include instructions and a deadline, no sooner than ten (10) days from the date of notice.

Your Vote: For Against

B#8 – Current Language

Section 2: Architectural Control Committee - To enforce the architectural portions of the Restrictions, the Board Members shall act as the Architectural Control Committee. All plans and specifications for all construction on any properties under the jurisdiction of this Association must be first approved in writing by a three-fifth (3/5) vote of Board members before any construction commences.

Reason For Change: State law (209.00506) created a need for this item to be revised. The Board created the following bylaw language to comply with the law change and provided clarification.

Section 2: Architectural Control Committee (ACC)- The ACC will consist of three (3) property owners, elected by the Association at the Annual Meeting. ACC Members will serve one (1) year terms with no term limits. The ACC Members will review Member requests related to the architectural and/or improvement portions of the Restrictions. Unless specifically authorized, as outlined in Texas Property Code 209.00506, a Board Member shall not function as a member of the ACC. All plans and specifications for all construction and/or improvements on any properties under the jurisdiction of this Association must be first approved in writing by a two-thirds (2/3) vote of ACC members before any construction commences.

Your Vote: For Against

B#9 – Current Language

Section 3: Mediator - The Association shall appoint a Mediator. The Mediator will only serve in disputed cases involving the Architectural Control Committee. The Mediator does not have the authority to decide any issue for parties but will attempt to facilitate the voluntary resolution of the dispute of the parties. The Mediator is authorized to conduct a joint and/or a separate meeting with the parties and offer suggestions to assist the parties in achieving a settlement.

Reason For Change: The term “Association” was changed to “Board” to match current practice. Additional language was added to document current and best practices.

Proposed New Language:

Section 3: Mediation - The **Board** shall **act as the primary Mediator**. The **Board must hold a hearing within thirty (30) days of receiving written notice of the appeal by a property owner regarding the ACC’s denial of their request.** The **Board may affirm, modify, or reverse, in whole or in part, the ACC’s decision.**

Mediator - The **Board** shall appoint a Mediator **when the Board and Property Owner cannot reach an acceptable resolution**. The Mediator will only serve in disputed cases involving the Architectural Control Committee. The Mediator does not have the authority to decide any issue for parties but will attempt to facilitate the voluntary resolution of the dispute of the parties. The Mediator is authorized to conduct a joint and/or a separate meeting with the parties and offer suggestions to assist the parties in achieving a settlement.

Your Vote: For Against

B#10 – Current Language

Section 4: Election Committee - The Association shall appoint annually an Election Committee. The Committee shall consist of three or more members of the Association and shall elect its own chairman. The Committee shall be appointed by the Board of Trustees at each annual meeting of the members to serve at and during such annual meeting and any special meeting during the year. The function of the committee will be to collect and tabulate all votes, including proxies at all meetings and announce the results of the tabulation to the membership. Upon resignation by any member of the committee, the remaining members of the committee shall select a replacement by majority vote to complete the term of office.

Reason For Change: The term “Association” was changed to “Board” to match current practice. The term “and absentee ballots” as additional language to document current and best practices.

Proposed New Language:

Section 4: Election Committee - The **Board** shall appoint annually an Election Committee. The Committee shall consist of three or more members of the Association and shall elect its own chairman. The Committee shall be appointed by the Board of Trustees at each annual meeting of the members to serve at and during such annual meeting and any special meeting during the year. The function of the committee will be to collect and tabulate all votes, including proxies **and absentee ballots** at all meetings and announce the results of the tabulation to the membership. Upon resignation by any member of the committee, the remaining members of the committee shall select a replacement by majority vote to complete the term of office.

Your Vote: For Against

B#11 – Current Language

As more fully provided in the Restrictions and Maintenance Fund Agreement, each member is obligated to pay to the Association certain annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Any assessments which are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear a late penalty of \$50.00 and interest from the date of delinquency at the rate of eighteen percent (18%) per annum, and the Association may bring as action at law against the Owner personally obligated to pay the same of foreclose the lien against the property, and interests, costs, and reasonable attorney's fees of such action shall be added to the amount of such assessment. No owner may waive or otherwise escape liability for the assessments provided for herein by non-use of any of the facilities or services provided by the Association or by abandonment of his lot.

Reason For Change: The late penalty was increased from \$50.00 per “year” to \$50.00 per “month.” Additionally, the interest charge was increased from 18% to 25%. The current late fee of only \$50.00 per year does not provide much of an incentive to pay the Maintenance Fee in a timely manner.

Proposed New Language:

As more fully provided in the Restrictions and Maintenance Fund Agreement, each member is obligated to pay to the Association certain annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Any assessments which are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear a late penalty of \$50.00 **per month** and interest from the date of delinquency at the rate of **twenty-five percent (25%)** per annum, and the Association may bring as action at law against the Owner personally obligated to pay the same of foreclose the lien against the property, and interests, costs, and reasonable attorney's fees of such action shall be added to the amount of such assessment. No owner may waive or otherwise escape liability for the assessments provided for herein by non-use of any of the facilities or services provided by the Association or by abandonment of his lot.

Your Vote: For Against

B#12 – Current Language

Section 1: Amendment - These Bylaws may be amended, at a regular or special meeting of the members, by vote of a majority of a quorum of members present in person or by proxy.

Reason For Change: To match the language with current practices, the terms “by absentee ballot” was added.

Proposed New Language:

Section 1: Amendment - These Bylaws may be amended, at a regular or special meeting of the members, by vote of a majority of a quorum of members present in person, **by absentee ballot**, or by proxy.

Your Vote: For Against