RESOLUTION NO. 2/99
PELICAN COVE CANAL OWNER'S ASSOCIATION

WHEREAS, the Pelican Cove Canal Owner's Association meets in June each year to elect officers among other things; and

WHEREAS, the board of directors desires to establish a procedure whereby a person may have his or her name placed on the ballot for election to the board of directors; and

WHEREAS, the board of directors desires to establish a procedure for conducting elections and other voting matters that come before the association.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PELICAN COVE CANAL OWNER'S ASSOCIATION:

1. The president of the board of directors shall be the presiding officer at all meetings of the association and shall be the chief election officer. The president shall appoint a committee to count all ballets cast in each voting matter and to certify the result of each vote. The president shall be responsible for obtaining board of director certification of the result of each vote and posting the same in the minutes of the first meeting of the board of directors following the Association meeting where a vote was taken on any matter.

2. Any member of the association may have his or her name placed on the ballot for election to the board of directors by filing an application and brief résumé with the secretary of the board at least thirty (30) days prior to the date of the election. Any member of the Association also may be nominated for election to the board of directors from the floor during an Association meeting where an election for the board of directors is held.

3. The persons receiving the largest number of votes cast shall be elected to fill the positions on the board of directors for which the election is held.

4. All motions to amend the association's by-laws or covenants and restrictions shall be filed with the secretary of the board of directors at least thirty (30) days prior to the association meeting where such matters can be considered.

Approved on March 10, 1999, at a regular meeting of the board of directors.

Frank R. Booth
President, Board of Directors

ATTEST:
Marty Reed
Acting Secretary

RESOLUTION 3/99
PELICAN COVE CANAL OWNER'S ASSOCIATION

ESTABLISHING AN ENVIRONMENTAL COMMITTEE
AND PRESCRIBING ITS AUTHORITY AND RESPONSIBILITY

WHEREAS, the Board of Directors of Pelican Cove Canal Owner's Association desires to establish a standing committee to assist the Board in performing its obligations and duties as described in the By-laws and Covenants and Restrictions applicable to Pelican Cove Subdivision;

WHEREAS, the Board of Directors desires to establish the procedures and practices to be followed by the Environmental Committee and to prescribe its duties, responsibilities and authority.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PELICAN COVE CANAL OWNER'S ASSOCIATION:

1. The Environmental Committee is hereby established. The committee will consist of a chairperson who shall be a board member appointed by the Board of Directors and such additional members as may from time to time be appointed by the Board upon the recommendation of the committee Chairperson.

2. The Environmental Committee will have two subcommittees. The Building and Grounds Subcommittee will concern itself with the buildings, grounds and infrastructure within the subdivision. The Canal Subcommittee will concern itself with the canals, bulkheads and other canal infrastructure. Each subcommittee will have a chairperson and such additional members as may from time to time be appointed by the Board upon the recommendation of the committee chairperson.

3. The Environmental Committee may have additional subcommittees established from time to time by amendment to this resolution.

4. Under the committee chairperson and at the chairperson's discretion committees may function independently from each other. The Environmental Committee and its subcommittees shall function by majority vote of the members and shall report its actions to the Board through the Environmental Committee Chairperson.

5. All written communications made on behalf of the Environmental Committee and its subcommittees shall be signed by the Environmental Committee Chairperson with a copy provided to the Secretary of the Board of Directors.

6. The Board of Directors shall from time to time pass additional resolutions prescribing the manner for enforcement of the provision of the By-laws and Covenants and Restrictions which are applicable to the Environmental Committee's duties, responsibilities and authority.

Approved on September 8, 1999, at a regular meeting of the Board of Directors.

Frank R. Booth
President, Board of Directors

ATTEST:

Gerry Booth
Secretary, Board of Directors

RESOLUTION NO. 4/99
PELICAN COVE CANAL OWNER'S ASSOCIATION

ENFORCEMENT OF ARTICLE 3.21 OF THE COVENANTS AND RESTRICTIONS RELATING TO MAINTAINING LOTS IN A NEAT, ORDERLY AND ATTRACTIVE CONDITION

WHEREAS, Article 3.21 of the First Amended and Restated Declaration of Covenants and Restrictions pertaining to Pelican Cove Subdivision requires a lot owner to keep grass, weeds and vegetation trimmed or cut so that the same shall remain in a neat, orderly and attractive condition; and

WHEREAS, Article 3.21 of the Covenants and Restrictions authorizes entry upon any lot for the purpose of maintaining lots which are not in a neat, orderly and attractive condition; and

WHEREAS, the Board of Directors of Pelican Cove Canal Owner's Association desires to establish a procedure for keeping the grass, weeds and vegetation trimmed or cut when a lot owner fails to do so.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PELICAN COVE CANAL OWNER'S ASSOCIATION:

1. Grass, weeds and other non-ornamental vegetation shall be maintained at an average height of not to exceed 12 inches on each lot and not to exceed 18 inches on slopes and in a manner so that the lot has a neat, orderly and attractive appearance when viewed with surrounding lots.

2. The street edge and the canal edge of each lot shall be trimmed whenever grass is cut. Every effort shall be made to keep grass cuttings and trimmings out of the canal. Grass cuttings and trimmings shall be removed from the street after each cutting and trimming to reduce storm water drainage flushing this debris into the canals.

3. Each lot shall be protected from unreasonable erosion causing sand and debris build up in the canals or streets.

4. Whenever any lot exceeds the standards described in paragraphs 1, 2, or 3 of this resolution, the environmental committee chairperson shall notify the lot owner by letter requesting that the lot be brought into compliance with this resolution. Should any lot not be in compliance with the herein described standards 10 days following the environmental chairperson's letter notice of noncompliance, the environmental chairperson shall notify the lot owner by certified mail-return receipt requested that the lot will be brought into compliance by the Association 10 days following the certified notice with the costs charge to the lot owner.

5. The Association will add a $25.00 processing charge to each mowing and cleaning bill incurred by the Association. Failure by the lot owner to reimburse the Association within 10 days from the date of the Association's bill for payment shall result in a lien being placed on the lot in question.

Approved on September 8, 1999, at a regular meeting of the Board of Directors.

Frank R. Booth
President, Board of Directors

ATTEST:

Gerry Booth
Secretary, Board of Directors

RESOLUTION NO. 5/99
PELICAN COVE CANAL OWNER'S ASSOCIATION

ENFORCEMENT OF ARTICLE 3.1 AND 3.18 OF THE COVENANTS AND RESTRICTIONS RELATING TO PARKING OF BOATS TRAILERS CAMPERS, RECREATIONAL VEHICLES, OR VEHICLES IN A NON-OPERATING CONDITION.

WHEREAS, Article 3.1 of the First Amended and Restated Declaration of Covenants and Restrictions applicable to Pelican Cove Subdivision provides in part that "no trailer, mobile home, motor home, modular home, geodesic dome, tent, shack, lean to or other outbuilding may be placed, moved, erected or permitted to remain on any Lot, temporarily or permanently, by either an owner of any Lot or any guest of any such owner;" and

WHEREAS, Article 3.18 of the Covenants and Restrictions provides in part that "no boats, trailers, campers, recreational vehicles, or vehicles in a non-operating condition shall be permitted to remain on any Lot or on the street adjacent to any Lot for more than thirty (30) days except that, however, such vehicles or vehicles may remain longer if they are housed in enclosed storage;" and

WHEREAS, Article 10.6 of the Covenants and Restrictions provides in part that "If any owner of any Lot shall violate or attempt to violate this declaration or any of the conditions or covenants herein, it shall be lawful for the Declarant, the Association, or any owner of any Lot in the subdivision prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate this Declaration or any such conditions or covenants and to prevent such violation or threat of violation and/or to recover damages for such violation or threat of violation, including reasonable attorney's fees and in general pursue and seek such other remedies and/or relief as may be permitted at law and/or equity including, without limitation, specific performance;" and

WHEREAS, the members of Pelican Cove Canal Owner's Association by majority vote at their annual meeting on June 5, 1999, authorized the Board of Directors to expend association funds to enforce Articles 3.1 and 3.18 of the Covenants and Restrictions by injunction or otherwise; and

WHEREAS, the Board of Directors of Pelican Cove Canal Owner's Association desires, for purposes of compliance to interpret and clarify the words "enclosed storage" as used in Article 3.18 of the Covenants and Restrictions:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PELICAN COVE CANAL OWNER'S ASSOCIATION:

1. For the purpose of enforcing Article 3.18 of the Covenants and Restrictions, the Board will construe the words "except, however, such vehicle or vehicles may remain longer if they are housed in enclosed storage" to mean that "boats, trailers, campers, recreational vehicles, or vehicles in a non-operating condition" enclosed from view from all directions by a six-foot fence or a house or detached garage are stored in compliance with Article 3.18.

2. To the extent necessary to obtain compliance with Articles 3.1 and 3.18 of the Covenants and Restrictions, the Board will pursue any and all remedies available to it, including the remedies set forth in Article 10.6 of the Covenants and Restrictions.

Approved on September 8, 1999, at a regular meeting of the Board of Directors.

Frank R. Booth
President, Board of Directors

ATTEST:

Gerry Booth
Secretary, Board of Directors

RESOLUTION NO. 8/00
AMENDING RESOLUTION NO. 2/99
PELICAN COVE CANAL OWNER'S ASSOCIATION

WHEREAS, the Pelican Cove Canal Owner's Association has its annual meeting in June each year to, among other things, elect persons to serve on the Board of Directors; and

WHEREAS, the Board of Directors desires to establish procedures whereby a person may have his or her name placed on the ballot for election to the Board of Directors; and

WHEREAS, the Board of Directors desires to establish procedures whereby proposed amendments to the By-laws may be placed before the members for consideration; and

WHEREAS, the Board of Directors desires to establish procedures for conducting elections and other voting matters that come before the Association.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PELICAN COVE CANAL OWNER'S ASSOCIATION:

1. The President of the Board of Directors shall be the presiding officer at all meetings of the Association and shall be the chief election officer. The President shall appoint tellers to count all ballots cast in each voting matter and to certify the result of each vote. The President shall be responsible for obtaining Board of Directors certification of the result of each vote and posting the same in the minutes of the first meeting of the Board of Directors following the Association meeting where a vote was taken on any matter.

2. Any member of the Association may have his or her name placed on the ballot for election to the Board of Directors by filing a letter application with a résumé, not exceeding one page in length, with the Secretary of the Board at least thirty (30) days prior to the date of the election. Any member of the Association also may be nominated for election to the Board of Directors from the floor during an Association meeting where an election for the Board of Directors is held.

3. The ballot for election to the Board of Directors shall list the names of all of the candidates who filed for election in accordance with paragraph 2, and in the order received by the Secretary. The ballot shall provide lines for names of candidates nominated from the floor or written in by the voter. Prior to voting, the President shall announce the number of Directors to be elected at the election. Voters shall cast their vote for only the number of Directors to be elected. In counting ballots, all blanks shall

be ignored. A ballot will be counted if the intent of the voter is clear. Should a ballot contain votes for more Directors than are to be elected, it will be presumed that the voter intended to vote for the correct number of Directors in the order voted beginning at the top and counting down to the correct number.

4. The persons receiving the largest number of votes cast shall be elected to fill the positions on the Board of Directors for which the election is held. If there is one remaining position and there is a tie, a second ballot will be given to the membership and another vote taken.

5. A member may vote in person or by proxy. At a minimum, a proxy must designate the person to whom it is given, be dated and specify the power and authority granted. A proxy will be presumed to be revocable unless it expressly states that it is irrevocable. In no event can a proxy remain irrevocable for more than 11 months from its date.

6. Each paid-up member is entitled to one vote for each full lot owned by the member. Fractional votes are not permitted, except in cases where a lot has been legally resubdivided, then half votes are permitted. Half votes will be noted by the Secretary on the list of eligible voters. A ballot clearly marked one-half will be issued. In counting votes, ballots marked one-half will be counted as one-half of a vote.

7. All motions to amend the Association's By-laws shall be filed with the Secretary of the Board of Directors at least thirty (30) days prior to the Association's meeting where such matters can be considered. Any amendment to the By-laws adopted by the Association is subject to wording revision by the Association's attorney if necessary to obtain an appropriate legal form.

Approved on March 8, 2000, at a regular meeting of the Board of Directors.

Frank R. Booth
President, Board of Directors

ATTEST:

Gerry Booth
Secretary, Board of Directors

PELICAN COVE CANAL OWNER'S ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE

P. O. Box 1655
Aransas Pass, Texas 78335

November 17, 2000

PCCOA-Board of Directors

Re: Policy on recreational vehicle and boat trailer parking limitations

Paragraph 3.1 of the Covenants and Restrictions states in part:
"No trailer, mobile home, motor home, modular home, geodesic dome, tent, shack, lean-to or other outbuilding may be placed, moved, erected or permitted to remain on any Lot, temporarily or permanently, by either an owner of any Lot or any guest of any such owner."

Paragraph 3.18 of the Covenants and Restrictions states in part:
"No boats, trailers, campers, recreational vehicles, or vehicles in a non-operating condition shall be permitted to remain on any Lot or on the street adjacent to any Lot for more than thirty (30) days except that, however, such vehicle or vehicles may remain longer if they are housed in enclosed storage."

In order to clarify the above, the ACC has adopted the following policy:

"No boats, trailers, campers, recreational vehicles, or vehicles in a non-operating condition shall be permitted to remain on any Lot or on the street adjacent to any Lot for more than thirty (30) days per annum, except that, however, such vehicle or vehicles may remain longer if they are housed in enclosed storage. Enclosed storage includes only garages or fences which prevent any portion of such vehicles from being viewed from the street, canals, or adjacent Lots. Violators of this policy will be notified by certified letter, return receipt requested, and upon receipt of the notice given ten (10) days to comply with the policy."

Bob Marsh

Fred Wigginton

Jim Allen, Chairman, ACC

Concurred:

Raymond Stone, President, PCCOA

RESOLUTION NO. 6/99
PELICAN COVE CANAL OWNER'S ASSOCIATION

ENFORCEMENT OF ARTICLE 3.15 AND 8.1 OF THE COVENANTS AND RESTRICTIONS RELATING TO WILLFUL OR NEGLIGENT ACTS WHICH IMPAIR OR DAMAGE THE CHANNELS, CANALS, AND BULKHEADS IN PELICAN COVE SUBDIVISION.

WHEREAS, Article 3.15 of the First Amended and Restated Declaration of Covenants and Restrictions applicable to Pelican Cove Subdivision provides in part that: "The owner of each Lot shall be responsible for maintaining that portion of any channel contiguous to his Lot ... free of all debris ... or any hazard to navigation, provided however, that improvement, maintenance, repair and other care for the canals and channels with the subdivision shall be the responsibility of the ... Association.... The maintenance and repair of the bulkheads contiguous to a Lot shall be the responsibility of the owner of such Lot;" and

WHEREAS, Article 8.1 of the Covenants and Restrictions provides that: "The Association shall improve, maintain, repair and otherwise care for the canals and channels within the subdivision, and any other property dedicated to the public within the subdivision which is not being maintained by a public entity;" and

WHEREAS, Article 8.2 of the Covenants and Restrictions provides that: "In the event that the need for maintenance or repair is caused through the willful or negligent act of any owner, his family, guests or invitees, the Association, shall add the cost of such maintenance, as a special assessment, to the normal assessment of such owner;" and

WHEREAS, Article 7.1 of the Covenants and Restrictions provides in part that: "... each owner of any Lot in the subdivision covenants and agrees and is deemed to covenant and agree to pay to the Association: (1) annual assessments or charges, and (2) special assessments for capital improvements, such assessments to be established and collected as hereinafter provided. The annual and special assessments, together with interest, costs and reasonable attorney's fees, shall, to the full extent permitted by law, be a charge on the Lot subject to this Declaration and shall be a continuing lien upon the Lot against which each such assessment is made;" and

WHEREAS, the Board of Directors of Pelican Cove Canal Owner's Association desires to provide for a procedure to protect the canals and channels of the subdivision from excess erosion of Lots into subdivision streets and from washout of land behind bulkheads caused by the willful or negligent acts or failure to act of any owner, his family, guests or invitees, and to provide for reasonable enforcement after due notice.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PELICAN COVE CANAL OWNER'S ASSOCIATION:

1. The Board of Directors finds that excess washout of land behind bulkheads causes siltation into canals and channels and undermines the structural integrity of bulkheads. The Board of Directors further finds that excess erosion from Lots into most streets within Pelican Cove Subdivision travels into subdivision canals and channels. The Board of Directors further finds that permitting such a condition constitutes negligence by a Lot owner and that failure to remedy such a situation after notice constitutes a willful act.

2. After due notice, each Lot owner shall correct, repair and/or remedy any condition of excessive washout of land behind the bulkhead or excessive erosion of land into the streets located within the Pelican Cove Subdivision.

3. Whenever the Board of Directors determines that excessive washout of land behind bulkheads or excessive erosion into subdivision streets is occurring or most probably will occur on or from any Lot during the next major rain event, the Board shall cause notice to be given to the Lot owner that the Lot owner shall correct, repair and/or remedy the conditions within the time prescribed in the notice.

4. Failure of any Lot owner to correct, repair and/or remedy bulkhead washout or excessive erosion in to a subdivision street as herein prescribed will result in the Board of Directors correcting, repairing and/or remedying the bulkhead washout or erosion into subdivision street and assessing the cost for the same to the Lot owner.

5. To the extent necessary to obtain compliance with this resolution, the Board will pursue any and all remedies available to it, including the remedies set forth in Article 7.1 of the Covenants and Restrictions.

Approved on November 10, 1999, at a regular meeting of the Board of Directors.

Frank R. Booth
President, Board of Directors

ATTEST:

Gerry Booth
Secretary, Board of Directors

RESOLUTION 9/15
PELICAN COVE CANAL OWNER'S ASSOCIATION

BUILDING AND CONSTRUCTION STANDARDS REGARDING MINIMUM GRADE ELEVATION AND FOUNDATION

WHEREAS, Article 3.5 of The First Amended and Restated Declaration of Covenants and Restrictions pertaining to Pelican Cove subdivision provides for a Minimum Grade Elevation and Foundation, and

WHEREAS, the Federal Emergency Management Agency (FEMA) is changing minimum requirements for coastal areas, and

WHEREAS, the City of Aransas Pass is adopting the FEMA standards in their Building Codes, and

WHEREAS, the Board of Directors of the Pelican Cove Canal Owner's Association wishes to be in complete compliance with FEMA Code and the City of Aransas Pass Code:

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PELICAN COVE CANAL OWNER'S ASSOCIATION:

Article 3.5 of The Covenants and Restrictions shall read:

The minimum grade elevation for any Lot shall be in compliance with the City of Aransas Pass Building Code and the Federal Emergency Management Agency (FEMA) Codes. On all main buildings and out buildings (excluding fish cleaning stands), either attached or detached, all foundations must be of concrete and must be fully enclosed at the perimeter. The finished floor elevation for the first floor of any dwelling constructed after the date of this resolution shall be in compliance with the City of Aransas Pass Building Code and the Federal Emergency Management Agency (FEMA) Codes. The finished floor elevation for the second floor of any dwelling shall be per approval of the Architectural Control Committee. No dwelling, garage or appurtenant building shall exceed two (2) stories in height.

Approved on 03 June, 2015 at a Regular Board Meeting of the Board of Directors.

Don Rager
President, Board of Directors

Dan Edson
Secretary, Board of Directors

RESOLUTION 10/15
PELICAN COVE CANAL OWNER'S ASSOCIATION

STANDARDS REGARDING DOCKS, DAVITS, LIFTS AND BOAT HOISTS

WHEREAS, Article 3.16 of The First Amended and Restated Declaration of Covenants and Restrictions pertaining to Pelican Cove subdivision addresses Docks, Davits, Lifts or Boat Hoists, and

WHEREAS, 3. of The Amendment to the First Amended and Restated Declaration of Covenants and Restrictions of Pelican Cove Additions I and II was added to 3.16, and

WHEREAS, the Board of Directors of the Pelican Cove Canal Owner's Association wishes to clarify responsibilities for the maintenance of the Docks, Davits, Lifts and Boat Hoists:

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PELICAN COVE CANAL OWNER'S ASSOCIATION:

All property owners are responsible to keep in good repair all Docks, Davits, Lifts and Boat Hoists on their property and to maintain them in a manner that is safe and to insure no material from the Docks, Davits, Lifts and Boat Hoists falls into the canals or in any other way presents a hazard to boaters or other properties.
Should the property owners not keep their Docks, Davits, Lifts and Boat Hoists in good repair causing them to be a detriment and or hazard, the Board reserves the right to remove the Docks, Davits, Lifts or Boat Hoists and the costs of such removal be charged to the property owner including a $25.00 processing charge.

Approved on 07 October, 2015 at a Regular Board Meeting of the Board of Directors.

Don Rager
President, Board of Directors

Dan Edson
Secretary, Board of Directors