

WIMBLEDON ON THE CREEK HOMEOWNERS  
ASSOCIATION, INC.  
MEMBERSHIP VOTING POLICY

WHEREAS, pursuant to Sections 209.0056, 209.0057, 209.0058, 209.0059, 209.00592, and 209.00594 of the Texas Property Code, the Board of Directors (the "Board") of Wimbledon on the Creek Homeowners' Association (the "Association") may adopt policies regarding membership voting.

NOW, THEREFORE, IT IS RESOLVED, in order to comply with the requirements set forth in Chapter 209 of the Texas Residential Property Owners Protection Act, that the following procedures are established for membership voting, and the same are to be known as the "Membership *Voting* Policy" of the Association (hereinafter the "Policy")

1. PURPOSE: The purpose of this policy is to comply with the requirements of Texas Property Code Sections 209.0056, 209.0057, 209.0058, 209.0059, 209.00592, and 209.00594, enacted by the 82nd Texas Legislature, effective January 1, 2012.
2. NOTICE OF MEMBERSHIP VOTE: Not later than the 10th day, nor earlier than the 60th day, before the date of an election or vote, the Association shall give written notice of the election or vote to each owner of property in the Association.
3. ELIGIBILITY TO VOTE: Any owner may vote. Only one vote per household.
4. BALLOTS MUST BE IN WRITING: A member's vote in an Association - wide vote must be in writing and signed by the member, except for uncontested elections. An electronic ballot is deemed to be in writing and signed.
5. ABSENTEE BALLOTS:

a. Solicitation for vote by absentee ballot must contain

- (1) an absentee ballot that contains each proposed action and an opportunity to vote for or against such proposed action;
- (2) instructions for delivery of the ballot, including delivery location; and
- (3) the following language: "by casting your vote via absentee ballot you will forgo the opportunity to consider and vote on any action from the floor on these proposals, if a meeting is held. This means that if there are amendments to these proposals your votes will not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person. You may submit an

absentee ballot and later choose to attend any meeting in person. in which case any in person vote will prevail."

b. Absentee ballots count toward the quorum only on matters listed on the ballot, and do not count if:

(1) the ballot item is modified at the meeting prior to the vote; or

(2) the owner attends the meeting to vote in person.

6. ELECTRONIC BALLOTS:

a. Electronic ballots include e-mail, facsimile or posting on internet website votes, for which the owner's identity can be confirmed and the owner may receive a receipt of the electronic transmission and ballot. If an electronic ballot is posted on an internet website, a notice of the posting shall be sent to each owner that contains instructions on obtaining access to the posting on the website.

b. Electronic ballots count toward the quorum only on matters listed on the ballot, and do not count if:

(1) the ballot item is modified at the meeting prior to the vote; or

(2) the owner attends the meeting to vote in person.

7. TABULATION OF AND ACCESS TO BALLOTS:

a. A person who is running for election or is the subject of a vote (and that person's relatives related within the third degree of consanguinity or affinity) cannot tabulate or have access to ballots for that election or vote.

b. Only the vote tabulators can have access to ballots and may not disclose how an individual voted.

8. RECOUNT OF VOTES:

a. A request for a recount must be made within 15 days after the date of the election. The request must be in writing and sent by:

(1) certified mail, return receipt requested, or other USPS confirmation service, to the Association's mailing address as listed on the latest management certificate: Or

(2) delivery in person to the Association's managing agent at the address designated for return of absentee or proxy ballots.

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h. The recount must be conducted by

(1) a current or former:

(a) county judge;

(b) county elections administrator;

(c) justice of the peace;

(d) county voter registrar; or

(2) a person agreed on by the Association and persons requesting the recount.

c. Costs for the recount will be borne by the requesting owner. Including the required cost to hire the qualified person to do the recount, unless the recount changes the results.

d. Recounts must be completed within 30 days of the owner's request. The board may continue to act in the meantime.

IT IS FURTHER RESOLVED that this Membership Voting Policy is effective on June 1, 2014, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing resolution was adopted by the Board of Directors at a meeting of the Board on June 24, 2014 and has not been modified, rescinded or revoked.

  
President

7-14-2014  
Date

State of Texas  
County of Tarrant

This instrument was acknowledged before me  
on 7-14-2014 day of July by Linda Stapleton

Notary Public's Signature [Signature]  
My commission expires Nov. 2, 2016

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