

Denton County
Juli Luke
County Clerk

Instrument Number: 174959

ERecordings-RP

MISCELLANEOUS

Recorded On: September 23, 2021 12:02 PM

Number of Pages: 20

" Examined and Charged as Follows: "

Total Recording: \$102.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

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.

File Information:

Document Number: 174959
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User: Terri B
Station: Station 20

Record and Return To:

Corporation Service Company



STATE OF TEXAS
COUNTY OF DENTON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke
County Clerk
Denton County, TX

STATE OF TEXAS
COUNTY OF DENTON

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PCR COMMUNITY ASSOCIATION, INC.

VIOLATION HEARING PROTOCOL

WHEREAS, pursuant to the Declaration of Covenants, Conditions and Restrictions for Phillips Creek Ranch Addition filed as Instrument No. 2010-121029 in the Official Public Records of Denton County, Texas (the "*Declaration*"), the Board of Directors of the PCR Community Association, Inc. (the "*Association*") is authorized to pursue enforcement of violations of the Association's dedicatory instruments, including but not limited to the Declaration, Bylaws, rules and regulations, policies, resolutions, or design/architectural guidelines.

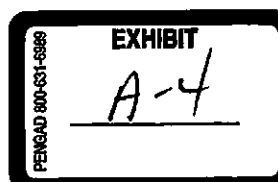
WHEREAS, relevant provisions of the Texas Property Code have been amended which govern the hearing afforded to homeowners following a notice of enforcement action; and

WHEREAS, the Board of Directors desires to approve a protocol to incorporate the relevant provisions of the Texas Property Code, as amended for a hearing following the issuance of a notice of violation (the "*Protocol*"); and

NOW, THEREFORE, IT IS RESOLVED, in order to comply with the procedures set forth in Chapter 209 of the Texas Property Code, the following procedures and practices are established and adopted.

1. **Request for a Hearing and Hearing.** If the owner challenges the proposed action by timely requesting a hearing, the hearing may be held in executive session of the Board affording the alleged violator a reasonable opportunity to be heard.

- a. Such hearing shall be held no later than the 30th day after the date the Board receives the owner's request for a hearing. The notice requirement shall be deemed satisfied if the alleged violator appears at the meeting.
- b. The notice of the hearing shall be sent no later than the 10th day before the date of the hearing.
- c. The Board or the owner may request a single postponement, and, if requested, a postponement shall be granted for a period of not more than ten (10) days. Additional postponements are allowed but only by agreement between the Board and the owner requesting the hearing.
- d. Not later than 10 days before the Board holds a hearing, the Association shall provide to the owner a packet containing all documents, photographs, and communications relating to the matter which the Association intends to introduce at the hearing (the "*Evidence Packet*"), if any.
- e. If the Board intends to produce any documents, photographs, and communications during the hearing, and does not send an Evidence Packet to the owner in a timely manner, the owner is entitled to an automatic 15-day postponement of the hearing.

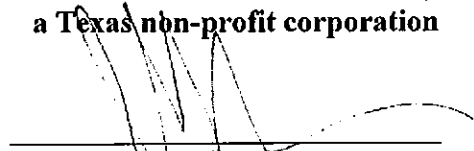


- f. At the commencement of the hearing, a member of the Board or the Association's designated representative shall present the Association's case against the owner.
- g. Following the presentation by the Board, the owner or the owner's designated representative is entitled to present the owner's information and issues relevant to the appeal or dispute.
- h. The owner or the Board may make an audio recording of the hearing.
- i. The minutes of the hearing shall contain a written statement of the results of the hearing and the sanction, if any, imposed by the Board. The Board shall notify the owner in writing of its action within ten (10) days after the hearing. The Board may, but shall not be obligated to, suspend any proposed sanction if the Violation is cured within the ten-day period. Such suspension shall not constitute a waiver of the right to sanction future violations of the same or other provisions and rules by any owner.

IT IS FURTHER RESOLVED this Protocol was duly introduced, seconded, and adopted at a meeting of the Board, at which a quorum was present, by a majority vote of the members of the Board present, and shall remain in force and effect until revoked, modified or amended by the Board. This Protocol shall be filed of record in the Official Public Records of Denton County, Texas.

Date: 9/11, 2021.

PCR COMMUNITY ASSOCIATION, INC.,
a Texas non-profit corporation



President