

**LAKES OF BELLA TERRA COMMUNITY ASSOCIATION, INC.
POLICY REGARDING SERVICE ON THE ARCHITECTURAL CONTROL COMMITTEE**

STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF FORT BEND §

WHEREAS, the LAKES OF BELLA TERRA COMMUNITY ASSOCIATION, INC., (“Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as “Declarations”); and

WHEREAS, Section 209.00505 of the Texas Property Code was added by the 87th Texas Legislature dealing with service on a property owners’ association’s architectural review authority; and

WHEREAS, the Board of Directors of the Association (“Board”) desires to establish the procedures by which members shall be appointed to and serve on the Association’s Architectural Control Committee;

NOW, THEREFORE, the Board has duly adopted the following *Policy Regarding Service on the Architectural Control Committee*:

SERVICE ON THE ARCHITECTURAL CONTROL COMMITTEE

Pursuant to Section 209.00505 of the Texas Property Code, a person may not be appointed or elected to serve on the ACC if the person is also; 1) a current board member, 2) a spouse of a current board member, or 3) a person residing in a current board member’s household.

Only to the extent Section 209.00505 of the Texas Property Code contradicts and supersedes the Association’s Declaration, the following provisions shall govern the appointment and service of members on the Association’s ACC:

1. No Association Board Member, spouse of a current Board Member, or person resident with a current Board Member may be appointed to serve on the ACC;
2. The Association’s Board of Directors shall appoint members to serve on the ACC;
3. Members of the ACC may be removed by the Association’s Board of Directors at any time, and without cause;
4. The ACC shall be comprised of three (3) persons, each of whom must be an Owner;
5. One Board Member shall be appointed by the Association’s Board of Directors to serve as a Board Liaison to the ACC, but shall not be a member of the ACC and shall not vote on the approval/denial of any ACC applications;
6. Decisions made by ACC:
 - a. Approvals or Denials shall require a majority vote of the ACC;
 - b. Upon any decision by the ACC of an ACC application, the ACC Board Liaison shall notify the Association’s Board of Directors of the ACC’s decision;

7. Denial of an ACC application:

- a. A written notice of the denial must be provided to the Owner via certified mail, hand-delivery, or via electronic delivery (e-mail);
- b. The denial letter must state with reasonable detail the basis for the denial and include proposed changes, if any, which would be required as a condition of approval.
- c. The denial letter must inform the Owner that they may appeal the ACC's decision to the Association's Board of Directors if they request a hearing on or before the 30th day after the date the denial notice was mailed;

8. Denial and Appeal Hearings:

- a. Upon an Owner's timely request for a hearing, the Board shall hold a hearing no later than the 30th day after receipt of the Owner's request
- b. The Owner shall be notified of the date, time and place of the hearing not later than the 10th day before the hearing is to take place;
- c. The Board of Directors may affirm, modify or reverse any decision made by the ACC to the extent the decision is consistent with provisions of the Association's Declaration.

This policy is effective upon recordation in the Public Records of Fort Bend County, and supersedes any conflicting provisions which may have previously been in effect. Except as affected by Section 209.00505 and/or by this policy, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Board on this 27 day of April 2023.

**LAKES OF BELLA TERRA COMMUNITY
ASSOCIATION, INC.**

Signed: Roberta Jones

Name: Roberta Jones

Position: Secretary