

TERRACINA RESIDENTIAL COMMUNITY, INC.

ARCHITECTURAL REVIEW AUTHORITY RULES

STATE OF TEXAS §
 §
COUNTY OF DENTON §

KNOWN ALL MEN BY THESE PRESENTS:

WHEREAS, the Terracina Residential Community, Inc. (“Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Declaration of Covenants, Conditions and Restrictions, recorded on June 23, 2011, at Instrument No. 2011-57614 of the Official Public Records, Denton County, Texas, and re-recorded on June 27, 2011, at Instrument No. 2011-58584 of the Official Public Records, Denton County, Texas (the “Declaration”), as such may be amended and/or supplemented from time to time; and

WHEREAS, the Association is a “property owners’ association” as defined in Section 202.001(2) of the Texas Property Code; and

WHEREAS, Article 6, Section 6.02(c) of the Declaration, grants the Association the authority to establish design and construction criteria and requirements in order to insure attractive design, sound construction, architectural uniformity deemed by the Association to be beneficial to the owners; and

WHEREAS, the Texas Property Code further authorizes the Association to regulate the use and appearance of the lots and the maintenance, repair, replacement, and modification of improvements on the lots in the subdivision; and

WHEREAS, the Board of Directors of the Association (“Board”) finds there is a need to adopt procedures that align with new Section 209.00505 of the Texas Property Code.

NOW THEREFORE, IT IS RESOLVED that the Board adopts the following rules of architectural guidelines and procedures (“Rules”):

1. **Incorporation of Existing Covenants.** These Rules incorporate the protective covenants regarding architectural guidelines and procedures set forth in Article 6 of the Declaration and as may be set forth elsewhere in the Association’s governing legal documents.
2. **Architectural Control Committee Membership.** A person may not be appointed or elected to serve on the Architectural Control Committee (“ACC”) if the person is a current board member, a current board member’s spouse, or a person residing in a current board member’s household.
3. **Procedures.** The Board and ACC will follow the procedures set forth in the Declaration, as well as the procedures set forth in Chapter 209 of the Texas Property Code regarding denial notices and appeals thereof, specifically:
 - (A) A decision by the ACC denying an application or request by an owner for the construction of improvements in the subdivision may be appealed to the Board. A written notice of the denial must be provided to the owner by certified mail, hand delivery, or electronic delivery. The notice must:
 - (i) Describe the basis for the denial in reasonable detail and changes, if any, to the application or improvements required as a condition to approval; and

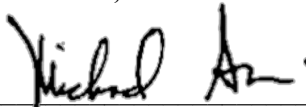
- (ii) Inform the owner that the owner may request a hearing under the following subsection on or before the 30th day after the date the notice was mailed to the owner.
- (B) The Board shall hold a hearing under this section not later than the 30th day after the date the Board receives the owner's request for a hearing and shall notify the owner of the date, time, and place of the hearing not later than the 10th day before the date of the hearing. Only one hearing is required under this subsection.
- (C) During a hearing, the Board or the designated representative of the Association and the owner or the owner's designated representative will each be provided the opportunity to discuss, verify facts, and resolve the denial of the owner's application or request for the construction of improvements, and the changes, if any, requested by the ACC in the notice provided to the owner as set forth above.
- (D) The Board or the owner may request a postponement. If requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties.
- (E) The Association or the owner may make an audio recording of the meeting.
- (F) The Board may affirm, modify, or reverse, in whole in part, any decision of the ACC as consistent with the Declaration.

IT IS FURTHER RESOLVED that these Architectural Review Authority Rules are 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 July 8, 2024, and has not been modified, rescinded or revoked. This Resolution shall remain in force and effect until revoked, modified or amended.

**TERRACINA RESIDENTIAL
COMMUNITY, INC.**

By: _____


Michael Avary, President