

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
HARBOR POINT PROPERTY OWNERS ASSOCIATION  
CONCERNING ARCHITECTURAL REVIEW AUTHORITY**

The Board of Directors (the "Board") of the HARBOR POINT PROPERTY OWNERS ASSOCIATION (The "ASSOCIATION" ), at a meeting of the Board on September 7, 2021 at which a quorum of the Directors were present as required by the Bylaws of the Association, and after consideration, motion and vote, adopted by unanimous vote of the directors present, the following resolution concerning Architectural Review Authority under Section 209.00505 of the State of Texas Property Code within the Harbor Point Subdivision.

RESOLVED that the Association's formal policy as to the enforcement of published Deed Restrictions, Board Resolutions and rules of the Harbor Point Subdivision shall be as follows:

Sec. 209.00505. ARCHITECTURAL REVIEW AUTHORITY. (a) In this section, "architectural review authority" means the governing authority for the review and approval of improvements within the subdivision. The Board of Directors:

- (A) points at least a majority of the members of the architectural review authority or otherwise controls the appointment of the architectural review authority; or
- (B) has the right to veto or modify a decision of the architectural review authority.
- (c) A person may not be appointed or elected to serve on an architectural review authority if the person is:
  - (1) a current board member;
  - (2) a current board member 's spouse; or
  - (3) a person residing in a current board member 's household.

(d) A decision by the architectural review authority 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:

- (1) 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
- (2) inform the owner that the owner may request a hearing under Subsection (e) on or before the 30th day after the date the notice was mailed to the owner.

(e) 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.

(f) During a hearing, the board or the designated representative of the property owners' 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 architectural review authority in the notice provided to the owner under Subsection (d).

(g) 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.

(h) The property owners' association or the owner may make an audio recording of the meeting.

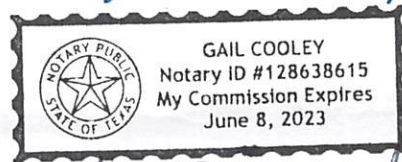
(i) The board may affirm, modify, or reverse, in whole or in part, any decision of the architectural review authority as consistent with the subdivision's declaration.

This resolution is effective upon filing with the Trinity County Clerk.

Signed this 14 day of Oct. 2021

*Donald R. Motley*  
Donald R. Motley, President

Attest: *This instrument was acknowledge before me by Donald R. Motley*



THE STATE OF TEXAS  
COUNTY OF TRINITY

I hereby certify that the instrument was FILED on the date and at the time stamped herein by me and was duly RECORDED in the Official Public Records of Trinity County, Texas in the Volume and Page as noted herein by me.

Shasta Bergman  
County Clerk, Trinity County

By: *Shasta Bergman* Deputy



*Gail Cooley*  
**FILED**  
at 11:40 o'clock A M

NOV 12 2021

SHASTA BERGMAN  
COUNTY CLERK, TRINITY CO., TEXAS  
*Shasta Bergman*