

Adopted, January 26, 2022

Modified February 11, 2022 - Due to conflicting statements in the bylaws Article III, paragraph 5 and Article IV, paragraph 1. Virginia Partain, Chairperson HGEPOA

HIGH GABRIEL ESTATES

Property Owners Association

Texas Property Code 209.00505

Resolution:

WHEREAS the High Gabriel Estates Property Owners' Association pursuant to the Texas Property Code 209.00505 must comply and adopt written procedures regarding the membership of an ARA (ACC) the Bylaws of the High Gabriel Estates Property Owners' Association, Inc. are amended:

Article IV

Paragraph 1.

Committees: Mandatory (existing)

Architecture Control Committee (ACC)

Paragraph 3. Architectural Control Committee Membership:

A person may not be appointed or elected to serve on the ACC if is: 1. current board member 2. current board member's spouse 3. Person residing in a current board member's household SB 1588 Amendments to the Texas Property Code effective 9/1/2021. The ACC will adopt documents to comply with the Property Code.

The Board of Directors of the Property Owners Association will no longer serve as the ACC for High Gabriel Estates as previously documented in the Agreements to Establish an Architectural Control Committee (ACC) according to the Deed Restrictions, but as the Review Board to the ACC rejects or denials for an improvement request.

The membership of the HGEPOA ACC will consist of at least three but not more than 5 persons appointed by the HGEPOA Board of Directors from volunteers, to serve one-year terms. The chairperson shall be appointed from the membership of the ACC with the approval of a majority of the membership. SB 1588 Amendments to the Texas Property Code effective 9/1/2021. The ACC will adopt documents to comply with the Property Code.

3.a 209.00505 (d) Owner may request a hearing before the POA Board: on or before the 30th Day after the date the notice was mailed to the owner. See form HGEPOA Notice of Appeal Request Form, available on the website. The Board may affirm, modify, or reverse in whole or any part of the ACC ruling as consistent with the subdivision's declarations. The HGEPOA will develop documents to comply with this new property code law. Right to a hearing or appeal of a denial of an ACC request.
