

VILLAGE OF REFLECTION BAY HOMEOWNERS ASSOCIATION, INC.
RESOLUTION DELEGATING ARCHITECTURAL REVIEW AND APPROVAL
AUTHORITY TO SHADOW CREEK RANCH MAINTENANCE ASSOCIATION

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

WHEREAS, Village of Reflection Bay Homeowners Association, Inc. (the “Association” or “VORB”) is the governing entity for the Village of Reflection Bay Subdivision, a Subdivision in Brazoria County, Texas, according to the Declaration of Covenants, Conditions and Restrictions for Village of Reflection Bay, recorded under File No. 03-080263 in the Official Public Records of Brazoria County, Texas, as amended and supplemented (the “Declaration”); and

WHEREAS, pursuant to the Bylaws for the Association, the Board of Directors may appoint committees as deemed appropriate in carrying out its purposes; and

WHEREAS, pursuant to the Declaration, the Association shall have an Architectural Review Committee (“ARC”) appointed by the Board of Directors. The ARC shall review and approve or disapprove any Improvement to Property on any of the Properties before commencement of construction of such Improvement to Property. Before commencement of work to accomplish any proposed Improvement to Property, or any modification to any existing Improvement, the Owner proposing to make such Improvement (or modification to an existing Improvement) to Property (the “Applicant”) shall submit to the Architectural Review Committee at its offices, copies of such descriptions, surveys, plot plans, drainage plans, elevation drawings, construction plans, specifications, and samples of materials and colors as the Architectural Review Committee reasonably shall request, showing the nature, kind, shape, height, width, color, materials, and location of the proposed Improvement to Property, as may be more particularly described from time-to-time in any minimum construction standards and/or architectural guidelines adopted by the Architectural Review Committee; and

WHEREAS, the Board of Directors or the ARC may delegate all or part of the ARC authority, including reviewing such documents and making decisions as to approval, disapproval or modification thereof; and

WHEREAS, the Association is one (1) of four Village Subdivisions which are members of the Shadow Creek Ranch Maintenance Association (“SCRMA”); and

WHEREAS, SCRMA also appoints an ARC, known as the Community-Wide Standards Committee (“CWSC”), pursuant to the terms of the Declaration for SCRMA which includes additional conditions and requirements for Improvements to Property in all Village Subdivisions; and

WHEREAS, to simplify the application and approval process for Improvements to Property, the Board of Directors of the Association desires to utilize a single ARC for review and approval or disapproval of Improvements; and

WHEREAS, the Board of Directors for the Association has deemed the SCRMA CWSC, as the ARC for all four (4) Village Subdivisions, the preferred committee to evaluate each application for an Improvement to Property to ensure compliance with the terms of the SCRMA Declaration, Association Declaration, and guidelines for each entity.

NOW THEREFORE, BE IT RESOLVED, in consideration of the above factors and others, the Association, acting through the Board of Directors, hereby delegates all ARC authority provided for in the Declaration to the CWSC of SCRMA.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the rights delegated to the SCRMA CWSC shall include, but not be limited to, the following:

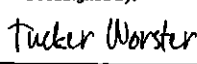
- 1.) The right to create and require use of Application for Improvement forms.
- 2.) The right to review and approve or disapprove requests for any Improvement to Property before commencement of construction of such Improvement to and/or on the Property.
- 3.) The right to require submission of additional plans, specifications, or other information before approving or disapproving the proposed Improvement to Property.
- 4.) The right to approve any proposed Improvement to Property only if it determines in its reasonable discretion that the Improvement to Property in the location indicated will not be detrimental to the appearance of the surrounding areas of the Properties as a whole; that the appearance of the proposed Improvement to Property will be in harmony with the surrounding areas of the Properties, including, without limitation, quality and color of materials and location with respect to topography and finished grade elevation; that the Improvement to Property will comply with the provisions of the Association's Declaration, the Architectural Guidelines, and any applicable plat, ordinance, governmental rule, or regulation; that the Improvement to Property will not detract from the beauty, wholesomeness, and attractiveness of the Property or the enjoyment thereof by Owners; and that the upkeep and maintenance of the proposed Improvement to Property will not become a burden on the Association.
- 5.) The right and authority to disapprove proposed Improvements because of the unique characteristics or configuration of the Lot or Tract on which the proposed Improvement would otherwise be constructed, even though the same or a similar type of Improvement might or would be approved for construction on another Lot or Tract.
- 6.) The right to condition approval of any proposed Improvement to Property upon the making of such changes thereto as the CWSC Committee may deem appropriate.
- 7.) The right to object to any Improvement to Property that violates any provision of the Association's Declaration or the Architectural Guidelines.
- 8.) The right to, or to authorize a duly authorized representative to, inspect any Improvement to Property before or after completion.
- 9.) For any Improvement to Property that has been constructed or undertaken without obtaining the approval of the CWSC, or has been completed other than in strict conformity with the description and materials furnished by the Owner to the CWSC, or has not been completed within the required time period after the date of approval by the CWSC, the CWSC may notify the Owner in writing of the noncompliance ("Notice of Noncompliance").

- 10.) In the event that a noncompliance continues to exist after such time within which the Owner was to remedy the noncompliance as set forth in the Notice of Noncompliance, the CWSC may, at its option but with no obligation to do so, (a) record a Notice of Noncompliance against the Tract or Lot on which the noncompliance exists in the Office of the County Clerk of Brazoria County, Texas; (b) remove the noncomplying Improvement to Property; (c) levy a fine for noncompliance; and/or (d) otherwise remedy the noncompliance (including, if applicable, completion of the Improvement in question).
- 11.) The right to authorize variances from compliance with any of the provisions of the Association's Declaration (except for the provisions of Article VIII, Section 2 relating to single family residential construction and use, for which no variances may be granted), including restrictions upon placement of structures, the time for completion of construction of any Improvement to Property, or similar restrictions, when circumstances such as topography, natural obstructions, hardship, aesthetic, environmental, or other relevant considerations may require.
- 12.) The right to charge and collect a reasonable fee for processing an application submitted to the CWSC for approval. Such charges shall be payable at the time and place and in the manner prescribed by the CWSC. The CWSC also may charge and collect such other fees or deposits as are reasonable and necessary, including but not limited to inspection fees.

CERTIFICATION

I, the undersigned, being the President of the Village of Reflection Bay Homeowners Association, Inc., hereby certify that the foregoing Resolution was adopted by at least a majority of the Village of Reflection Bay Homeowners Association, Inc.'s Board of Directors at an open and noticed Board Meeting.

Approved and adopted by the Board of Directors on the 25 day of July 2022.

DocuSigned by:


Tucker Worster, President of Village
of Reflection Bay Homeowners Association,
Inc.

STATE OF TEXAS §
COUNTY OF BRAZORIA §

Before me, the undersigned authority, on this day personally appeared TUCKER WORSTER, President of Village of Reflection Bay Homeowners Association, Inc., a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that s/he had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

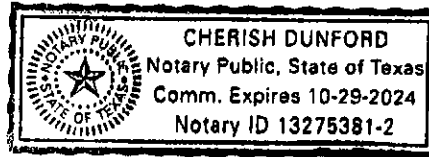
Given under my hand and seal of office this 25th day of July 2022.

Cherish Dunford
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

ESG | SEARS
BENNETT
& GERDES, LLP

6548 GREATWOOD PKWY.
SUGAR LAND, TEXAS 77479



FILED and RECORDED

Instrument Number: 2022046450

Filing and Recording Date: 08/05/2022 03:08:36 PM Pages: 5 Recording Fee: \$38.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

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