

HARVEST BEND, THE VILLAGE ASSOCIATION, INC.
POLICY REGARDING BOARD ACTIONS VIA EMAIL

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, Harvest Bend, The Village Association, Inc. (the "Association"), is the governing entity for Harvest Meadows Sections 1 and 2 and Harvest Bend, the Village, Sections 3-5, additions in Harris County, Texas, according to the maps or plats thereof, recorded in the Map Records of Harris County, Texas, under Clerk's File Nos. G904622, G904623, J353527, N928930, and R618487, respectively, along with any amendments, supplements and replats thereto, and any other property annexed into the jurisdiction of the Association, (the "Subdivision"); and

WHEREAS, Section 209.0051(h) of the Texas Property Code was recently amended to allow the Board of Directors to take action outside of a meeting including voting by electronic means without notice to the members; and

WHEREAS, pursuant to Section 209.0051(h), the Association desires to enact uniform procedures to ensure that for electronic voting, each Director has a reasonable opportunity to express his or her opinion to all other board members and to cast his or her vote; and

WHEREAS, this Dedicatory Instrument represents Restrictive Covenants as those terms are defined by Texas Property Code §202.001, et. seq. and the Association shall have and may exercise discretionary authority with respect to these Restrictive Covenants;

NOW, THEREFORE, in accordance with the foregoing and as evidenced by the Certification hereto, the Board of Directors hereby adopts the following:

- 1) Upon election to the Board of Directors, each Director shall register his or her current email address with the Association's managing agent and/or the Association's President, and shall update the email address as it changes.
- 2) When a matter arises for a vote of the Board of Directors, for which email voting is permitted, the managing agent and/or the Association's President shall send an email to the registered email address of each Director. The email will state the proposal being voted on and request that each Director send a reply email to all Directors (for example, by utilizing the "Reply All" feature) casting his or her vote on the proposal.
- 3) Each Director shall be entitled to reply to all other Directors and express his or her opinion on the proposal before casting his or her vote.
- 4) A proposal shall be considered approved upon the following occurrences:

- a. All Directors reply to all other Directors with their vote and the majority of the Directors vote to approve the proposal, or
 - b. At least a majority of the Directors vote to approve the proposal, and any Directors that have not responded have had 72 hours to respond by voicing their opinion or casting their vote via email; unless the person sending the proposal has reason to believe the email was not delivered or received.
- 5) For clarification, the Association has determined that 72 hours provides each Director with a reasonable opportunity to express an opinion and cast a vote.
 - 6) In the event a Director anticipates he or she will not have email access for a period of time lasting more than 72 hours, then that Director shall notify the Association's managing agent or the Association's President of the same. The Director shall indicate his or her desire to abstain from all votes for the duration of his or her absence or shall provide another method by which the Association may contact him (phone, fax, etc...) to obtain his or her vote and learn his or her opinion on the subject matter at hand.

CERTIFICATION

"I, the undersigned, being the President of Harvest Bend, The Village Association, Inc., hereby certify that the foregoing Resolution was adopted by at least a majority of Harvest Bend, The Village Association, Inc.'s Board of Directors."

By: Danielle Lively, President

Print name: Danielle Lively

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared _____, President of Harvest Bend, The Village Association, Inc., and known by me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 7 day of March, 2016.

After Recording Return to:
HOLT & YOUNG, P.C.
9821 Katy Freeway, Ste. 300
Houston, Texas 77024



Cheryle D. Mills
Notary Public, State of Texas

RP-2016-140785
Pages 3
04/05/2016 01:22 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$20.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically
and any blackouts, additions or changes were present
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or
use of the described real property because of color or
race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in
File Number Sequence on the date and at the time stamped
hereon by me; and was duly RECORDED in the Official
Public Records of Real Property of Harris County, Texas.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2016-140785