

HARVEST BEND, THE VILLAGE ASSOCIATION, INC.
POLICY REGARDING CASTING AND TABULATING BALLOTS

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 209.008 of the Texas Property Code was recently amended to require that the Association take measures to reasonably ensure that a member cannot cast more votes than the member is eligible to cast in an election or vote and that the Association counts every vote cast by a member that the member is eligible to cast; and

WHEREAS, the Association desires to enact uniform procedures to ensure that it complies with Section 209.008 of the Texas Property Code; 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) The Association will maintain a current roster of its members, including the number of lots owned or votes entitled to be cast by each member. The Association may update the roster as it receives notification of a sale or transfer of a lot in the Subdivision.
- 2) Any ballot or proxy submitted or mailed to members prior to the meeting will require that the member provide their name and the address of their property in the subdivision.
- 3) Upon receipt of a ballot or proxy either prior to or at the election, the Association will indicate on the roster of its members which owners have submitted ballots or proxies; this will ensure that no member may cast more votes than the member is entitled to cast.
- 4) Upon receipt of a ballot or proxy, the Association will indicate on the ballot or proxy the number of votes the member is entitled to cast if that number is greater than one; this will ensure that each member is allowed to cast the number of votes they are entitled to cast.

- 5) When a member submits a proxy, their proxyholder will be given a ballot for that proxy, or the proxyholder's ballot will be marked to indicate the number of proxies the holder is casting in addition to the proxyholder's ballot.
- 6) If a member submits more ballots or proxies than the member is eligible to cast, then the Association may attempt to contact the member to determine which ballot or proxy the member intends to cast. If the Association is unable to make such a determination, then the Association will count the last ballot or proxy submitted by the member.
- 7) If a member attends the election and had previously submitted a ballot or proxy, then the member may choose to either receive a ballot and vote in person at the meeting with his prior submitted ballot or proxy being discarded, or may choose not to receive a ballot and have their prior submitted ballot or proxy counted at the election without voting in person at the election.
- 8) At the election, tabulation of ballots shall be performed by one or more persons that are not candidates for election or related to a candidate for election within the third degree of consanguinity and may include the managing agent.
- 9) Ballots submitted to the Association in advance of the election as well as ballots submitted in person by members at the election shall be provided to the tabulators.
- 10) Each candidate for election may name one person to observe the counting of the ballots, however, the observers shall not be entitled to observe close enough to view the name of the person who cast any ballot. In addition, the observers shall not speak to the tabulators or each other during the tabulation of the ballots and shall not disrupt the tabulation in any way, as determined in the sole discretion of the board of directors. Any disruptive observer may be removed from the meeting location.
- 11) Ballot tabulators shall count each ballot submitted by a member, so long as the ballot is signed by the member casting the ballot and so long as the member has indicated no more than the allowable number of candidates to be elected to the board. If a ballot indicates it is to be counted more than once based on a member being eligible to cast more than one vote or being a proxy holder, then the tabulators shall tally the appropriate number of votes cast by that member.
- 12) Following the announcement of the results of the election, the ballots and proxies will be sealed by the Association and kept by its managing agent or other person designated by the board who was not a candidate for election or related to a candidate for election within the third degree of consanguinity. The ballots and proxies shall not be made available to any person except as required by applicable law.

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

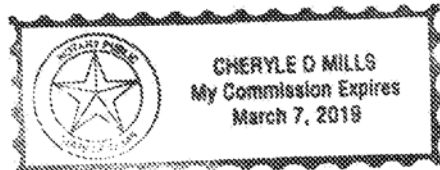
Print name: Danielle Lively

ACKNOWLEDGEMENT

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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.



Cheryle G. Mills
Notary Public, State of Texas

After Recording Return to:
HOLT & YOUNG, P.C.
9821 Katy Freeway, Ste. 350
Houston, Texas 77024

RP-2016-140786
Pages 4
04/05/2016 01:22 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$24.00

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-2016-140786