

HAWK'S LANDING HOMEOWNERS ASSOCIATION, INC.
SPECIAL MEETING OF THE MEMBERS - ABSENTEE BALLOT & PROXY
Tuesday, August 9th, 2022

ABSENTEE BALLOT & PROXY FOR THE SPECIAL MEETING OF MEMBERS

PLEASE SELECT ONE (1) OF THE THREE (3) OPTIONS BELOW. *This Absentee Ballot/Proxy needs to be received by 4:00 P.M. on Tuesday, August 9th, 2022, or hand delivered to the meeting. You may also give the signed Absentee Ballot/Proxy to another owner for hand delivery to the Special Meeting. Absentee Ballots and Proxies may be submitted by mailing to: Crest Management Company, AAMC, 17171 Park Row, Suite 310, Houston, Texas 77084 or via email: Bich@crest-management.com.*

☐ **OPTION 1:** This proxy is to be used **For Quorum Purposes Only (please do NOT vote below)** at the Special Meeting of the Members; **no vote will be cast on my/our behalf. This option helps the Association meet quorum requirements to hold the meeting.**

☐ **OPTION 2:** KNOW ALL MEN BY THESE PRESENTS, that the undersigned owner(s) of property in Hawk's Landing do hereby revoke any previous proxies and appoint _____ ("Proxy Holder"), or the Secretary of the Association if I have not filled in the blank, as my Proxy Holder to act and vote on my behalf at the Special Meeting. This proxy is revocable by the owner at any time before it is exercised. Unless sooner terminated, this proxy shall terminate automatically upon the final adjournment of the Special Meeting for which it is given.

☐ **OPTION 3:** Absentee Ballot (**please vote below**). This Absentee Ballot is executed for the Special Meeting of the Members, to establish a quorum and cast my/our vote for said meeting, as **I/We have marked on the ABSENTEE BALLOT below.**

By casting your vote via absentee ballot, you will forgo the opportunity to consider and vote on any action from the floor on these proposals, if a meeting is held (unless you withdraw your proxy at the meeting). This means that if there are amendments to these proposals your votes may not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person.

Vote: The following property will be annexed into and be a part of the Hawk's Landing Subdivision:

ANNEXATION:

From and after the Effective Date, being the recording date of the Amendment to the Declaration, all Lots in Wheatfall, a subdivision of 13.74 acres of land located in the T. Robinson Survey, Abstract No. 311, Fort Bend County, Texas (the "Annexation Property"), shall be annexed into the Hawk's Landing Subdivision to be under the authority and jurisdiction of the Association, and the Annexation Property shall be held, transferred, sold, conveyed, used and occupied in accordance with and subject to those certain covenants, conditions, restrictions, reservations, liens and charges as set forth in the Declaration (Declaration of Covenants, Conditions, and Restrictions for Hawks Landing, a Fort Bend County, Texas Subdivision, recorded on May 19, 2011, under County Clerk's File No. 2011046529 in the Official Public Records of Fort Bend County, Texas), as it may be hereafter amended, which shall run with the land and be binding on all parties having any right, title, or interest in the Annexation Property or any part thereof, their heirs, successors and assigns, and which shall inure to the benefit of each owner thereof. The Annexation Property shall be included within the definition of "Property" in the Declaration.

For the initial sale of every Lot in the Annexation Property, the Purchaser will pay a one-time capitalization fee to the Association equal to the then current annual assessment. The capitalization fee shall be considered a lien against every Lot and shall be treated in the same manner as assessments.

____ I Vote **FOR** the Amendment

____ I Vote **AGAINST** the Amendment

THIS FORM MUST BE FULLY EXECUTED, SIGNED, AND RETURNED IN ORDER TO BE EFFECTIVE:

*Date: _____

Date: _____

*Owner Name: _____

Owner Name: _____

*Signed: _____

Signed: _____

*Property Address: _____

ALL Fields with an asterisk (*) MUST BE completed. If any field with an asterisk (*) is left blank, the ballot will not be counted.

If Option 3 is Selected, please also ensure to mark your vote selection.

Absentee Ballots and Proxies may be submitted via email: Bich@crest-management.com OR by mailing to:

Crest Management Company, AAMC, 17171 Park Row, Suite 310, Houston, Texas 77084

Any Absentee Ballot/Proxy mailed or sent via email MUST BE received by Crest Management by 4:00 P.M. on Tuesday, August 9th, 2022

NOTICE OF 2022 HOMEOWNER SPECIAL MEETING FOR HAWK'S LANDING HOMEOWNERS ASSOCIATION, INC.

A Special Meeting of the Members of Hawk's Landing Homeowners Association, Inc. (the "Association") will be held at the Hawk's Landing Clubhouse at the following place, date, and time:

Date: Tuesday, August 9th, 2022

Time: 7:00 p.m. – 9:00 p.m.

Location: Willowfork Fire Station #2, 26950 Cinco Ranch Blvd., Katy, TX 77494

The purpose of the Special Meeting is to discuss and vote on an Amendment to the Declaration of Covenants, Conditions & Restrictions, recorded on May 19, 2011 ("Declaration"), annexing (i.e. adding) the Lots located in the Wheatfall Subdivision into the Hawk's Landing Subdivision. If the Amendment is passed, the 41 Lots and 6 Reserves currently platted as the Wheatfall Subdivision will be annexed into the Association, subject to the terms of the Declaration, and considered part of the Hawk's Landing Subdivision.

Enclosed please find a recap of the Q&A Session previously held by the Board on June 16, 2022, and the quarterly board meeting held on July 19, 2022, regarding the annexation. Please take note of the various benefits to the community that will result from the annexation.

A copy of the Agenda and content of the proposed Amendment (in the enclosed Absentee Ballot) is attached for your reference.

In order for the Amendment to be passed by the Owners, the Declaration requires a meeting of the members be called to vote of approval of the Amendment. If a quorum is present at the meeting (1/10 of the membership votes entitled to be cast by the Members (1 vote per Lot)), 2/3rds of the members voting must approve the amendment.

All voting will be conducted through submission of the enclosed Absentee Ballot, proxy, or in person at the time of the Special Meeting.

We have scheduled a Special Meeting so all Owners can participate in-person. The meeting will be held on July 19th at 7:00 pm to allow Owners the opportunity to ask questions, discuss the proposed Amendment, and vote. In order to call the meeting to order, a quorum of the Owners must be present through submission of an Absentee Ballot, proxy, or in person at the Special Meeting.

If you are unable to attend the Special Meeting, you may fill out the enclosed Absentee Ballot & Proxy and drop off (at the drop box) or mail your Absentee Ballot to Crest Management Company, AAMC, 17171 Park Row, Suite 310, Houston, Texas 77084. You may also send your Absentee Ballot & Proxy via email to Bich@crest-management.com or hand your signed Absentee Ballot & Proxy to a neighbor that is attending the meeting in person for hand delivery.

Submission of your vote is key to establish the quorum needed to hold the Special Meeting in accordance with the Governing Documents. We encourage you to attend the Special Meeting and have a chance to ask questions or voice your concerns regarding the Amendment.

If you should have any questions regarding the Special Meeting or the Association, please do not hesitate to call the Association office at 281-945-4657.

Sincerely,
Bich Nguyen, General Manager

RECAP OF Q&A SESSION AND BOARD MEETING REGARDING ANNEXATION OF NEW DEVELOPMENT FROM THE BOARD.

The Board held a Q&A session on June 16th and a Board Meeting on July 19th regarding the new housing development being constructed on the vacant land on Gaston Road between Hawks Prairie and the drainage pond. To note, Tri Pointe is building these homes regardless of our involvement. The board feels it is in the community's best interest to have Tri Pointe contribute financially to improve our community, add value, and develop a cohesive look. The new development owners will ultimately use our facilities (parks, green spaces, and walking trails) regardless of whether they are a part of Hawks Landing or not.

Below is a recap of what was discussed and answers to the questions brought forth

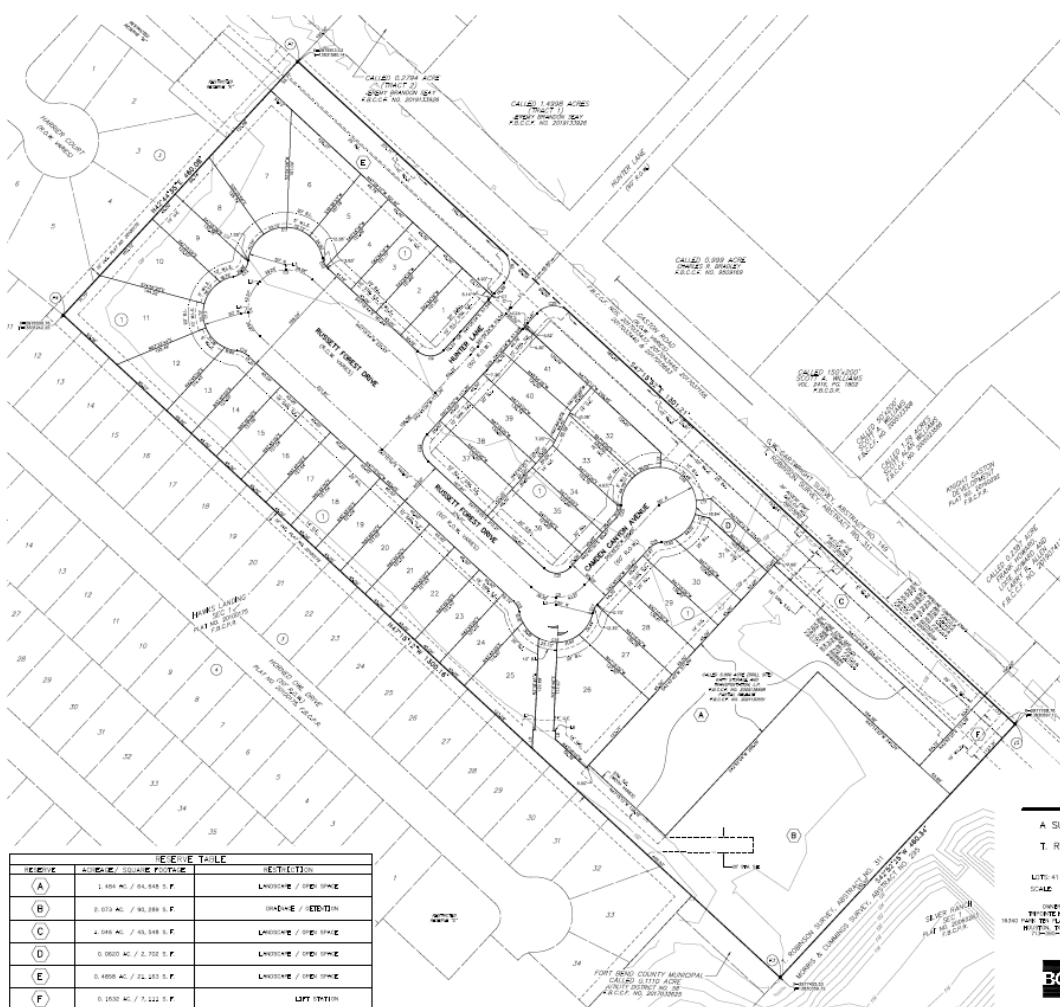
- There will be 41 houses ranging from 1900 to 2600 square feet with the starting prices in the \$400,000 range. The builder will adhere to the same builder guidelines as Hawks Landing. The style of these homes will be similar in nature to those in Tri Pointe's Haven at Seven Lakes community located at the NW corner of Katy-Gaston and the Westpark Tollway.
- The new community would have the name Hawks Landing and be an addition to our community, though their legal description will be shown as currently plotted under the Wheatfall name.
- With the annexation, the new residences will have the same decorative streetlights, fencing and landscaping.
- All owners will be subject to the terms and community standards of the Hawk's Landing Declaration as currently written.
- This new community will not impact our HOA dues. Our dues may increase in the future due to economic conditions, but any increase would have no connection to the annexation.
- We know there will be concern about allowing more people to use our current amenities. But based on pool-use data over the past three years, we anticipate no more than a 10% increase in use. Also to note: If we did not annex this new development, they would have access to our open spaces anyway, and likely could find people to let them in the pool area.
- Preliminary agreement reached with Tri Pointe that will be approved in a formal agreement before the annexation amendment is finalized and recorded (the terms below, or substantially similar terms, will be reached between the Association and Tri Pointe and reduced to writing before the annexation is completed):
 - Tri Pointe will construct a common 8-foot precast concrete fence along all of Gaston, joining the two communities with a cohesive look. This would replace our current wood fencing. This is an estimated value of more than \$113,000 and saves the community ~\$50,000 of planned fence replacement a few years from now.
 - Buyers of Lots from Tri Pointe will pay a capitalization fee equal to the current assessment (\$785*41=\$32,185). Thereafter, the normal fees will apply: \$100 CAP and \$215 HOA Transfer
 - Tri Pointe also will construct a 6-foot precast concrete fence along 6 lots on the eastern edge of where the drainage channel will adjoin the expanded drainage pond. This is an estimated value of \$30,200. Please note, the HOA will extend this fence to the first break along the drainage pond at an expected cost of \$12,000 paid by the HOA. This cost will be offset by the \$32,185 cap fee collected for a net gain of \$20,185.
- Tri Pointe will install irrigation controllers compatible with our water management system.
- Tri Pointe will install same decorative streetlights as Hawks Landing has today.

- Tri Pointe will pay for the landscape maintenance for 1 year from completion of the landscape package. Please note, the HOA will pay for water and electricity.
- Tri Pointe will facilitate sidewalk installation along Gaston Road to Hawks Prairie and to Karen Lane. There offer is subject to change as the MUD's involvement is required to facilitate approval.
- Tri Pointe will pay the 2023 assessment for all lots/homes ($\$785 \times 41 = \$32,185$). Plus any prorated sales that may close in 2022
- For the 19 lots that currently have a homeowner maintained 6' cap and rail fencing that backs to the current open land and will now back to houses in the future, the builder guidelines will be revised to allow this to be replaced by a traditional "Good Neighbor" cedar fence. As part of this annexation/development, Tri Pointe is offering to remove the existing fencing and replace it with a brand-new standard 3-rail "Good Neighbor" fence at **no cost to the homeowners**. If homeowners do not wish to have their fence remove and replaced at no cost to them, Tri Point still intends to build a new fence for their new homes and that new fence will be immediately adjacent to the existing fence.

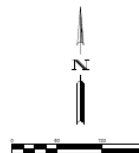
Impacts to the HOA

- HOA expenses are expected to increase by ~\$14,000 in 2023, but this will be offset by the \$32,185 in 2023 dues collected for a net gain of \$18,185
- First year only (2023) – Assumes No MUD Contribution
- Subject to MUD contribution (~\$7,358), starting in 2024 we anticipate the annual budget expense surplus to be ~\$11,000, which will then fund reserves as the same rate they are being funded in the current budget cycle.
- This all represents a one-time cash and capital added value of ~\$181,570 plus the avoidance of ~\$50,000 in fence replacement costs for a total value add of ~\$231,570. See the map below of the neighborhood's home plots. The current detention pond will be expanded into the new community in the area labeled "detention pond" on the map and the current sidewalk will be extended around this new section of the detention pond.

It is the board's recommendation this annexation be adopted for the long-term benefit of the community. If we do not annex them, we will have no control over the activities in that immediately adjacent community and the residents of that community will most likely use all our parks and open facilities and would likely be able to access our pool with a friendly "my fob isn't working" plea to anyone currently in the pool – all while paying no association dues to us.



VICINITY MAP
N.T.S.
KEY MAP PAGE NO. 4842-2 & 3



DISTRICT NAMES	
W.D.	FIRST NAME COUNTY W.D. NO.
SCHOOL	SATY E.S.D.
PINE	PINE DISTRICT HILLTOPS
E.S.D.	FIRST NAME ESD 2
CITY OR CITY ETC.	WAGON E.T.J.
COUNTY CO.	(COUNTY NAME)
C.A.B.	COUNTY ABBREVIATION COUNTY NO.

WHEATFALL

A SUBDIVISION OF 13.74 ACRES OF LAND
LOCATED IN THE
T. ROBINSON SURVEY, ABSTRACT NO. 311
FORT BEND COUNTY, TEXAS

LOTS: 41 RESERVES: 6 BLOCK: 1
SCALE: 1"=60' DATE: DEC 20, 2021

OWNER: **TRIFORCE HOLDINGS**
PARK TEN PLACE, SUITE 250
HOUSTON, TX 77084
(713) 940-8883

LAND PLANNER: **THE BDC**
70777 REDWOOD, SUITE
HOUSTON, TX 77042
281-330-0700

BGE, Inc.
10777 Westheimer, Suite 403, Houston, TX 77042
Tel: 281-555-8700 • www.bgeinc.com
TSPS Registration No. F-1048
TSPS Licensed Surveying Firm No. 101065-00

ENGINE TABLE		
ENGINE	ASTORIA / SEASIDE FUEL TANK	DESTINATION
(A)	1,000 AC. / 60,540 S.F.	LANDSIDE / OREGON STATE
(B)	0,075 AC. / 46,380 S.F.	SEASIDE / ASTORIA
(C)	4,040 AC. / 60,540 S.F.	LANDSIDE / OREGON STATE
(D)	0,0800 AC. / 2,700 S.F.	LANDSIDE / OREGON STATE
(E)	0,4800 AC. / 31,200 S.F.	LANDSIDE / OREGON STATE
(F)	0,1000 AC. / 7,120 S.F.	WPT SYSTEM

HAWK'S LANDING HOMEOWNERS ASSOCIATION, INC.
SPECIAL MEETING
Tuesday, August 9, 2022
SIGN IN: 6:30 P.M. Meeting Start: 7:00 P.M.

- I. Call to Order
- II. Welcome
- III. Introductions
- IV. Explanation of the Amendment
- V. Questions & Comments-HAWKS Board
- VI. Vote to Amend the Declaration – Results announced
- VII. Adjournment