

VALLEY RANCH HOMEOWNERS ASSOCIATION, INC.
ACC ELIGIBILITY AND SOLICITATION POLICY

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

WHEREAS Valley Ranch Homeowners Association, Inc., (hereinafter the “ Association”) is a Texas nonprofit corporation and the governing entity for Valley Ranch Sections, 1-11; Azalea District, Sections 1-5; and 35.568 acres of additional land, additions in Montgomery County, Texas, according to the maps or plats thereof, as described and detailed on the Property Owners’ Association Management Certificate recorded in the Real Property Records of Montgomery County, Texas, under Document No. 2021137306; along with any replats thereto and along with any other real property brought under the Association’ s jurisdiction (hereinafter the “ Subdivision”); and,

WHEREAS the Association is subject to the restrictive covenants imposed by the respective Restrictions and Covenants described and detailed on the property owners’ association management certificate recorded in the Real Property Records of Montgomery County, Texas, under Clerk’s File No. 2021137306; (collectively, hereinafter the “Declaration”); and,

WHEREAS the Declaration provides for an architectural review authority, known as the Architectural Review Committee; and,

WHEREAS Texas Property Code Sections 209.00506 and 209.00507 provide for eligibility and solicitation requirements relating to the Association’s Architectural Review Committee (the “Committee”);

WHEREAS, this Policy is applicable to the Subdivision and the Association; and,

WHEREAS to the extent a provision in this Policy conflicts with a provision of any other Dedicatory Instrument of the Association, this Policy controls by virtue of such contrary provision being pre-empted by State law; and,

WHEREAS to the extent any Dedicatory Instrument does not conflict with this Policy or Chapter 209 of the Texas Property Code, such provision remains in full force and effect; and,

WHEREAS all terms used herein that are defined in Chapter 209 of the Texas Property Code shall have the meaning as defined in the statute; and,

WHEREAS this Dedicatory Instrument constitutes 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 view of the foregoing and in compliance with the Texas Property Code, the Association hereby adopts this Policy and imposes on the Subdivision and the Association the following:

Solicitation of Candidates to the Committee.

- (1) At least ten (10) days before the date the Association elects or appoints a person to serve on the Committee, the Association must provide notice (the "Notice") to the Association members soliciting persons interested in serving on the Committee.
- (2) The Notice must be provided:
 - (a) by mail to each Owner; OR
 - (b) by:
 - (i) posting the Notice in a conspicuous manner reasonably designed to provide notice to Association members:
 - A. in a place located on the Association's common property or, with the property owner's consent, on other conspicuously located privately owned property within the Subdivision; OR
 - B. on any Internet website maintained by the Association or other Internet media; AND
 - (ii) sending the Notice by e-mail to each Owner who has registered an e-mail address with the Association.
- (3) The Notice must establish a deadline and provide instructions by which the person may notify the Association of their interest in serving on the Committee; the deadline may not be earlier than the 10th day after the date the Association provides the Notice (by either depositing in the mail, or by posting and e-mailing the notice).
- (4) A person interested in serving on the Committee must notify the Association *in writing* of their interest in serving on the Committee by the deadline established in the Notice and in accordance with the instructions provided in the Notice. A person who complies with this section will be a "Candidate" for appointment to the Committee.

Eligibility to Serve on the Committee.

- (5) Unless otherwise expressly provided by the Declaration or other applicable Dedicatory Instrument, a majority of the Association's Board of Directors (the "Board") shall appoint the members of the Committee.
- (6) If a person does not notify the Association of their interest in serving on the Committee by the deadline established in the Notice and in accordance with the instructions provided in the Notice, they may not be selected to serve on the Committee.

(7) Except as provided by No. 8 hereof, a person may not be appointed to serve on the Committee if the person is:

- (a) a current board member;
- (b) a current board member's spouse; or
- (c) a person residing in a current board member's household.

(8) If a vacancy remains on the Committee after each person who timely notifies the Association in accordance with this Policy is appointed to the Committee, the Board may appoint any person to fill the vacancy, including a person not otherwise eligible under No. 7 hereof.

(9) The Board is only required to appoint the number of Committee members required by its Declaration or other Dedicatory Instruments, if any such number is required. If the number of Candidates exceeds the number of required positions on the Committee, the Board may choose from the Candidates in its sole discretion as provided by its Declaration or other Dedicatory Instruments.

(10) The Board is not obligated to appoint any Candidate to the Committee following the solicitation process. In its sole discretion, the Board may instead choose to solicit additional Candidates by sending another Notice, with previous Candidates retaining their status as Candidates until appointments are made. The Board may repeat this process until it has determined, in its sole discretion, that there are sufficient Candidates to choose from who will, in their capacity as Committee members:

- (a) act in the best interest of the Association;
- (b) not act in their own self-interest;
- (c) adhere to the Association's Dedicatory Instruments;
- (d) dedicate sufficient time to perform the duties of a Committee member; and
- (e) cooperate with the Board and/or its managing agent in administering the architectural review process.

~~(11) If the Association's Declaration or other Dedicatory Instruments authorize the Board to assign the architectural review authority to a third-party, and the Board chooses to do so, then no Committee will be seated, and the third-party will exercise the architectural review authority on behalf of the Association.~~

(12) The Board reserves any right under the Association's Dedicatory Instruments to remove any Committee member at any time with or without cause.

(13) Committee members will serve until they either resign, are removed, or their term expires in accordance with the Association's Dedicatory Instruments.

(14) If any provision of this Policy is held to be invalid, illegal, or unenforceable in any respect by a court of competent jurisdiction, such invalidity, illegality, or unenforceability

shall not affect any other provision hereof, and this Policy shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

- (15) This Policy may be amended at any time by a vote of a majority of the Association's Board of Directors in an open board meeting.

CERTIFICATION

"I, the undersigned, being a Director of Valley Ranch Homeowners Association, Inc., hereby certify that the foregoing was adopted by at least a majority of Valley Ranch Homeowners Association, Inc.'s board of directors, at a properly noticed, open board meeting, at which a quorum of the board was present."

By: Allison Marsham

Print name: Allison Marsham

Title: President

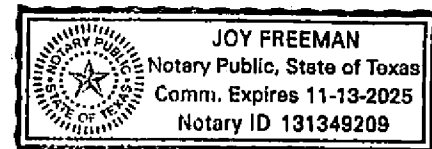
ACKNOWLEDGEMENT

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BEFORE ME, the undersigned authority, on this day personally appeared the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that they are the person who signed the foregoing document in their representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 9 day of October, 2025.

Joy Freeman
Notary Public, State of Texas



E-FILED FOR RECORD

10/14/2025 02:20PM



L. Brandon Steinmann

County Clerk,
Montgomery County, Texas

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number
sequence on the date and time stamped herein
by me and was duly e-RECORDED in the Official Public
Records of Montgomery County, Texas.

10/14/2025



L. Brandon Steinmann

County Clerk,
Montgomery County, Texas