

RESOLUTION OF
MEMORIAL POINT TOWNHOUSES, INC.
Regarding Adoption of
AMENDMENTS TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS

DATED: 11-17, 2022.

STATE OF TEXAS §

§

COUNTY OF POLK §

I, Nathan Bryan Hale, *Acting President* Secretary of MEMORIAL POINT TOWNHOUSES, INC. (hereinafter referred to as the "Association"), do hereby certify that at a special meeting of members of the Association, called for this specific purpose, which was held on the 10th day of November, 2022, with a quorum present and remaining throughout, and being duly authorized to transact business, the following resolution was made regarding the adoption of amendments to the Declaration of Covenants, Conditions and Restrictions for Memorial Point Townhouses, Inc.

AMENDMENT TO DECLARATIONS

WHEREAS, the Association is a Texas non-profit corporation governed by the Texas Property Code;

WHEREAS, the Association is governed by those Amended and Restated Declaration for Memorial Point Townhouses, Inc., filed for record under File No. 9593, in the Office of the Polk County Clerk on August 22, 2022;

WHEREAS, pursuant to Section 209.0041 of the Texas Property Code, a declaration may only be amended by a vote of 67 percent of the total votes allocated to property owners entitled to vote on the amendment of the declaration, unless the declaration contains a lower percentage at which point percentage in the declaration controls;

WHEREAS, Article XIV of the Association's Declaration states that the Association may at any time amend the provisions of these restrictions upon the approval of at least a majority of the Owners, as evidenced by an affidavit signed by a member of the Association's Board of Directors;

WHEREAS, pursuant to Section 209.0041 of the Texas Property Code, and Article XIV of the Association's Declaration, at a Meeting of the Members conducted on November 10, 2022, at least a majority of the Members did approve the following Declaration Amendment;

THEREFORE, the following language shall be inserted into the Amended and Restated Declaration for Memorial Point Townhouses, Inc., filed for record under File No. 9593, in the Office of the Polk County Clerk on August 22, 2022:

ARTICLE VII(A)

LEASING

- Section 1. Required Lease Provisions: Every lease of a Townhouse within the Association shall be subject to the following terms and provisions:
- (a) All leases shall be in writing;
 - (b) No lease shall be for transient or hotel purposes;
 - (c) No lease shall cover less than the entire Townhouse;
 - (d) No lease shall be for an initial term of less thirty (30) days;
 - (e) No Townhouse may be rented out via vacation rental or corporate rental services like AirBNB, VRBO or similar. Note: violation of this provision shall subject the Owner to an initial fine of \$250.00 dollars, plus an additional fine of \$100.00 per day;
 - (f) Every lease shall be, and shall specifically state in the writing in the lease that the lease (i) is subject in all respects to all the terms and provisions of the Declaration of Covenants, Conditions and Restrictions, By-Laws, Rules and Regulations and/or Policies, and the lessee(s) agree to abide and be bound by the provisions thereof; and (ii) that any violation of the Declaration of Covenants, Conditions and Restrictions, By-Laws and/or Policies shall be a default under the lease and grounds for immediate termination of the lease and eviction of lessee(s) by lessor(s) or by the Association;
 - (g) Leases may be subject to such reasonable terms and provisions as required by the Board of Directors;
 - (h) The Owner is responsible for ensuring that all residents/occupants of each Townhouse comply with all requirements of this policy. Failure by the Owner to comply with this policy will subject the Owner to fines as provided for in these rules;
 - (i) No lease may violate any of the governing documents of the Association;
 - (j) No lease or any provisions thereof violate any State or Federal laws;

- (k) All leases must provide that compliance with the Association governing documents is mandatory, and must provide for enforcement by the Association; and
- (l) All leases must provide the Association with the right to pursue corrective action with the tenant, including eviction of the tenant from the premises for breach of the Association's governing documents.

Section 2. Sub-Leasing Prohibited: Sub-leasing of Townhouses, in whole or in part, whether disclosed or undisclosed, is prohibited.

Section 3. Lessee Information: Owner must submit the following information to the Association prior to initiating a lease:

- (a) A blank copy of the lease form utilized by Owner for the lease;
- (b) The name, mailing address, phone number, and e-mail address of each person who will reside at a property in the subdivision under a lease; and
- (c) The commencement date and term of the lease.

Section 4. Occupancy: No more than two (2) adults may occupy any Townhouse for each bedroom within the Townhouse. (e.g. a 3 bedroom Townhouse has a maximum occupancy of six adults). This provision shall have no effect upon occupants of a Townhouse under the age of eighteen (18).

IT IS, HEREBY, RESOLVED that the Board of Directors of the Association adopts these amendments to the Association's Declarations, and submits same for filing in the Real Property Records of Polk County, Texas.

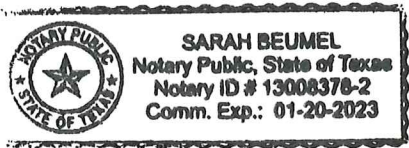
Dated: 11-17-2022

Natana Hale
Secretary
Acting President

STATE OF TEXAS §
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COUNTY OF POLK §

ACKNOWLEDGMENT

This instrument was acknowledged before me on the 17 day of November, 2022, by Natana Hale, as secretary of **MEMORIAL POINT TOWNHOUSES, INC.**, on behalf of said corporation.



Sarah Beumel
Notary Public in and for the State of Texas

FILED FOR RECORD
Nov 17 2022 11:05:13

Schelana Hock
SCHELANA HOCK

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STATE OF TEXAS • COUNTY OF POLK
I, SCHELANA HOCK hereby certify that the instrument was FILED in the file number sequence on the date and at the same time stamped hereon by me and was duly RECORDED in the Official Public Records in Volume and Page of the named RECORDS OF Polk County, Texas as stamped hereon by me.



Schelana Hock *IAN* Nov 17, 2022
COUNTY CLERK
POLK COUNTY, TEXAS