

VG-342-2021-150117

**Denton County
Juli Luke
County Clerk**

Instrument Number: 150117

Real Property Recordings

MISCELLANEOUS

Recorded On: August 18, 2021 03:15 PM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$46.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

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.

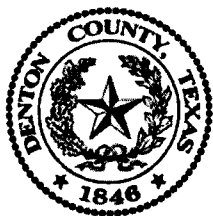
File Information:

Document Number: 150117
Receipt Number: 20210818000703
Recorded Date/Time: August 18, 2021 03:15 PM
User: Patty M
Station: Station 5

Record and Return To:

SOUTHRIDE ESTATES HOA INC
1332 TEASLEY LANE STE 268

DENTON TX 76205



STATE OF TEXAS
COUNTY OF DENTON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke
County Clerk
Denton County, TX

**SOUTHRIDGE ESTATES HOMEOWNERS ASSOCIATION, INC.
ARCHITECTURAL MODIFICATIONS REVIEW POLICY**

THE STATE OF TEXAS §

COUNTY OF DENTON §

I, Billie Ann Kasper, President of Southridge Estates Homeowners Association, Inc. (the "**Association**"), do hereby certify that at a meeting of the Board of Directors of the Association (the "**Board**") duly called and held on the ninth day of August, 2021, with at least a quorum of the Board being present and remaining throughout, and being duly authorized to transact business, the following Architectural Modifications Review Policy (this "**Policy**") was duly approved by a unanimous vote of the members of the Board in attendance:

RECITALS:

1. Section 209.00505 of the Texas Property Code was added by the 87th Texas Legislature, effective September 1, 2021, specifying certain procedures which homeowner associations may, may not, or must enforce in reviewing homeowner applications for modifications to their living units.

2. In outlining the procedures to be applied in reviewing such applications, the Declaration of Restrictive Covenants of the Association could not have foreseen or incorporated the provisions of the new Section 209.00505, because it was written more than twenty-five years earlier.

3. The Board of Directors of the Association desires to adopt supplementary procedures to guide homeowners and the Modifications Committee in the compliant handling of modifications requests.

POLICY PROVISIONS:

Section 1. Definitions. Capitalized terms used in this Policy have the following meanings:

1.1 **Declaration** — The Declaration of Covenants, Conditions and Restrictions for Southridge Estates, Denton, Texas recorded on June 29, 1995 under Clerk's File No. 95-R0038519 of the Official Public Records of Real Property of Denton County, Texas, and as later supplemented or amended.

1.2 **Dedictory Instrument (or dedicatory instrument)** - Each document governing the establishment, maintenance or operation of the properties within Southridge Estates, as more particularly defined in Section 202.001 of the Texas Property Code.

1.3 **Policies** — The Policies for Southridge Estates Homeowners Association, Inc., adopted and recorded as Dedictory Instruments. As used in the singular form "**Policy**", the term means this Modifications Procedures Policy, adopted and recorded as a Dedictory Instrument.

1.4. **Modifications Committee** — The Modifications Committee for Southridge Estates Homeowners Association, Inc., as identified in the Declaration for serving the functions therein stated for the Modifications Committee, New Construction Committee, or Architectural Review Committee, as appropriate to the application and its requested function.

1.5. **Southridge Estates** — A subdivision in Denton County, Texas. The recording data for the Subdivision Development are as follows: Phase 1 in Cabinet K, Pages 398-99 (Document 94-R0092111), Document 95-R0012284 (Correction), and Cabinet N, Page 381 (Document 97-R0067976); Phase 2 in Cabinet M, Pages 97-98 (Document 96-R0028050); and Phase 3 in Cabinet O, Page 268 (Document 98-R0024875) in the Plat Records of Denton County, Texas.

Other capitalized terms used in this Policy have the same meanings as that ascribed to them in the Declaration.

Section 2. Function, Purpose, and Composition.

2.1 The Modifications Committee is intended to fulfill the roles established in the Declarations of the New Construction Committee, Architectural Review Committee, and Modifications Committee, within the contexts specified in the Declarations.

2.2 **Membership.** The following are ineligible to serve on the Modifications Committee:

- a. Current Board members;
- b. Spouses of current Board members
- c. Persons residing in a current Board member's household.

2.3 **Modifications Applications.** All requests for modifications must begin with the homeowner's submittal of a Modifications Request Form, which is available for download on the Association website at www.southridgeestateshoa.com. The Modifications Request Form must be completed and submitted by the homeowner requesting the modification, and will not be accepted if incomplete, or if submitted by someone other than the homeowner, such as a contractor or representative. The Modifications Request Form must be legible, complete and must attach all required supporting exhibits. The completed Modifications Request Form may be submitted as an electronic image when emailed as an attachment to admin@southridgeestateshoa.com, or may be physically mailed by addressing the envelope to:

Southridge Estates HOA
Attn: Administrative Assistant
1332 Teasley Lane, Suite 268
Denton, Texas 76205

2.4 **Initial Completeness Review.** Upon receipt, the Administrative Assistant is authorized to provisionally review the submittal for completeness, and to reject and return any application that does not appear to be complete, legible, and supply all information necessary for review.

2.5 Once an application is provisionally accepted as complete, the Modifications Committee will have thirty (30) days to review the application and either: accept it with or without conditions; or reject it for one or more of the reasons established by the Declarations or the Policies, including the need for additional information. If rejected for additional information the applicant will be notified via email or USPS certified mail, and the thirty (30) day review period will be suspended and will restart either:

- a. upon submittal of the requested information; or
- b. upon refusal to supply requested information.

2.6 Once the Modifications Committee has made a final decision, the applicant will be notified via email or USPS standard post if the application has been approved or approved with conditions. In the event the application is denied, the applicant will be notified via email or USPS certified mail.

2.7 Content of the Denial Letter – The denial letter will include the following:

- a. specific reasons for the denial in reasonable detail and changes, if any, to the application or improvements required as a condition to approval; and
- b. notice that the Owner may request a hearing before the Board of Directors, such request to be made in writing on or before the 30th day after the date the email or letter was mailed to the Owner;

2.8 Denial. If the Modifications Committee disapproves the submitted plans, the Owner may revise the Submitted Plans to incorporate changes requested by the Modifications Committee. Upon receipt of the revised application, the Modifications Committee has thirty (30) days to approve the application, approve the application with conditions, or deny the application.

2.9 Approval. In the event that an originally approved submittal later requires a material change, an Owner shall submit the revision to the Modifications Committee and shall not proceed until written approval of these changes are received. Upon receipt of a revision request, the Modifications Committee has thirty (30) days to approve the request, approve the request with conditions, or deny the application.

Section 3. Appeal from Modifications Committee Rejection.

3.1. Hearing Requested – If a hearing before the Board is properly requested by the Owner, the hearing will be held not later than the thirtieth (30th) day after the date the Association receives the Owner's written request for a hearing. Notification of the date, time and place of the hearing will be sent not later than the tenth (10th) day before the hearing. If a postponement of the hearing is requested by either the Association or the Owner, a postponement must be granted for a period of not more than ten (10) days. Any additional postponement may be granted by agreement of the parties.

3.2. Hearings are not adversarial and do not follow the strict rules of evidence or allow direct or cross examination of opponents. They are designed to allow the Association and its representatives, and the homeowner or the homeowner's representative to discuss, verify facts, and resolve the owner's application or request for the construction of the improvements, and the

changes, if any, requested as conditions for approval by the Modifications Committee, as expressed in the written notice of denial.

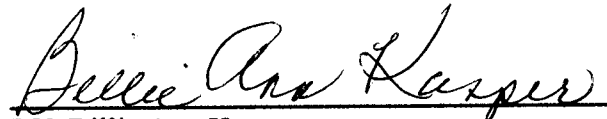
Section 4. Conflicts. In the event of a conflict between a provision in the Declaration and a provision in this Policy that is based upon applicable law, the provisions in this Policy shall control.

CERTIFICATION

I, Billie Ann Kasper, hereby certify that I am the duly elected, qualified and acting President of the Association and that at a meeting of the Board of Directors of the Association duly called and held on the ninth day of August, 2021 (the "Effective Date"), with at least a quorum of the Board being present and remaining throughout, and being duly authorized to transact business, the foregoing "Architectural Modifications Review Policy" was duly approved by the unanimous vote of the members of the Board in attendance.

IN WITNESS THEREOF, I have hereunto subscribed my name on the date shown below but made effective as the Effective Date, as specified above.

Southridge Estates Homeowners Association,
Inc.
A Texas nonprofit corporation



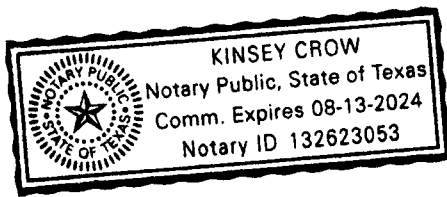
BY: Billie Ann Kasper
ITS: President

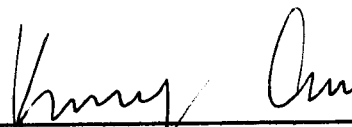
THE STATE OF TEXAS §

COUNTY OF DENTON §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Billie Ann Kasper, President of Southridge Estates Homeowners Association, Inc., proved to me by Texas driver license to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes therein expressed and in the capacity therein stated.

Given under my hand and affirmed the seal of office, this 13th day of August, 2021.





Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Southridge Estates Homeowners Association, Inc.
1332 Teasley Lane, Suite 268
Denton, Texas 76205