

ELECTIONS POLICY AND PROCEDURES  
FOR  
THE KEY RANCH AT THE POLO CLUB HOMEOWNERS ASSOCIATION, INC.

Pursuant to the provisions of amendments to the Texas Property Code, the Board of Directors of the Association adopts this Policy to be effective the 1st day of January, 2012. This Policy shall be recorded in the Official Public Records of Hays County, Texas and shall continue in effect until superseded or revoked by subsequent written instrument filed of record.

The Legislature has amended the requirements for the holding of elections by Property Owners Associations and the procedures for voting on issues presented to the members of such Associations. The purpose of this policy is to clarify the requirements for such election and voting. In the event of conflict between this Policy and applicable law, it is the intent of the Association that applicable law shall control.

Qualifications of Board Members

Any member of the Association may run for a place on the Board of Directors or serve as Director *except a person who has been convicted of a felony or crime involving moral turpitude who shall be permanently ineligible to serve as a Director. Evidence of such a conviction must be established by written, documented evidence from records maintained by a governmental law enforcement authority.*

The fact that a person is delinquent in the payment of monies owed to the Association or is currently in violation of a restrictive covenant applicable to members of the Association *shall not be a bar to running for or service on the Board of Directors of the Association.*

Voting Procedures

The fact that any Member of the Association is delinquent in the payment of monies owed to the Association or is currently in violation of a restrictive covenant applicable to members of the Association *shall not disqualify the Member from voting on any matter submitted to the Members of the Association*

Voting rights of a Member of the Association may be exercised in the following ways:

- (1) In person or by proxy at a meeting of the POA;
- (2) By absentee ballot in the manner provided by applicable law. The Association shall provide an absentee ballot which contains each proposed action and provides for a vote for or against each proposed action. The casting of an absentee ballot may be limited because if there are amendments to a proposed ballot item the absentee ballot will not be counted on the final vote on the measure;
- (3) By "electronic ballot". The casting of an electronic ballot may be limited because if there are amendments to a proposed ballot item the electronic ballot will not be counted on the final vote on the measure. An electronic ballot means a ballot given by email, facsimile or posting on an internet website established for that purpose *when the identity of the owner casting the ballot can be confirmed and the owner can receive a receipt of the electronic transmission and receipt of the owner's ballot. The Association shall send a notice of the posting of an electronic ballot to each Owner containing instructions on the procedure for obtaining access to the ballot.*

Ballots must be written and signed by the Member voting. Electronic ballots shall be deemed written and signed.



**FLAG DISPLAY REVIEW AND APPROVAL POLICY  
FOR  
THE KEY RANCH AT THE POLO CLUB HOMEOWNERS ASSOCIATION, INC.**

Pursuant to the provisions of new Texas Property Code Section 209.011, the Board of Directors of the Association adopts this Policy to be effective the 1<sup>st</sup> day of January 2012. This Policy shall be recorded in the Official Public Records of Hays County, Texas and shall continue in effect until superseded or revoked by subsequent written instrument filed of record.

The purpose of this policy is to provide for the timely and efficient review by the Association of applications for installation of certain "Flags" as defined herein, within the Key Ranch at the Polo Club subdivision and to establish guidelines for review and approval of applications to ensure compliance with the provisions of state law.

For the purpose of this Policy, "Flag" or "Flags" shall mean the following:

- (1) The flag of the United States of America;
- (2) The flag of the State of Texas;
- (3) An official or replica flag of any branch of the United States armed forces; and
- (4) Any other flag specifically referenced and allowed in restrictive covenants applicable to the subdivision.

Any flag approved as provided by applicable law and this policy shall be displayed in accordance with the following requirements:

- (1) The flag of the United States shall be displayed in accordance with 4 U.S.C. Sections 5-10;
- (2) The flag of the State of Texas shall be displayed in accordance with Chapter 3100, Texas Government Code;
- (3) Any other flag allowed by restrictive covenants applicable to the subdivision shall be appropriately displayed in a manner similar to the United States and/or Texas flag;
- (4) A flag pole attached to a dwelling (which may not exceed six feet (6') in length) or any freestanding flagpole shall be constructed of durable, long-lasting materials, with a finish appropriate to the materials and harmonious with the dwelling. The Association may establish reasonable rules which provide that a specified finish or finishes of a specified type or color shall be deemed to be allowed in all circumstances;
- (5) The display of any allowed flag and the location and construction of the associated flagpole must comply with any applicable zoning ordinances, easements and setbacks of record;
- (6) All displayed flags and the flagpole on which they are flown must be maintained in good condition and repair;
- (7) There may be no more than one flagpole per property upon which one or more allowed flags may be displayed;
- (8) The individual flags may not exceed 3 by 5 feet in size;
- (9) The single allowed flagpole shall not exceed twenty feet in height (if a freestanding flagpole) or six feet in length if the flagpole is attached to a dwelling;

Applications for approval of the installation and display of all flags subject to this Policy shall be submitted to the Association's Architectural Control Committee (the "Committee") in the same manner as applications for approval of other Improvements within the subdivision.

An application which meets all of the requirements set out herein shall be deemed approved by the Committee thirty (30) days from the date the Owner's application is received by the Association, unless the Committee notifies the Owner in writing within the thirty-day period that additional information is required



**PAYMENT PLAN GUIDELINE POLICY  
FOR  
THE KEY RANCH AT THE POLO CLUB HOMEOWNERS ASSOCIATION, INC.**

Pursuant to the provisions of Texas Property Code Section 209.0062, the Board of Directors of the Association adopts this Policy to be effective the 1st day of January, 2012. This Policy shall be recorded in the Official Public Records of Hays County, Texas and shall continue in effect until superseded or revoked by subsequent written instrument filed of record.

The Board of Directors hereby adopts the following reasonable guidelines to establish an alternative payment schedule by which an owner may make partial payments for delinquent regular or special assessments or other amounts to the Association, to-wit:

1. All payment plans must be in writing, signed by one or more owners of the property associated with the delinquent balance, approved by the signatures of the President of the Association and one additional Board member, and provide that the owner shall pay future assessments when due, in addition to any arrearage payment due under a payment plan;
2. To be qualified for a payment plan, an owner must not have failed to honor the terms of one previous payment plans in the two years prior to a request for a new payment plan;
3. No monetary penalties shall accrue on balances while a payment plan is in effect, but reasonable costs associated with administering the plan and interest shall continue to accrue;
4. Any qualified owner may submit a request for a payment plan that does not meet the foregoing guidelines, along with whatever information supporting the need for an alternate plan they wish the Board to consider, and the Board may approve or disapprove such payment plan, in its sole discretion; and,
5. If an owner who is not qualified to receive a payment plan asks for a payment plan, the Board shall be entitled to approve or disapprove a payment plan, in its sole discretion.

By his signature below, the Secretary of the Association certifies that the foregoing Policy was duly approved and adopted by the Board of Directors of the Association, the 10th day of November, 2011 and effective as of the date noted above.

Certification

I, the undersigned, do hereby certify:

THAT I am the duly authorized Secretary of the Key Ranch at the Polo Club Homeowners Association, a Texas non-profit corporation (the "Association") and, in such capacity, I have access to the records of the Association. The records reflect that the foregoing Policy of the Association was duly adopted by the Board of Directors of the Association on the 10<sup>th</sup> day of November, 2011.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 15<sup>th</sup> day of December, 2011.

Jack D. Angel  
Jack D. Angel, Secretary

ACKNOWLEDGMENT

STATE OF TEXAS )

COUNTY OF HAYS )

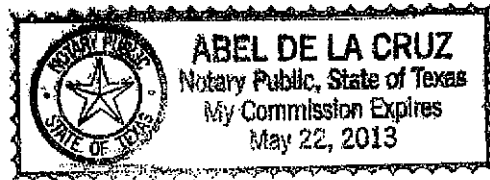
This instrument was acknowledged before me on this the 15 day of December, 2011 by Jack D. Angel, Secretary of the Board of Directors of the Key Ranch at the Polo Club Homeowners Association, a Texas non-profit corporation, on behalf of said corporation.

[Signature]

Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

Debra Harris, President  
The Key Ranch at the Polo Club Homeowners Association  
447 Winning Colors  
Austin, Texas 78737



RAINWATER COLLECTION SYSTEM REVIEW AND APPROVAL POLICY  
FOR  
THE KEY RANCH AT THE POLO CLUB HOMEOWNERS ASSOCIATION, INC.

Pursuant to the provisions of amended Texas Property Code Section 202.007, the Board of Directors of the Association adopts this Policy to be effective the 1st day of January, 2012. This Policy shall be recorded in the Official Public Records of Hays County, Texas and shall continue in effect until superseded or revoked by subsequent written instrument filed of record.

The purpose of this policy is to provide for the timely and efficient review by the Association of applications for installation of a "Rainwater Collection System" ("System") within the Key Ranch at the Polo Club subdivision and to establish guidelines for review and approval of applications to ensure compliance with the provisions of state law.

For the purpose of this Policy, "Rainwater Collection System" shall mean a system or series of mechanisms designed primarily to collect rainwater for subsequent use by the Owner on the Owner's property.

Applications for installation of any Rainwater Collection System shall be submitted to the Association's Architectural Control Committee (the "Committee") in the same manner as applications for approval of any other Improvement.

The System shall be reviewed by the Committee within thirty (30) days from the date of the Committee's receipt of the Owner's application unless the ACC notifies the Owner in writing within the thirty day period that additional information is required or that one or more standards have, in the opinion of the Committee, not been established.

The Committee may deny an application for, or impose reasonable restrictions on, the installation of a System that does not meet one or more of the required standards established by the Association. All committee findings shall be in writing.

An Owner shall be entitled to submit an application to the Association seeking approval for the installation of a rain barrel or rainwater harvesting system.

Any such system shall:

- (1) be of a color consistent, in the reasonable opinion of the ACC, with the color scheme of the property owner's home;
- (2) not display any language or other content that is not typically displayed on such barrel or system as it is manufactured;
- (3) shall not be located on property owned by the Association or on property owned in common by the members of the Association or located between the front of the property owners' home and an adjoining or adjacent street;
- (4) to the greatest extent reasonably possible, be located and/or shielded so as to minimize the visual impact of the installation on adjacent properties, lots and common areas;
- (5) shall be constructed of a non-reflective material; and
- (6) shall not exceed eight feet in height.





RECORDS RETENTION POLICY  
FOR  
THE KEY RANCH AT THE POLO CLUB HOMEOWNERS ASSOCIATION, INC.

Pursuant to the provisions of Texas Property Code Section 209.005(m), the Board of Directors of the Association duly adopts this Record Retention Policy to be effective the 1<sup>st</sup> day of January, 2012. This Policy shall be recorded in the Official Public Records of Hays County, Texas and shall continue in effect until superseded or revoked by subsequent written instrument filed of record.

- (1) Certificates of Formation/Articles of Incorporation, bylaws, restrictive covenants and all amendments to any of the same shall be retained permanently;
- (2) Financial books and records of the Association shall be retained for five years;
- (3) Account records of current owners shall be retained for five years;
- (4) Contracts to which the Association is a party shall be retained for four years after the expiration of the contract term;
- (5) Minutes of meetings of owners and the Board of Directors of the Association shall be retained for seven years; and
- (6) Tax returns and audit records shall be retained for seven years.

By his signature below, the Secretary of the Association certifies that the foregoing Policy was duly approved and adopted by the Board of Directors of the Association this 10th day of November, 2011 and effective as of the date noted above.

Certification

I, the undersigned, do hereby certify:

THAT I am the duly authorized Secretary of The Key Ranch at the Polo Club Homeowners Association, a Texas non-profit corporation (the "Association") and, in such capacity, I have access to the records of the Association. The records reflect that the attached Resolution of the Board of Directors of the Association was duly adopted by the Board of Directors of the Association on the 10th day of November, 2011.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 15<sup>th</sup> day of December, 2011.

Jack D. Angel  
Jack D. Angel, Secretary

**ACKNOWLEDGEMENT**

STATE OF TEXAS )

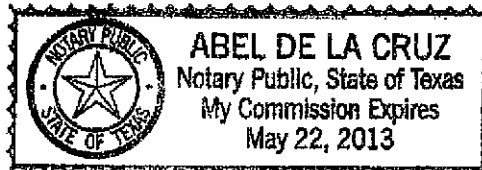
COUNTY OF HAYS )

This instrument was acknowledged before me on this the 15 day December 2011 by Jack D. Angel, Secretary of The Key Ranch at the Polo Club, a Texas non-profit corporation, on behalf of said corporation.

[Signature]  
Notary Public, State of Texas

**AFTER RECORDING, RETURN TO:**

Debra Harris, President  
The Key Ranch at the Polo Club Homeowners Association  
447 Winning Colors  
Austin, Texas 78737



RELIGIOUS ITEM DISPLAY REVIEW AND APPROVAL POLICY  
FOR  
THE KEY RANCH AT THE POLO CLUB HOMEOWNERS ASSOCIATION, INC.

Pursuant to the provisions of new Texas Property Code Section 202.018, the Board of Directors of the Association adopts this Policy to be effective the 1<sup>st</sup> day of January, 2012. This Policy shall be recorded in the Official Public Records of Hays County, Texas and shall continue in effect until superseded or revoked by subsequent written instrument filed of record.

The purpose of this policy is to provide for the timely and efficient review by the Association of applications for installation and display of one or more "Religious Items" ("Item") on the entry to the owner's or resident's dwelling within the Key Ranch at the Polo Club subdivision and to establish guidelines for review and approval of applications to ensure compliance with the provisions of state law.

For the purpose of this Policy, "Religious Item" shall mean an item, on the entry to the owner's or resident's dwelling, *the display of which is motivated by the owner's or resident's sincere religious belief.*

Applications for installation of any Religious Item shall be submitted to the Association's Architectural Control Committee (the "Committee") in the same manner as applications for approval of any other Improvement.

In considering applications for the installation and display of such items, the members of the Association's Architectural Control Committee (the "Committee") shall reasonably accept that all such applications are motivated by the sincere religious belief of the applicant.

The Committee may deny an application for approval which:

- (1) Threatens the public health or safety; or
- (2) Violates a law; or
- (3) Contains language, graphics, or any display that is patently offensive to a passerby of reasonable sensitivities; or
- (4) Is in a location other than the entry door or door frame or extends past the outer edge of the door frame of the owner's or resident's dwelling; or
- (5) Individually or in combination with other religious items displayed or to be displayed on the entry door or door frame has a total size of greater than 25 square inches.

An application for display of a Religious Item shall be deemed approved by the Committee thirty (30) days from the date of the Committee's receipt of the Owner's application unless the Committee notifies the Owner in writing within the thirty day period that additional information is required or that one or more standards have, in the opinion of the Committee, not been established.

The Committee may deny an application for, or impose reasonable restrictions on, the installation of Religious Items that do not meet one or more of the required standards. All committee findings shall be in writing.

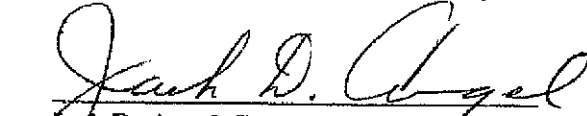
By his signature below, the Secretary of the Association certifies that the foregoing Policy was duly approved and adopted by the Board of Directors of the Association the 10th day of November, 2011 and effective as of the date noted above.

Certification

I, the undersigned, do hereby certify:

THAT I am the duly authorized Secretary of The Key Ranch at the Polo Club Homeowners Association, a Texas non-profit corporation (the "Association") and, in such capacity, I have access to the records of the Association. The records reflect that the foregoing Policy of the Association was duly adopted by the Board of Directors of the Association on the 10th day of November, 2011.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 15<sup>th</sup> day of December, 2011.

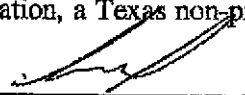
  
Jack D. Angel, Secretary

**ACKNOWLEDGEMENT**

STATE OF TEXAS )

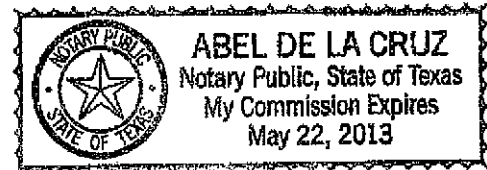
COUNTY OF HAYS )

This instrument was acknowledged before me on this the 15 day December 2011 by Jack D. Angel, Secretary of The Key Ranch at the Polo Club Homeowners Association, a Texas non-profit corporation, on behalf of said corporation.

  
Notary Public, State of Texas

**AFTER RECORDING, RETURN TO:**

DEBRA HARRIS, PRESIDENT  
THE KEY RANCH AT THE POLO CLUB HOMEOWNERS ASSOCIATION  
447 WINNING COLORS  
AUSTIN, TEXAS 78737



ROOFING MATERIALS REVIEW AND APPROVAL POLICY  
FOR  
THE KEY RANCH AT THE POLO CLUB HOMEOWNERS ASSOCIATION, INC.

Pursuant to the provisions of new Texas Property Code Section 202.011, the Board of Directors of the Association adopts this Policy to be effective the 1<sup>st</sup> day of January, 2012. This Policy shall be recorded in the Official Public Records of Hays County, Texas and shall continue in effect until superseded or revoked by subsequent written instrument filed of record.

The purpose of this policy is to provide for the timely and efficient review by the Association of applications for installation of certain Roofing Materials, as defined herein, within the Key Ranch at the Polo Club subdivision and to establish guidelines for review and approval of applications to ensure compliance with the provisions of state law.

For the purpose of this Policy, "roofing materials" shall mean shingles proposed to be installed on the roof of the Owner's home or authorized outbuilding located on the Owner's property within the subdivision, when the shingles meet the following standards:

- (1) They are designed primarily to:
  - (A) be wind and hail resistant;
  - (B) provide heating and cooling efficiencies greater than those provided by customary composite shingles; or
  - (C) provide solar generation capabilities; and
- (2) when installed:
  - (A) resemble the shingles used or otherwise authorized for use on property within the subdivision;
  - (B) are more durable than and are of equal or superior quality to the shingles provided in Paragraph (A); and
  - (C) match the aesthetics of the property surrounding the owner's property.

Applications for installation of such Roofing Materials shall be submitted to the Association's Architectural Control Committee (the "Committee") in the same manner as applications for approval of any other Improvement. The Committee may require that the Owner/applicant provide supporting documentation from the manufacturer of the shingle which establishes that the proposed installation meets the above described standards.

An application which meets all of the following conditions shall be deemed approved by the Committee thirty (30) days from the date of the Committee's receipt of the Owner's application unless the ACC notifies the Owner in writing within the thirty day period that additional information is required or that one or more standards have, in the opinion of the Committee, not been established.

The Committee may deny an application for, or impose reasonable restrictions on, the installation of roofing materials that do not meet one or more of the required standards. All committee findings shall be in writing.



**SOLAR ENERGY DEVICE REVIEW AND APPROVAL POLICY  
FOR  
THE KEY RANCH AT THE POLO CLUB HOMEOWNERS ASSOCIATION, INC.**

Pursuant to the provisions of new Texas Property Code Section 202.010, the Board of Directors of the Association adopts this Policy to be effective the 1<sup>st</sup> day of January, 2012. This Policy shall be recorded in the Official Public Records of Hays County, Texas and shall continue in effect until superseded or revoked by subsequent written instrument filed of record.

The purpose of this policy is to provide for the timely and efficient review by the Association of applications for installation of a "Solar Energy Device" ("SED") within the Key Ranch at the Polo Club subdivision and to establish guidelines for review and approval of applications to ensure compliance with the provisions of state law.

For the purpose of this Policy, "Solar Energy Device" shall mean a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power.

Applications for installation of any Solar Energy Device shall be submitted to the Association's Architectural Control Committee (the "Committee") in the same manner as applications for approval of any other Improvement.

An application which meets all of the requirements set out below shall be deemed approved by the Committee thirty (30) days from the date the Owner's application is received by the Association, unless the Committee notifies the Owner in writing within the thirty-day period that additional information is required or that one or more standards have, in the opinion of the Committee, not been properly established in the application.

If installed on the roof of the Owner's home, the SED, as installed is (1) located on the roof of the Owner's home, (2) the SED does not extend higher than or beyond the roofline, (3) the SED conforms to the slope of the roof, (4) the SED has a top edge that is parallel to the roofline, and (5) the SED has a frame, support bracket or visible wiring or piping that is in a silver, bronze or black tone commonly available in the marketplace.

If installed in a fenced yard or patio owned and maintained by the Owner, the SED as installed may not exceed the height of a fence which meets applicable height requirements in the governing documents of the Association or restrictive covenants applicable to the subdivision.

The Committee may deny an application for, or impose reasonable restrictions on, the installation of an SED that:

- (1) As adjudicated by a Court, threatens the public health or safety or violates a law;
- (2) Is located on property owned or maintained by the Association;
- (3) Is located on property owned in common by the members of the Association;

- (4) Is located in an area on the Owner's property other than the roof of the home or in a fenced yard or patio owned and maintained by the Owner;
- (5) Does not meet all requirements for installation of the SED on a roof or in a fenced yard or patio owned and maintained by the Owner as set out above;
- (6) Was installed without prior approval of the ACC; or
- (7) The ACC finds that placement of the SED as proposed will substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. The finding may not be made if the written approval of the proposed placement of the device by all property owners of adjoining property is provided by the Owner/applicant.

By his signature below, the Secretary of the Association certifies that the foregoing Policy was duly approved and adopted by the Board of Directors of the Association the 10th day of November, 2011, and effective as of the date noted above.

Certification

I, the undersigned, do hereby certify:

THAT I am the duly authorized Secretary of the Key Ranch at the Polo Club Homeowners Association, Inc., a Texas non-profit corporation (the "Association") and, in such capacity, I have access to the records of the Association. The records reflect that the foregoing Policy of the Association was duly adopted by the Board of Directors of the Association in the manner required by the governing documents of the Association on the 10th day of November, 2011 and to be effective as of the date set out above.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 15<sup>th</sup> day of December, 2011.

*Jack D. Angel*  
 Jack D. Angel, Secretary

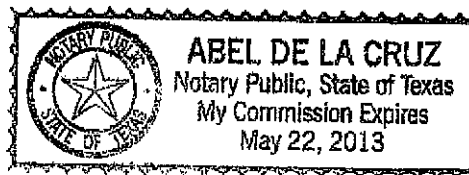
**ACKNOWLEDGEMENT**

STATE OF TEXAS                     )  
 COUNTY OF HAYS                    )

This instrument was acknowledged before me on this the 15 day of December, 2011 by Jack D. Angel, Secretary of The Key Ranch at the Polo Club Homeowners Association, a Texas non-profit corporation, on behalf of said corporation.

*[Signature]*  
 \_\_\_\_\_  
 Notary Public, State of Texas

**AFTER RECORDING, RETURN TO:**  
 Debra Harris, President  
 The Key Ranch at the Polo Club Homeowners Association  
 447 Winning Colors  
 Austin, Texas 78737





RECORD PRODUCTION AND COPYING POLICY  
FOR  
THE KEY RANCH AT THE POLO CLUB HOMEOWNERS ASSOCIATION, INC.

Pursuant to the provisions of Texas Property Code Section 209.005, the Board of Directors of the Association duly adopts this Record Production and Copying Policy to be effective the 1<sup>st</sup> day of January, 2012. This Policy shall be recorded in the Official Public Records of Hays County, Texas and shall continue in effect until superseded or revoked by subsequent written instrument filed of record.

Requests for Production of or Access to Books and Records

Books and Records of the Association shall be made available to the extent and in the manner provided by Texas Property Code Section 209.005. Certain Books and Records of the Association shall be confidential and are not subject to disclosure or production as provided by Texas Property Code Section 209.005 (k).

The Association shall make the books and records of the Association reasonably available for inspection (1) by an owner or (2) a person designated by the owner as the owner's agent, attorney or certified public accountant.

The books and records of the Association do not include an attorney's files related to the property owner's association except in the limited manner provided by Texas Property Code Section 209.005 (d).

An owner or owner's agent must submit a written request for access or information by certified mail to the Association at the mailing address of the Association or authorized representative found in the most current management certificate filed in the Official Public Records of the County. The written request must identify with sufficient detail the association books and records requested and the requestor must elect to either (1) inspect the books and records before obtaining copies or (2) have the association forward copies of the requested books and records.

The Association shall allow access to or provide copies of its books and records required by law to the extent that the requested books and records are in the possession, custody or control of the Association.

If access to the records is requested, the Association shall reply to the requestor within ten business days from the date that the written request is received by the Association. In its reply the Association shall give the requestor dates during normal business hours when the records may be reviewed.

If copies of identified books and records are requested, the Association shall produce the requested books and records within ten business days of the Association's receipt of the written request unless, on or before the tenth business day, the Association informs the requestor that the Association is unable to provide the requested books and records before the deadline and informs the requestor of a date when the books and records will be sent or made available for inspection. The date shall not be more than fifteen business days after the date that the notice to the requestor is sent.

All inspections shall take place at a mutually agreed upon time during normal business hours.

The Association may produce records in hard copy, electronic or other format reasonably available to the Association.

Costs for Production of Records

(a) Copy charge.

(1) Standard paper copy. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is \$.10 per page or part of a page. Each side that has recorded information is considered a page.

(2) Nonstandard copy. The charges in this subsection are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies, if applicable are:

(A) Diskette--\$1.00;

(B) Magnetic tape--actual cost

(C) Data cartridge--actual cost;

(D) Tape cartridge--actual cost;

(E) Rewritable CD (CD-RW)--\$1.00;

(F) Non-rewritable CD (CD-R)--\$1.00;

(G) Digital video disc (DVD)--\$3.00;

(H) JAZ drive--actual cost;

(I) Other electronic media--actual cost;

(J) VHS video cassette--\$2.50;

(K) Audio cassette--\$1.00;

(L) Oversize paper copy (e.g.: 11 inches by 17 inches, greenbar, bluebar, not including maps and photographs using specialty paper--See also §70.9 of this title)--\$.50;

(M) Specialty paper (e.g.: Mylar, blueprint, blueline, map, photographic--actual cost.

(b) Labor charge for locating, compiling, manipulating data, and reproducing information.

(1) The charge for labor costs incurred in processing a request for public information is \$15 an hour. The labor charge includes the actual time to locate, compile, manipulate data, and reproduce the requested information.

(2) A labor charge shall not be billed in connection with complying with requests that are for 50 or fewer pages of paper records, unless the documents to be copied are located in:

(A) Two or more separate buildings that are not physically connected with each other; or

(B) A remote storage facility.

(3) A labor charge shall not be recovered for any time spent by an attorney, legal assistant, or any other person who reviews the requested information:

(4) When confidential information is mixed with public information in the same page, a labor charge may be recovered for time spent to redact, blackout, or otherwise obscure confidential information in order to release the non-confidential information. A labor charge shall not be made for redacting confidential information for requests of 50 or fewer pages, unless the documents to be copied are located in:

(A) Two or more separate buildings that are not physically connected with each other; or

(B) A remote storage facility.

(5) For purposes of paragraph (2)(A) of this subsection, two buildings connected by a covered or open sidewalk, an elevated or underground passageway, or a similar facility, are not considered to be separate buildings.

(c) Overhead charge.

(1) Whenever any labor charge is applicable to a request, the Association may include in the charges direct and indirect costs, in addition to the specific labor charge. This overhead charge would cover such costs as depreciation of capital assets, rent, maintenance and repair, utilities, and administrative overhead. If the Association chooses to recover such costs, a charge shall be made in accordance with the methodology described in paragraph (3) of this subsection. Although an exact calculation of costs will vary, the use of a standard charge will avoid complication in calculating such costs and will provide uniformity for charges made statewide.

(2) An overhead charge shall not be made for requests for copies of 50 or fewer pages of standard paper records unless the request also qualifies for a labor charge.

(3) The overhead charge shall be computed at 20% of the charge made to cover any labor costs associated with a particular request. Example: if one hour of labor is used for a particular request, the formula would be as follows: Labor charge for locating, compiling, and reproducing, \$15.00 x .20 = \$3.00.

(d) Remote document retrieval charge.

(1) To the extent that the retrieval of documents results in a charge to comply with a request, it is permissible to recover costs of such services for requests that qualify for labor charges under current law.

(e) Miscellaneous supplies. The actual cost of miscellaneous supplies, such as labels, boxes, and other supplies used to produce the requested information, may be added to the total charge for public information.

(f) Postal and shipping charges. The Association may add any related postal or shipping expenses which are necessary to transmit the reproduced information to the requesting party.

(g) Miscellaneous charges: The Association that accepts payment by credit card for copies of public information and that is charged a "transaction fee" by the credit card company may recover that fee.

(h) The Association shall have the right to require advance payment of the estimated costs of compilation, production and reproduction of the requested information. If the estimated costs are greater or lesser than the actual costs the Association shall submit a final invoice to the requestor within 30 business days of the date that the information is delivered. If the estimated costs exceed the actual costs the Association shall refund the excess funds to the requestor not later than 30 business days after the final invoice is sent to the owner. If the actual costs exceed the estimated costs, the requestor shall pay the amount due to the Association before the 30<sup>th</sup> business day from the date that the invoice is sent to the requestor/owner. If not timely paid, the charges may be added to the owner's account as an assessment.

By his signature below, the Secretary of the Association certifies that the foregoing Policy was duly approved and adopted by the Board of Directors of the Association the 10<sup>th</sup> day of November, 2011 and effective as of the date noted above.

Certification

I, the undersigned, do hereby certify:

THAT I am the duly authorized Secretary of The Key Ranch at the Polo Club Homeowners Association, a Texas non-profit corporation (the "Association") and, in such capacity, I have access to the records of the Association. The records reflect that the foregoing Policy of the Association was duly adopted by the Board of Directors of the Association on the 10<sup>th</sup> day of November, 2011.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 15<sup>th</sup> day of December, 2011.

*Jack D. Angel*  
\_\_\_\_\_  
Jack D. Angel, Secretary

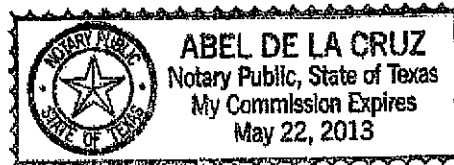
**ACKNOWLEDGEMENT**

STATE OF TEXAS                     )  
   )  
COUNTY OF HAYS                    )

This instrument was acknowledged before me on this the 15 day December 2011 by Jack D. Angel, Secretary of The Key Ranch at the Polo Club Homeowners Association, a Texas non-profit corporation, on behalf of said corporation.

*[Signature]*  
\_\_\_\_\_  
Notary Public, State of Texas

**AFTER RECORDING, RETURN TO:**  
Debra Harris, President  
The Key Ranch at the Polo Club Homeowners Association  
447 Winning Colors  
Austin, Texas 78737



THE KEY RANCH AT THE POLO CLUB HOMEOWNERS ASSOCIATION, INC.

Section 22.220 of the Texas Business Organizations Code provides that as authorized by the Certificate of Formation or Bylaws, any action required or permitted to be taken at any meeting of the Board of Directors may be taken without a meeting of the Board of Directors if a consent, in writing, setting forth the action so taken is signed by all members of the Board of Directors. Accordingly, pursuant to such statutory authority, the undersigned, being all of the Members of the Board of Directors of The Key Ranch at the Polo Club Homeowners Association, Inc. (the "Association"), hereby consent to the adoption of the following resolutions by consent of all Members of the Board of Directors as of effective date of this unanimous consent:

**RESOLUTIONS**

WHEREAS, by virtue of Article 5.04 (a) of the Third Amended and Restated Declaration of Covenants, Conditions and Restrictions for The Key Ranch at the Polo Club (the "Declaration"), the Board of Directors of the Association shall have the power and authority:

To make, establish and promulgate, and in its discretion to amend, or repeal and re-enact, THE KEY RANCH AT THE POLO CLUB RULES...not in conflict with this Declaration, as it deems proper covering any and all aspects of its functions.

WHEREAS, the Board of Directors of the Association has determined that the adoption of the following Rules fosters the safe and reasonable use of properties within the subdivision and is in the best interest of the Association and its members.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors that:

Resolution (I): Limitation on the Number of Animals. No animals shall be permitted on the Property except those normally considered household pets and lawfully permitted within applicable county and any municipal jurisdictional limits, except as otherwise provided in the Declaration 3.22. Only a total of four of any one species of animals (such as four (4) dogs or four (4) cats shall be allowed per Lot. In instances where an animal gives birth, this limit may be exceeded for a reasonable time, but not longer than eight (8) weeks. The limitation on the number of animals shall not include specially trained animals that serve as physical aides to disabled residents, regardless of the animal's size or type. For Lots of sufficient size where the Owners wish to keep a horse or horses, the number of horses shall be limited to one (1) per acre of undeveloped, usable land.

Resolution (II): Pool Yard Fencing. In order to provide for the safety of the members, residents and guests within the subdivision, the Board and the Architectural Control Committee do hereby adopt the following requirements:

(A) For all relevant purposes of this Section:

(1) "Pool" shall mean a permanent swimming pool, permanent wading or reflection pool, or permanent hot tub or spa over 18 inches deep, located at ground level, above ground, below ground, or indoors.

(2) "Pool yard" shall mean an area that contains a "pool".

(3) "Pool yard enclosure" or "enclosure" shall mean a fence, wall, or combination of fences, walls, gates, windows, or doors that completely surround a pool.

(B) The owner of a pool, as defined herein, constructed or installed outdoors on a Lot within The Key Ranch at the Polo Club subdivision shall enclose the facility within a pool yard fence in the manner prescribed by this section.

(C) The pool yard enclosure:

(1) must be at least four feet in height as measured from the ground on the side away from the pool.

(2) may include a fence, wall, or building;

(3) may not include an opening large enough to permit the passage of a four-inch diameter sphere.

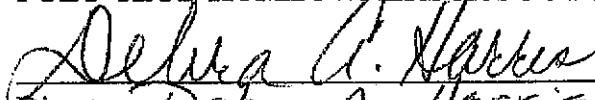
(D) Any gates installed within the pool yard enclosure shall have a self-closing and self-latching device and shall have hardware enabling it to be locked;


(E) Plans and specifications for all pool yard enclosures shall be submitted to and approved by the Association's Architectural Control Committee in accordance with the provisions of Article VI of the Declaration.

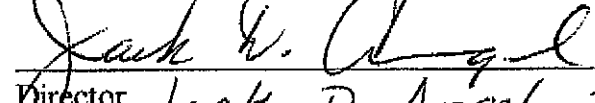
Resolution (III): Construction Deposit. The Board of Directors and the Architectural Control Committee have determined that it is in the best interests of the Association and its members for the Association to levy and collect a Construction Deposit in the amount of \$5,000.00 from all Owners who are constructing Improvements comprised of new construction, additions to existing construction and swimming pools and \$2,500.00 for construction of fencing, outbuildings, driveways and roadways within the subdivision, with the deposit being intended to ensure Owner (and builder) compliance with (1) the provisions of the Declaration, (2) the plans and specifications for the Improvements as approved by the Association's Architectural Control Committee and (3) to serve as a security deposit against damage to the Association's property or Common Areas resulting from construction activities. No construction may commence until the proposed Improvements have been approved in accordance with Article VI of the Declaration and the Owner has paid the required deposit to the Association. The Association shall, after making any required deductions, return the balance of the Construction Deposit to the Owner upon satisfactory completion of the construction project.

ADOPTED and Effective this 10th day of November, 2011.

BOARD OF DIRECTORS, KEY RANCH AT THE  
POLO CLUB HOMEOWNERS ASSOCIATION

  
Director Debra A. Harris, President

  
Director Marvin Sommerfeld, Vice Pres.

  
Director Jack D. Angel, Secretary/  
Treas.



## XERISCAPE STANDARDS

### FOR

## THE KEY RANCH AT THE POLO CLUB HOMEOWNERS ASSOCIATION, INC.

The Board of Directors and Architectural Control Committee of the Association adopts this Policy to be effective the 3rd day of June, 2020. This Policy shall be recorded in the Official Public Records of Hays County, Texas and shall continue in effect until superseded or revoked by subsequent written instrument filed of record.

Xeriscaping means using native and adaptive plants that can grow and sustain themselves in dry natural conditions. Xeriscapes should need little to no water other than what is naturally occurring and tolerate heat and drought conditions. Since the passage of TX SB198 in June 2013, HOAs must not unreasonably restrict homeowners who desire a landscape that saves water. Under this new law, the following xeriscape standards set guidelines for homeowners who decide to xeriscape in Key Ranch at the Polo Club (KR.)

The advantages of xeriscaping include:

- Substantial cost savings on water bills
- Conservation of diminishing water resources
- Prevention of pollution from environmentally harmful run-off
- Pride in knowing that you are protecting our fragile environment and limited resources
- Aesthetic beauty and increased homeowner options for plant material
- Appropriate habitat for wildlife and planting dichotomy

All homeowners who choose to use xeriscape landscaping are required to submit a landscape design plan to the Architecture Control Committee (ACC) for review and approval. This plan must designate the areas of the property into zones including xeriscape, hardscape, pasture and natural areas that will be undeveloped.

Xeriscaping Guidelines:

1. Street facing landscaping around main home: Under the xeriscaping guidelines, a perimeter of 50 feet should contain a turf grass, waterwise live ground cover, or both. Choose turf or ground cover that will survive in the amount of sun or shade it is situated in. The turf or ground cover must be maintained to a height of no greater than 6 inches tall.
2. Street facing landscaping around guest home(s): Under the xeriscaping guidelines, a perimeter of 20 feet around the guest home should contain a turf grass, waterwise live ground cover, or both. Choose turf or ground cover that will survive in the amount of sun or shade it is situated in. The turf or ground cover must be maintained to a height of no greater than 6 inches tall.
3. Live Turf/Ground Cover area around hardscapes: Under the xeriscaping guidelines, a perimeter of 3 feet on each side of any hardway should contain a turf grass, waterwise live ground cover, or both. Choose turf or ground cover that will survive in the amount of sun or shade it is situated in. The turf or ground cover must be maintained to a height of no greater than 6 inches tall.
4. Nonliving Ground Cover: Areas can contain decomposed granite, ground hardwood mulch, crushed limestone, flagstone, loose stone material, or other appropriate ornamental material for a ground cover that is maintained to prevent weed growth without using toxic or environmentally harmful chemicals. Large areas may not be composed of a single nonliving material, i.e. bare mulch/rock is not allowed unless interspersed with plants. Concrete surfaces should be limited to driveways, sidewalks, and patios only. Additionally, loose rock in the front lawn must not wash out onto the street. This may be prevented by ensuring that the rock level is lower than the curb or sidewalk.



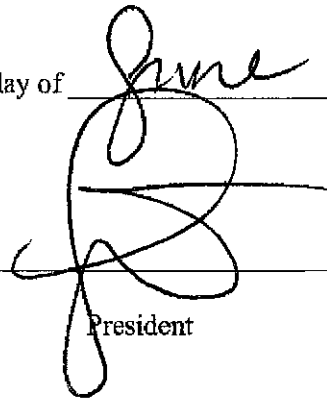
5. Approved xeriscaping plants: KR permits plants recommended by the Lady Bird Johnson Wildflower Center as approved water saving plants for Central Texas. A list of permitted plants can be found at: [http://www.wildflower.org/collections/printable.php?collection=TX\\_central](http://www.wildflower.org/collections/printable.php?collection=TX_central).
6. Plant Bed Borders: Areas must be bordered to define the xeriphytic planting beds clearly from turf or live groundcover areas.
7. Maintenance: Turf grass must be regularly mowed and edged to maintain a height of nor more than 6 inches. Xeriscaped areas must be maintained (plants kept trimmed, weeded, and borders edged) to ensure an attractive appearance. Perennials that go dormant in the winter should be cut back during the winter to look neat. No plants may encroach on public sidewalks. Sickly and dying plants must be removed or replaced. This can be prevented by using plants adapted to the pH soil conditions created by the non-turf materials used. For example, don't use acid-loving plants along with crushed limestone covering, whereas acid-loving plants would thrive with a ground hardwood mulch.
8. Safety: For public safety, no plant with thorns, spines, poisonous sap, or sharp edges can be used within 6' of the public access hardways. In addition, plants with toxic leaves or berries should be avoided.
9. Irrigation: Xeriscaped areas may have a drip irrigation system but not an active built-in irrigation system, unless it is a system that has been adapted to a drip system. A built-in irrigation system that is not adapted to drip defeats the purpose of xeriscaping, and is unlikely to achieve water conservation.

Certification

I, the undersigned, do hereby certify:

THAT I am the duly authorized President of the Key Ranch at the Polo Club Homeowners Association, a Texas non-profit corporation and, in such capacity, I have access to the records of the Association. The records reflect that the foregoing Policy of the Association was duly adopted by the Architectural Committee and Board of Directors of the Association on the 3<sup>rd</sup> day of June, 2020.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 5 day of June, 2020.

  
\_\_\_\_\_  
President

**ACKNOWLEDGEMENT**

STATE OF TEXAS

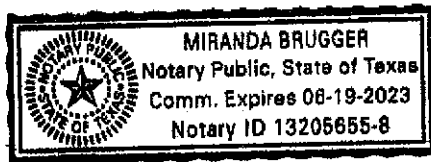
)

)

COUNTY OF HAYS

)

This instrument was acknowledged before me on the 5<sup>th</sup> day of June, 2020 by Michelle Coffey, President of the Key Ranch at the Polo Club Homeowners Association, a Texas non-profit corporation, on behalf of said corporation.



*M. Brugger*

Notary Public, State of Texas

**AFTER RECORDING, RETURN TO:**

Michelle Coffey, President  
The Key Ranch at the Polo Club Homeowners Association  
245 Winning Colors  
Austin, TX 78737

**CHICKEN APPROVAL VARIANCE STANDARDS  
FOR**

**THE KEY RANCH AT THE POLO CLUB HOMEOWNERS ASSOCIATION, INC.**

The Board of Directors and Architectural Control Committee of the Association adopts this Policy to be effective the 3rd day of June, 2020. This Policy shall be recorded in the Official Public Records of Hays County, Texas and shall continue in effect until superseded or revoked by subsequent written instrument filed of record.

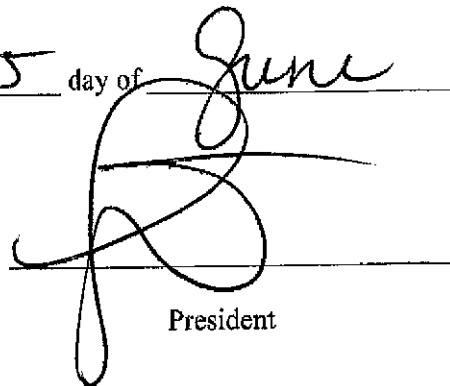
- All requests for chickens **MUST** be approved by the Architectural Control Committee (ACC) prior to placement on the property.
- If approved by the ACC, a CCR variance will be provided. This variance is for the applying HOA member only and does not transfer to future property owners/HOA members.
- Chickens can roam outside of the coop or run as long as they stay in the boundaries of a fenced in area, between 7 am and 10 pm
- If the chickens have a minimum of one acre of fenced in, contained pasture to graze, property owners may have a maximum of 20 chickens including one rooster. If the chickens have less than one acre to graze, the maximum allowed is 8 chickens including one rooster.
- If noise complaints are made to the ACC by any HOA member, the rooster must be removed from the property within 24 hours of notification by the ACC.
- The chickens may only be utilized as pets, and not for any commercial use involving the public outside of the HOA. This includes the sale of/breeding of chicks, the sale of eggs and/or sale for meat. Private sale of eggs to HOA members and your family/friends is permitted.
- The coop/dwelling must be at least 100 feet from the nearest neighboring property owner(s)' dwelling(s).
- Chickens must have a minimum of six sq. ft. per bird within the coop/dwelling.
- Sanitation and food must be addressed in a manner that prevents attraction of pests.
- The chicken's area(s) are subject to inspection from the HOA BOD or ACC members at any time, with 24 hours notice.
- Dead poultry must be properly disposed of on property via composting, incineration or adequate burial (that will not be dug up by predators), or, properly wrapped and sealed and placed in a bin for waste disposal pick up.

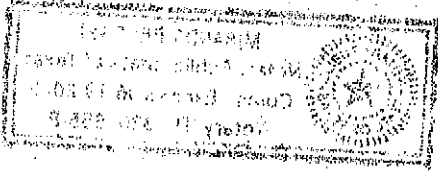
Certification

I, the undersigned, do hereby certify:

THAT I am the duly authorized President of the Key Ranch at the Polo Club Homeowners Association, a Texas non-profit corporation and, in such capacity, I have access to the records of the Association. The records reflect that the foregoing Policy of the Association was duly adopted by the Architectural Committee and Board of Directors of the Association on the 3<sup>rd</sup> day of June, 2020.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 5 day of June, 2020.

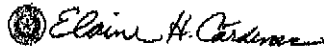
  
\_\_\_\_\_  
President



**THE STATE OF TEXAS  
COUNTY OF HAYS**

I hereby certify that this instrument was FILED on the  
date and the time stamped hereon by me and was duly  
RECORDED in the Records of Hays County, Texas.

**20027560 RESOLUTION**  
07/07/2020 10:20:49 AM Total Fees: \$42.00



Elaine H. Cardenas, MBA, PhD, County Clerk  
Hays County, Texas