



AFTER RECORDING RETURN TO:  
LAKE OF THE HILLS POA  
721 HILLSIDE DRIVE SPRING BRANCH, TX 78070

**LAKE OF THE HILLS WEST PROPERTY OWNERS ASSOCIATION  
ADDENDUM TO COMMUNITY MANUAL  
DOCUMENT#201106044473**

The undersigned hereby certifies that he/she is duly elected, qualified and acting Secretary of Lake of the Hills West Estates, Inc. Property Owners Association, a Texas non-profit corporation (the "Association"), and that this is a true and correct copy of the current (Addendum to the Community Manual) of the Association adopted by the Board of Directors of the Association.

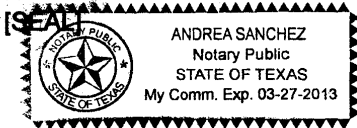
IN WITNESS WHEREOF, the undersigned has executed this certificate on the 30<sup>th</sup> day of December, 2011.

Clesta R. Lahey  
Clesta R. Lahey

STATE OF TEXAS

COUNTY OF Comal

This instrument was acknowledged before me on this 30<sup>th</sup> day of December, 2011, by Clesta R. Lahey, the Secretary of Lake of the Hills West POA. Inc., a Texas non-profit corporation, on behalf of said corporation



Andrea Sanchez

Notary Public Signature

The Community Manual controls over the provisions of the Restrictions and Bylaws to the extent the Restrictions and Bylaws include a provision that does not comply with the applicable law.

**ADDENDUM TO COMMUNITY MANUAL**  
**DOCUMENT #201106044473**  
**FILED AND RECORDED IN COMAL AND BLANCO COUNTIES**  
**LAKE OF THE HILLS WEST PROPERTY OWNERS ASSOCIATION**  
**A NONPROFIT CORPORATION**  
**COMAL COUNTY, TEXAS**

**Addendum One: Assessment Collection and Fine and Enforcement Policy**

HB #1228

- a. **Assessment and Collections**- Owners are not liable for fees that are contingent on if or how much the debt collector extracts from owner. Does not prevent deferred billing.
- b. **Foreclosure**- To foreclose, POA must use expedited foreclosure procedures to obtain a court order before POA conducts its sale, unless the owner waives such process. Owners can amend POA documents to add or remove foreclosure power with 67% approval. As a prerequisite to foreclosure, POA must give notice and 60 day opportunity to cure to holders of juniors liens secured by recorded deeds of trusts against the delinquent lot (s).
- c. **Payments**-Payments will be categorized into 6 categories by the POA, starting with delinquent and current assessments, followed by attorney's fees and fines. The exception to this is when an owner has a payment plan that is in arrears.
- d. **Lake of the Hills Property Owners Association Payment Structure**: All mandatory assessments and annual fees are due May 1<sup>st</sup>, the first day of the POA fiscal year. Property owners have the option of dividing payment into four equal payments. These payments are due May 1<sup>st</sup>, June 1<sup>st</sup>, July 1<sup>st</sup>, and August 1<sup>st</sup> of the fiscal year. Payment plan may be extended by POA and property owner; the exception to this is a property owner who has defaulted on a prior payment plan. Payment terms are from 3 to 18 months. Publicly recorded notices of delinquency or liens for nonpayment of assessments affecting title of property will be prepared by attorneys in the event that account becomes delinquent for nonpayment.

**Addendum Two: Statutory Notice of Posting and Recordation of Association Governance Documents, Notice of Annual Meetings, Elections and Voting, and Conduct of Board Meetings**

HB #1821 and HB #2761-SB472

- a. POA may not foreclose a debt consisting solely of fees charged for obtaining copies of POA records.
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- b. A declaration may be amended by 67% of votes, or any lower % stated in declaration.
- c. Dedicatory instruments are available on the POA website, if the POA has one at that time.
- d. Board Qualifications- When a director's term expires, he must stand for re-election. Essentially, board members must be re-elected and may not be automatically reelected without an election. Vacancies may be filled by appointment, but only for remainder of term. After which, he or she must be elected to the board. Any owner is eligible to run for a board position. If board received governmental evidence that a director has been convicted of certain crimes, the director is automatically removed and ineligible to serve again.
- e. Notice of Annual Meetings- The POA will call an annual meeting of members. This annual meeting will take place in January at specified date and time that is posted by POA on the website or via mail. If the POA board does not meet at this time, a committee of owners may call a special meeting, not an annual meeting, to elect directors. Notice of annual meetings will be provided a minimum of 10 days before and a maximum of 60 days before the annual meeting in January. Monthly meetings are open to all owners and will be posted by POA on website or community bulletin board by mail boxes.
- f. Voting at Annual Meetings- Secret ballots are not allowed and will not be accepted by the POA for elections. Ballots must be signed by owners unless uncontested election or electronic balloting. All property owners are mandatory members and have the right to vote at all annual meetings; this includes members who are in arrears.
- g. Request of Records- The POA will provide copies of any public records, transactions and minutes to property owner upon receipt of request in writing. Request must be mailed to 721 Hillside Drive Spring Branch, TX 78070. Request must be sent via certified mail with return receipt request. A fee of 20 cents a page for copies being requested will be charged and will be the responsibility of the owner to pay. Payment for requested documents must be included with original request by property owner to POA. Fees are subject to change at discretion of POA.

**Addendum Three: Solar Device and Energy Efficient Policy**

Hb#362

- a. Roofs- Owners may install roof shingles that are wind and hail resistant, energy efficient or solar generating, if quality and appearance are comparable to the subdivision standard.
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- b. Solar energy devices are permitted on lots or houses. Solar energy devices must be ACC approved and consistent with laws and standards set.

**Addendum Four: Rainwater Harvesting System Policy**

HB #3391

- a. Rain barrels-The POA will not stop an owner from installing a rainwater harvesting system on their property. The POA may regulate particular types of systems, such as color, size, and location.

**Addendum Five: Flagpole Display and Installation Policy**

HB #2779

- a. The POA will not stop an owner from flying a US, Texas or branch of US armed forces flag on their property. POA may regulate specific types of permitted rules, such as regulating the size, number, and location of flagpoles.

Filed and Recorded  
Official Public Records  
Joy Streater, County Clerk  
Comal County, Texas  
12/30/2011 10:21:23 AM  
CASHTHREE  
201106044742

**Addendum Six: Display of Certain Religious Items**

HB# 1278

POA will not stop property owners from installing certain religious items on the front door of residence if the display is motivated by the resident's sincere religious beliefs. Such displays are restricted in size to no more than 25 square inches and are subject to removal if deemed publicly offensive or illegal.



*Joy Streater*

**Addendum Seven: Protection of Owners in Military Service**

HB #1127

Property owners can assert and protect their rights as a member of the armed forces of the United States. If you or your spouse is serving in active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send a written notice of the active duty military service to the sender of this notice immediately.

If while on active duty the property owner receives a letter of violation from the POA the property owner may request a hearing under Section 2009.007 on or before the 30<sup>th</sup> day after the date the owner receives the notice; and the owner may have special rights or relief related to the enforcement action under federal law, including the Service Members Civil Relief Act (50 U.S.C. app. Section 501 et seq.), if the owner is serving on active military.