

AFFIDAVIT IN COMPLIANCE WITH TEX. PROP. CODE § 202.006

THE STATE OF TEXAS §
 §
COUNTY OF BEXAR §

BEFORE ME, the undersigned authority, on this day personally appeared RAJEEV PURI, who, being by me duly sworn according to law, stated the following under oath:

“My name is RAJEEV PURI. I am fully competent to make this Affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.

I am the President of Alturas Homeowners Association, Inc., a Texas nonprofit corporation (“Association”). I am also a custodian of the records for the Association and I have been authorized by the Association’s Board of Directors to sign this Affidavit.

The Association is a property owners’ association as that term is defined in *TEX. PROP. CODE § 202.001*. The Association’s jurisdiction includes, but may not be limited to, the property subject to: Declaration of Protective Covenants for Alturas at the Dominion, Planned Unit Development, as recorded in Volume 16540, Page 287 *et seq.*, of the Official Public Records of Bexar County, Texas (“Declaration”); and the Bylaws of Alturas Homeowners Association, Inc., recorded in Volume 18604, Page 1829 *et seq.*, of the Official Public Records of Bexar County, Texas (“Bylaws”).

Attached hereto are the originals of, or true and correct copies of, the following dedicatory instruments, including known amendments or supplements thereto, governing the Association, which instruments have not previously been recorded:


*Alturas Homeowners Association, Inc.
Resolution Adopting Policies:
Board Hearing Policy, Religious Display Policy, Security Measures Policy,
Email Registration Policy, and Association Contracts and Solicitation of Bids Policy*

The documents attached hereto are subject to being supplemented, amended or changed by the Association. Any questions regarding the dedicatory instruments of the Association may be directed to the Association at:

Alturas Homeowners Association, Inc.
300 East Sonterra Boulevard, Suite 250
San Antonio, Texas 78258

SIGNED on this the 16th day of October, 2021.

ALTURAS HOMEOWNERS ASSOCIATION, INC.

By: 
RAJEEV PURI
Title: President

ACKNOWLEDGMENT

THE STATE OF TEXAS §

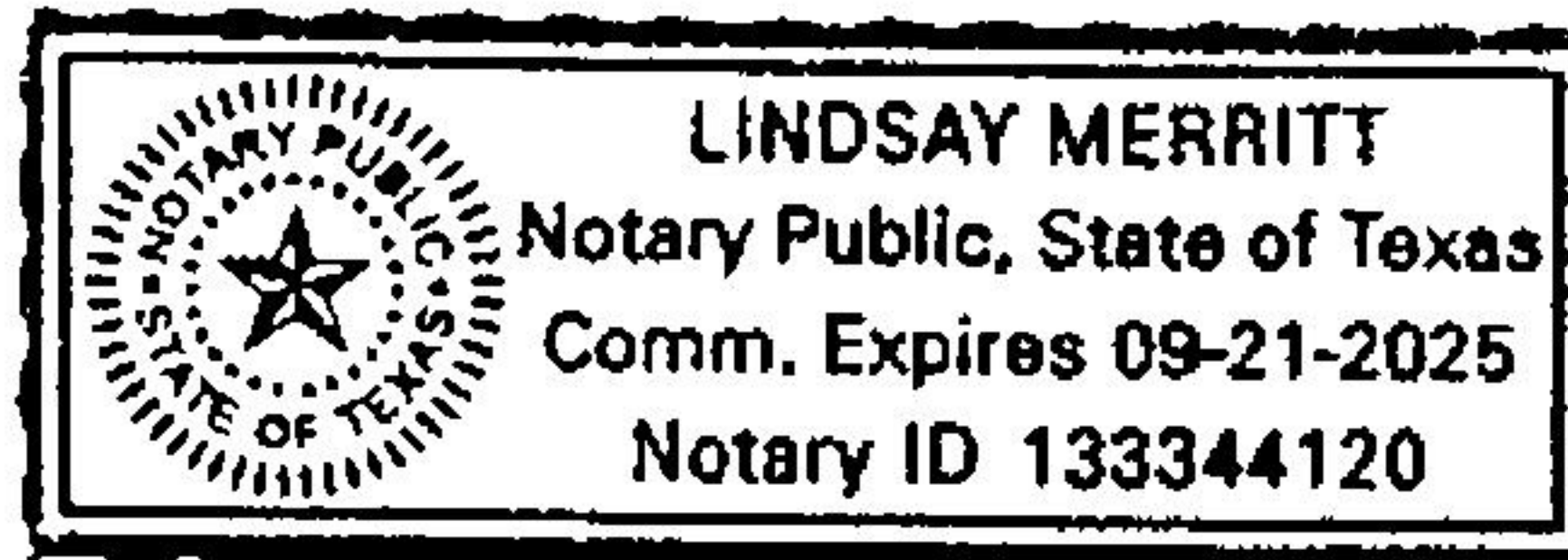
COUNTY OF BEXAR §

BEFORE ME, the undersigned authority, on this day personally appeared RAJEEV PURI, President of the ALTURAS HOMEOWNERS ASSOCIATION, INC., who, after being duly sworn, acknowledged and stated under oath that he has read the above and foregoing Affidavit and that every factual statement contained therein is within his personal knowledge and is true and correct.

ACKNOWLEDGED, SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this the 6th day of October, 2021.

Lindsay Merritt
NOTARY PUBLIC, STATE OF TEXAS

After Recording, Return To:
Michael B. Thurman
THURMAN & PHILLIPS, P.C.
4093 De Zavala Road
Shavano Park, Texas 78249
Phone: (210) 341-2020



**ALTURAS HOMEOWNERS ASSOCIATION, INC.
RESOLUTION ADOPTING POLICIES**

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BEXAR

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WHEREAS, the Board of Directors of Alturas Homeowners Association, Inc. (“Association”) is the established governing body the properties known as Alturas at the Dominion, a Planned Unit Development (“Alturas”) as identified in the Declaration of Protective Covenants for Alturas at the Dominion, Planned Unit Development, as recorded in Volume 16540 , Page 287 *et seq.*, of the Official Public Records of Bexar County, Texas; and all amendments, annexations and supplements thereto (collectively, “Declaration”); and the Bylaws of the Association (“Bylaws”); and

WHEREAS, in accordance with the duties and responsibilities imposed by the Declaration, the Bylaws and all policies, rules and regulations duly adopted by the Association (collectively, “Governing Documents”), the Board of Directors of the Association is charged with the duty of making, establishing and promulgating, in its discretion, policies, rules and regulations for the interpretation and enforcement of the Governing Documents for the use and enjoyment of properties in Alturas, including but not limited to, the common areas owned by the Association; and

WHEREAS, it has been determined by the Board of Directors that it is necessary to revise or adopt the policies attached hereto as Exhibit “A”.


THEREFORE, BE IT RESOLVED:

The Board Hearing Policy, Religious Display Policy, Security Measures Policy, Email Registration Policy, and Association Contracts and Solicitation of Bids Policy in the form attached hereto as Exhibit “A”, by a unanimous vote of the Board of Directors, were approved as to form and content and adopted for use by the Association.

This Resolution Adopting Policies is adopted this 6 day of October, 2021, by the Board of Directors of the Association and shall be effective when filed for record in the Official Public Records of Bexar County, Texas.

ALTURAS HOMEOWNERS ASSOCIATION, INC.

By:


Name: RABEEN PURA
Title: PRESIDENT/DIRECTOR
Member of the Board of Directors

**ALTURAS HOMEOWNERS ASSOCIATION, INC.
BOARD HEARING POLICY**

This Board Hearing Policy of Alturas Homeowners Association, Inc. (the "Association") was duly adopted on the 6th day of OCTOBER, 2021, setting forth certain policies of the Association in connection with the management of the Association and the properties known as Alturas at the Dominion, a Planned Unit Development ("Alturas") as identified in the Declaration of Protective Covenants for Alturas at the Dominion, Planned Unit Development, as recorded in Volume 16540 , Page 287 *et seq.*, of the Official Public Records of Bexar County, Texas; and all amendments, annexations and supplements thereto (collectively, "Declaration"), the Bylaws of the Association, and all policies, rules, and regulations duly adopted by the Association from time to time (collectively, "Governing Documents").

This Board Hearing Policy is adopted under the requirements of the TEX. PROP. CODE § 209.007 and § 209.00505 governing procedures for hearings before the Board of Directors ("Board") of the Association for violations of the Governing Documents or appeals of denials by an architectural review authority as defined by TEX. PROP. CODE § 209.00505. Any previously adopted policies regulating violation or architectural review authority appeal hearings before the Board are of no further force or effect.

The adoption of this Board Hearing Policy for the purposes stated herein is in compliance with the TEX. PROP. CODE § 202.006, requiring all property owners' associations to file all Governing Documents in the real property records of each county in which the Property to which the Governing Documents relate is located. This Board Hearing Policy shall become effective as of the date the Board Hearing Policy is filed in the Official Public Records of Bexar County, Texas.

Capitalized terms contained herein shall have the definitions as set forth in the Declaration, as applicable.

1. Right to Hearing. An Owner has a right to request a hearing before the Board, as follows, prior to enforcement actions concerning curable violations of the Governing Documents and to appeal decisions by the architectural review authority denying an Owner's application or request for the construction, alteration, or modification of an improvement. "Architectural Review Authority" (ARA) as used herein shall mean and refer to the governing authority for the review and approval of improvements within the subdivision.

A. An Owner has the right to submit a written request for a hearing to discuss and verify facts and resolve matters in issue related to a curable violation of the Governing Documents on or before the thirtieth (30th) day after the date written notice of the violation is mailed to the Owner in accordance with TEX. PROP. CODE § 209.006. Such notice and opportunity to request a hearing must be provided, as described herein, to the Owner prior to the Association:

- i. suspending an Owner's right to use common area;
- ii. filing a suit against an Owner other than a suit to collect regular or special assessments or foreclose under an Association's lien;
- iii. reporting any delinquency of an Owner to a credit reporting service;
- iv. charging an Owner for property damage; or
- v. levying a fine for a violation of the Governing Documents.

B. The right of an Owner to request a hearing to discuss a violation of the Governing

Documents does not apply if:

- i. the Association files a lawsuit seeking a temporary restraining order or temporary injunctive relief or files a lawsuit that includes foreclosure as a cause of action; or
- ii. the temporary suspension of an Owner's right to use common area is the result of a violation that occurred in a common area and involved a significant and immediate risk of harm to others in the subdivision.

C. An Owner who receives written notice of a decision by an ARA denying an application or request by the Owner for the construction of improvements, in accordance with TEX. PROP. CODE § 209.00505(d), has the right to request a hearing before the Board to appeal the decision on or before the thirtieth (30th) day after the date written notice of the denial is mailed to the Owner. This Subsection C does not apply:

- i. if the Association consists of forty (40) or fewer Lots; or
- ii. during the development period or during any period in which the Declarant:
 - a. appoints at least a majority of the members of the ARA or otherwise controls the appointment of the ARA; or
 - b. has the right to veto or modify a decision of the ARA.

2. Notice Requirements. The Association must provide an Owner written notice as follows prior to enforcement action, as described in Section 1(A), or upon denial by the ARA of an Owner's application or request for the construction, alteration, or modification of an improvement.

A. Notice of Enforcement Action. Prior to an enforcement action for a curable violation of the Governing Documents for which an Owner has not previously been given notice and an opportunity to exercise any rights available under TEX. PROP. CODE § 209.006 in the preceding six months, the Association must provide the Owner written notice by certified mail. The notice must:

- i. describe the violation or property damage that is the basis for the suspension action, charge, or fine and state any amount due the Association from the Owner;
- ii. provide a reasonable period to cure the violation if the violation is curable and does not pose a threat to public health or safety;
- iii. specify a date by which the Owner must cure the violation if the violation is curable and does not pose a threat to public health or safety;
- iv. advise the Owner is entitled to a reasonable period to cure the violation and avoid the fine or suspension if the violation is curable and does not pose a threat to public health or safety;
- v. advise the Owner may request a hearing in accordance with TEX. PROP. CODE § 209.007 on or before the thirtieth (30th) day after the date the notice was mailed to the Owner; and
- vi. advise that the Owner may have special rights or relief related to the enforcement action under Federal law, including the Servicemembers Civil Relief Act (50 U.S.C App. Section 501 et seq.) if the Owner is serving on active military duty.

B. Notice of Denial by Architectural Review Authority. A decision by the ARA denying an Owner's application or request for the construction, alteration, or modification of an improvement must be provided to the Owner by certified mail, hand delivery, or electronic delivery. The notice must:

- i. describe the basis for the denial in reasonable detail and changes, if any, to the application or improvements required as a condition to approval; and
- ii. inform that the Owner may request, on or before the thirtieth (30th) day after the date the notice was mailed to the Owner, a hearing before the Board.

3. Hearing Request. Upon receipt of a notice of violation or denial by the ARA as described in Section 2 herein, an Owner may submit a written request, on or before the thirtieth (30th) day after the date written notice was mailed to the Owner, for a hearing before the Board. An ARA hearing request shall state the Owner's basis for appeal and include any evidence supporting the appeal. All requests for a hearing must be mailed, hand delivered or electronically delivered to the Association's address on the most recently filed management certificate. The Owner should verify receipt by Association if no response is received within a reasonable timeframe.

4. Hearing Date and Notification. The Association shall hold a hearing not later than the thirtieth (30th) day after the date the Board receives the Owner's request for hearing and shall notify the Owner of the date, time, and place of the hearing not later than the tenth (10th) day before the date of the hearing. The Board or Owner may request a postponement, and, if requested, a postponement shall be granted for a period of not more than ten (10) days. Additional postponements may be granted by agreement of the parties. The Board of Directors may elect to conduct the hearing at a regular or a special called meeting with notice to the membership in accordance with TEX. PROP. CODE § 209.0051, as amended.

5. Prior to Enforcement Hearing.

A. Not later than ten (10) days before the Association holds a hearing for an enforcement action related to a curable violation of the Governing Documents as described in Section 1(A), the Association shall provide the Owner with an "evidence" packet containing all documents, photographs, and communications relating to the matter the Association intends to introduce at the hearing. The evidence packet shall be provided by mail, hand delivery or electronic delivery.

B. If the Association does not provide a packet within the period described in Section 4(A), the Owner is entitled to an automatic fifteen (15) day postponement of the hearing.

6. Enforcement Hearing. During an enforcement hearing as described in Section 1(A), a member of the Board or the Association's designated representative shall first present the Association's case against the Owner. An Owner or the Owner's designated representative is entitled to present the Owner's information and issues relevant to the appeal or dispute. If either party intends to make an audio recording of the meeting, notice of such intent shall be provided to the other party prior to the commencement of the hearing.

7. Architectural Review Authority Hearing. During an ARA hearing, the Board or the designated representative of the Association and the Owner or the Owner's designated representative shall each be provided the opportunity to discuss, verify facts, and resolve the denial of the Owner's application or request for the construction of improvements, and changes, if any, requested by the ARA in the notice provided to the Owner in accordance with TEX. PROP. CODE § 209.00505(d). If either party intends to

make an audio recording of the meeting, notice of such intent shall be provided to the other party prior to the commencement of the hearing. Only one hearing is required. However, a hearing may be suspended and reconvened at a later date by agreement of the parties.


The Board may affirm, modify, or reverse, in whole or in part, any decision of the ARA as consistent with the Governing Documents. Any decision by the Board shall be made at a regular or special meeting of the Board in open meeting for which prior notice was given. After a vote in an open meeting, the Board may issue a written decision. If the Board does not vote on the appeal within thirty (30) days of the date of the hearing, the appeal shall be considered denied.

CERTIFICATE OF OFFICER

The undersigned certifies that the foregoing Board Hearing Policy was duly approved and adopted by the Board of Directors of ALTURAS HOMEOWNERS ASSOCIATION, INC., on the 6th day of OCTOBER, 2021, and that the undersigned has been authorized by the Board of Directors to execute and record this instrument. The undersigned further certifies that the foregoing Board Hearing Policy constitutes a dedicatory instrument under TEX. PROP. CODE § 202.006 which applies to the operation of Alturas at the Dominion, a Planned Unit Development, a subdivision located in Bexar County, Texas, as hereinabove described.

Signed this 6th day of OCTOBER, 2021.

ALTURAS HOMEOWNERS ASSOCIATION, INC.

By: 
Name: TRASEEV PURI
Title: PRESIDENT

**ALTURAS HOMEOWNERS ASSOCIATION, INC.
RELIGIOUS DISPLAY POLICY**

This Religious Display Policy of Alturas Homeowners Association, Inc. (the "Association") was duly adopted on the 6th day of October, 2021, setting forth certain policies of the Association in connection with the management of the Association and the properties known as Alturas at the Dominion, a Planned Unit Development ("Alturas") as identified in the Declaration of Protective Covenants for Alturas at the Dominion, Planned Unit Development, as recorded in Volume 16540, Page 287 *et seq.*, of the Official Public Records of Bexar County, Texas; and all amendments, annexations and supplements thereto (collectively, "Declaration"), the Bylaws of the Association, and all policies, rules, and regulations duly adopted by the Association from time to time (collectively, "Governing Documents").

This Religious Display Policy is adopted under the requirements of the TEX. PROP. CODE § 202.018 for the adoption of a policy regulating the display of religious items at an Owner's or resident's property or dwelling by establishing statutory permitted rules, regulations and restrictions. Any previously adopted policies regulating the display of religious items are of no further force or effect.

The adoption of this Religious Display Policy for the purposes stated herein is in compliance with the TEX. PROP. CODE § 202.006, requiring all property owners' associations to file all Governing Documents in the real property records of each county in which the Property to which the Governing Documents relate is located. This Religious Display Policy shall become effective as of the date the Religious Display Policy is filed in the Official Public Records of Bexar County, Texas.

Capitalized terms contained herein shall have the definitions as set forth in the Declaration, as applicable.

1. General. An Owner or resident may, in accordance with the restrictions herein and with prior approval from the Association confirming compliance herewith, display or affix on the Owner's or resident's property or dwelling one or more religious items for which such display is motivated by the Owner's or resident's sincere religious belief ("Religious Displays").

2. Restrictions.

A. Religious Displays may not:

- i. threaten public health or safety;
- ii. violate any law other than a law prohibiting the display of religious speech; or
- iii. contain language, graphics, or any display that is patently offensive to a passerby for reasons other than its religious content.

B. Religious Displays may not be displayed or affixed:

- i. on property owned or maintained by the Association;
- ii. on property owned in common by members of the Association, such as a fence between adjacent properties owned by both property Owners, unless otherwise approved in writing by the common, non-displaying Owner;
- iii. in a location or way that violates an applicable building line, right-of-way,

setback, or easement; or

- iv. on a traffic control device, streetlamp, street sign or pole, fire hydrant, or utility sign, pole or fixture.

C. Religious Displays, including any lighting associated with such display, shall be confined to the Owner's or resident's property and shall not be a nuisance to other Association members. For any Religious Display which violates any applicable nuisance provision in the Governing Documents or law, the Owner or resident shall remove or modify the Religious Display to comply with such provision or law.

D. Any audio associated with or accompanying a Religious Display is prohibited.

E. Religious Displays should be maintained in a good condition at all times and in the same manner as is required for other improvements according to the Governing Documents.

3. Temporary Religious Displays. This Religious Display Policy shall apply to temporary Religious Displays or "decorations" (as commonly referred to as, or determined by, an ordinary person) associated with dates of religious significance. Such temporary Religious Displays or "decorations" shall also abide by applicable rules or regulations governing holiday displays or decorations, if any, so long as said rule or regulation does not prohibit a property Owner or resident from displaying or affixing on the Owner's or resident's property or dwelling one or more religious items the display of which is motivated by the Owner's or resident's sincere religious belief and does not violate the rules, regulations, and restrictions contained herein to the extent permitted by TEX. PROP. CODE § 202.018.

4. Removal of Religious Displays. Religious Displays placed on property owned by the Association including, but not limited to, common areas or on public property or affixed on a traffic control device, streetlamp, street sign or pole, fire hydrant, or utility sign, pole or fixture are declared to be abandoned trash at the time of placement and shall, unless prohibited by law, be removed and discarded by the Association without any liability or responsibility to the Owner. The Association, in its sole discretion, may retain the Religious Display for not less than fourteen (14) calendar days from the date the Religious Display is collected for retrieval by the Owner. Should the Owner not retrieve the Religious Display within the specified time period, the Religious Display shall be discarded.

5. Approval Required. Approval by the Association's Architectural Review Authority, as defined by TEX. PROP. CODE § 209.00505, shall be required for Religious Displays to ensure the Religious Display is not in violation of any of the restrictions contained herein.


[Signature page follows]

CERTIFICATE OF OFFICER

The undersigned certifies that the foregoing Religious Display Policy was duly approved and adopted by the Board of Directors of ALTURAS HOMEOWNERS ASSOCIATION, INC., on the 6th day of October, 2021, and that the undersigned has been authorized by the Board of Directors to execute and record this instrument. The undersigned further certifies that the foregoing Religious Display Policy constitutes a dedicatory instrument under TEX. PROP. CODE § 202.006 which applies to the operation of Alturas at the Dominion, a Planned Unit Development, a subdivision located in Bexar County, Texas, as hereinabove described.

Signed this 6th day of October, 2021.

ALTURAS HOMEOWNERS ASSOCIATION, INC.

By: 
Name: Rajeev Puri
Title: Manager

**ALTURAS HOMEOWNERS ASSOCIATION, INC.
SECURITY MEASURES POLICY**

This Security Measures Policy of Alturas Homeowners Association, Inc. (the "Association") was duly adopted on the 6th day of October, 2021, setting forth certain policies of the Association in connection with the management of the Association and the properties known as Alturas at the Dominion, a Planned Unit Development ("Alturas") as identified in the Declaration of Protective Covenants for Alturas at the Dominion, Planned Unit Development, as recorded in Volume 16540 , Page 287 *et seq.*, of the Official Public Records of Bexar County, Texas; and all amendments, annexations and supplements thereto (collectively, "Declaration"), the Bylaws of the Association, and all policies, rules, and regulations duly adopted by the Association from time to time (collectively, "Governing Documents").

This Security Measures Policy is adopted under the requirements of the TEX. PROP. CODE § 202.023 governing the regulation of security measures by an Association. Any previously adopted policies regulating security measures or devices are of no further force or effect.

The adoption of this Security Measures Policy for the purposes stated herein is in compliance with the TEX. PROP. CODE § 202.006, requiring all property owners' associations to file all Governing Documents in the real property records of each county in which the Property to which the Governing Documents relate is located. This Security Measures Policy shall become effective as of the date the Security Measures Policy is filed in the Official Public Records of Bexar County, Texas.

Capitalized terms contained herein shall have the definitions as set forth in the Declaration, as applicable.

1. General. An Owner may, in accordance with the restrictions herein, build or install security measures on their private property. "Security Measure" as that term is used herein may include, but is not limited to: security cameras and associated signal transmission and recording equipment; motion detectors and associated devices (e.g., lights or cameras); and perimeter fences.

2. Restrictions.

A. Security cameras may be installed only on the Owner's private property. Cameras may be directed toward and record any portion of the Owner's private property and adjacent public areas such as a street, sidewalk, or greenbelt. Cameras may not be directed toward or record the private property of a neighboring or adjacent Lot Owner.

B. Motion detectors may be installed only on the Owner's private property to detect motion on the Owner's private property or adjacent public areas such as a street, sidewalk, or greenbelt. Motion detectors shall not be positioned to detect motion on the private property of a neighboring or adjacent Lot Owner.

C. Accessory devices such as lights, alarms, or other sound generating devices connected to a motion detector shall not be a nuisance to other Association member(s). Any light or sound activated by a motion detector shall be confined to the Owner's property (e.g., no light shall be directed at a window of a neighboring residence) and shall not be of a brightness, volume, or intensity that may be deemed a nuisance by a reasonable person with normal sensitivities and shall turn off after a reasonable amount of time. A motion detector must not be used to activate any device which could cause physical harm to persons or animals.

D. Perimeter fences may be installed on an Owner's property. "Perimeter fence" means any fence, wall or similar barrier located on, along, parallel to and/or near the perimeter boundaries of the property, notwithstanding any applicable improvement setback. Any such perimeter fence must comply with the requirements pertaining to the type of fencing as may be established by the Association's Architectural Review Authority ("ARA"), as defined by TEX. PROP. CODE § 209.00505.

E. Any perimeter fence that crosses over a drainage easement, ditch, culvert or natural drainage area must be:

- i. constructed such that it does not significantly interfere with the flow of water or drainage; and
- ii. compliant with all federal, state, county, and city regulations.

F. Lighting may be used as a Security Measure. Any such lighting shall be confined to the Owner's property and minimize spillover to adjacent properties, public areas and common areas. Spillover may be minimized with placement, screening and shielding on the fixture. All exterior lighting must be of a type and design permitted by the Association's Governing Documents.

G. Any Security Measure built or installed on a property Owner's Lot must comply with all applicable federal and state laws and local ordinances.


3. Approval Required. All new or modified Security Measures must be submitted to, and approved by, the Association's ARA prior to the commencement of construction or the installation of any Security Measure.

CERTIFICATE OF OFFICER

The undersigned certifies that the foregoing Security Measures Policy was duly approved and adopted by the Board of Directors of ALTURAS HOMEOWNERS ASSOCIATION, INC., on the 6th day of October, 2021, and that the undersigned has been authorized by the Board of Directors to execute and record this instrument. The undersigned further certifies that the foregoing Security Measures Policy constitutes a dedicatory instrument under TEX. PROP. CODE § 202.006 which applies to the operation of Alturas at the Dominion, a Planned Unit Development, a subdivision located in Bexar County, Texas, as hereinabove described.

Signed this 6th day of October, 2021.

ALTURAS HOMEOWNERS ASSOCIATION, INC.

By: 
 Name: Rajeev Pun
 Title: Manager

**ALTURAS HOMEOWNERS ASSOCIATION, INC.
EMAIL REGISTRATION POLICY**

This Email Registration Policy ("Email Registration Policy") of Alturas Homeowners Association, Inc. (the "Association") was duly adopted on the 6th day of OCTOBER, 2021, setting forth certain policies of the Association in connection with the management of the Association and the properties known as Alturas at the Dominion, a Planned Unit Development ("Alturas") as identified in the Declaration of Protective Covenants for Alturas at the Dominion, Planned Unit Development, as recorded in Volume 16540, Page 287 *et seq.*, of the Official Public Records of Bexar County, Texas; and all amendments, annexations and supplements thereto (collectively, "Declaration"), the Bylaws of the Association, and all policies, rules, and regulations duly adopted by the Association from time to time (collectively, "Governing Documents").

This Email Registration Policy is adopted under the requirements of TEX. PROP. CODE § 209.0042 for the adoption of a policy for the registration of email addresses of Members requesting notice of meetings of the Association or the Board of Directors of Association and other business of the Association requiring notice to Members.

The Policy for email registration of an Association Member is as follows:

1. All Members of the Association are entitled to receive notices of:

- A. The date, hour, place and general subject of a regular or special Association and Board meeting, including a general description of any matter to be brought up for deliberation in executive session;
- B. An election of the Board of Directors;
- C. Any vote to be taken at a meeting or otherwise of the Members of the Association;
- D. Before the Association may suspend a Member's right to use of a common area, file a suit against a Member other than a suit to collect Annual or Special Assessments or foreclose under an Association's lien, charge a Member for property damage, or levy a fine for a violation of the Declaration or Bylaws and any policies and rules of the Association
- E. The sale of the Member's property at a foreclosure sale advising of the date and time of sale and the Member's right to redeem the property; and
- F. such other matters or actions of the Association pursuant to TEX. PROP. CODE Chapter 209.

2. To receive email notices, a Member of the Association shall register the Member's email address with the Association by completing and delivering the Promulgated Email Registration Form in person, by certified mail, return receipt requested or first-class mail to:

Alturas Homeowners Association, Inc.
300 East Sonterra Boulevard, Suite 250
San Antonio, Texas 78258

Or

Return Registration Form by email to: AHC.Info@associa.us

3. By submitting an email registration form, the Member is affirmatively opting to allow the Association to use the alternative method of providing notice to provide to the Member notices for which another method is prescribed by law.

4. The Association shall provide a receipt of registration of the Member's email address by email within ten (10) days of receipt of the Promulgated Email Registration Form. If Member fails to receive a receipt within ten (10) days, Member shall notify Association of the failure to receive the receipt. If the receipt is not delivered to Member by Association, the presumption shall be Association does not have a valid registered email address. Proof of delivery of the Promulgated Email Registration Form shall be the responsibility of the Member of the Association. If the Member of the Association can produce no evidence of delivery, the failure to do so shall be evidence per se that registration by the Member of the Association was not completed as required herein and the Association shall have no duty to deliver an email notice pursuant to the Policy or otherwise.

5. No other form of email registration shall be accepted by the Association for the purpose of notices regardless of whether said email address has been used for communications to or from the Association previously.

6. It is the Member of the Association's duty to keep an updated email address registered with the Association for purposes of notification of Board of Directors meetings. To change or update an email address the member of the Association must submit a new Promulgated Email Registration Form.

7. This Policy is effective upon recordation in the Public Records of Bexar County, Texas. Except as affected by TEX. PROP. CODE § 209.0042, all other provisions contained in the Association's Governing Documents or dedicatory instruments shall remain in full force and effect.


[Signature page follows]

OFFICER'S CERTIFICATE

I hereby certify, that the foregoing Email Registration Policy was duly approved and adopted by the Board of Directors of ALTURAS HOMEOWNERS ASSOCIATION, INC., on the 6th day of OCTOBER, 2021, and that the undersigned has been authorized by the Board of Directors to execute and record this instrument. The undersigned further certifies that the foregoing Email Registration Policy constitutes a dedicatory instrument under TEX. PROP. CODE § 202.006 which applies to the operation of Alturas at the Dominion, a Planned Unit Development, a subdivision located in Bexar County, Texas, as hereinabove described.

Signed this 6th day of OCTOBER, 2021.

ALTURAS HOMEOWNERS ASSOCIATION, INC.

By: 
Name: TRAVIS PURA
Title: PRESIDENT

**ALTURAS HOMEOWNERS ASSOCIATION, INC.
ASSOCIATION CONTRACTS AND SOLICITATION OF BIDS POLICY**

This Association Contracts and Solicitation of Bids Policy of Alturas Homeowners Association, Inc. (the "Association") was duly adopted on the 6th day of OCTOBER, 2021, setting forth certain policies of the Association in connection with the management of the Association and the properties known as Alturas at the Dominion, a Planned Unit Development ("Alturas") as identified in the Declaration of Protective Covenants for Alturas at the Dominion, Planned Unit Development, as recorded in Volume 16540 , Page 287 *et seq.*, of the Official Public Records of Bexar County, Texas; and all amendments, annexations and supplements thereto (collectively, "Declaration"), the Bylaws of the Association, and all policies, rules, and regulations duly adopted by the Association from time to time (collectively, "Governing Documents").

This Association Contracts and Solicitation of Bids Policy is adopted under the requirements of the TEX. PROP. CODE § 209.0052 governing Association contracts and for the adoption of a bid solicitation process for use by the Association in contracting for services over \$50,000. Any previously adopted policies or other Governing Documents setting forth requirements for Association contracts or a bid solicitation process are of no further force or effect.

The adoption of this Association Contracts and Solicitation of Bids Policy for the purposes stated herein is in compliance with the TEX. PROP. CODE § 202.006, requiring all property owners' associations to file all Governing Documents in the real property records of each county in which the Property to which the Governing Documents relate is located. This Association Contracts and Solicitation of Bids Policy shall become effective as of the date the Association Contracts and Solicitation of Bids Policy is filed in the Official Public Records of Bexar County, Texas.

Capitalized terms contained herein shall have the definitions as set forth in the Declaration, as applicable.

1. Association Contracts.

A. The Association may enter into an enforceable contract with a current Association Board member, a person related to a current Association Board member within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code, a company in which a current Association Board member has a financial interest in at least 51 percent of the profits, or a company in which a person related to a current Association Board member within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code, has a financial interest in at least 51 percent of profits only if the following conditions are satisfied:

- i. the Board member, relative, or company bids on the proposed contract and the Association receives at least two other bids for the contract from persons not associated with the Board member, relative, or company, if reasonably available in the community;
- ii. the Board member:
 - a. is not given access to the other bids;
 - b. does not participate in any Board discussion regarding the contract; and
 - c. does not vote on the award of the contract;

- iii. the material facts regarding the relationship or interest with respect to the proposed contract are disclosed to or known by the Association Board and the Board, in good faith and with ordinary care, authorizes the contract by an affirmative vote of the majority of the Board members who do not have an interest governed by this Section 1; and
- iv. the Association Board certifies that the other requirements of this Section 1 have been satisfied by a resolution approved by an affirmative vote of the majority of the Board members who do not have an interest governed by this subsection.

B. Should the Association propose to contract for services that will, based on the Board of Directors' reasonable and anticipated projections, cost more than \$50,000, the Association shall use the bid solicitation procedure as outlined in Section 2 herein. The Board of Directors may, but is not obligated, to abide by this Association Contracts and Solicitation of Bids Policy when engaging in contracts for services which cost \$50,000 or less. For multi-phased project services comprised of dependent and related phases, the total estimated cost of all phases of the project shall be used to determine whether a contract will exceed \$50,000. For multi-phased projects comprised of independent but related phases, each phase shall be considered individually when determining whether Section 2 applies. For recurring contracted services, the cost shall be based on the annual cost for such service.

C. Regardless of the amount of a contract for goods or services, the Association shall comply with the standard of conduct and ethical principles as outlined in Section 1(A) and all applicable state and federal laws governing nonprofit and charitable organization contracts.

2. Bid Solicitation Procedure.

A. Prior to contracting for services in which the cost will exceed \$50,000, the Board of Directors of the Association, or its authorized agent, shall send out a request for proposals (RFPs) or solicitation document to prospective vendors that includes at least:

- i. a description of the service(s) sought;
- ii. the criteria that a vendor's submission must address in order to be considered by the Association;
- iii. the requirements to qualify, if any;
- iv. a list of required documents, if any;
- v. any restrictions on performance, if any;
- vi. a deadline for submission;
- vii. instructions on how and/or where to submit proposals; and
- viii. contact information for the Association or its authorized agent.

The Board of Directors may, in its sole discretion, determine the solicitation materials that are appropriate for a procurement and the manner in which they are prepared and, therefore, may request additional information as it deems necessary.

B. The Board of Directors shall make every effort to obtain at least two proposals or bids. If the service sought is of a specialized nature or in a specialized industry where potentially

qualified persons are difficult or burdensome to ascertain, the Board of Directors may recruit potential, qualified vendors and award such contract to a single vendor even though less than two proposals or bids may have been obtained. However, in such case, the Board of Directors shall include in their Board meeting minutes a description of the efforts to obtain competitive bids or the reason the Board of Directors could not obtain competitive bids. This subsection shall not apply to an Association contract subject to the requirements of Section 1 above.

C. Upon receipt of the requested proposals or bids, the Board of Directors shall review the proposals or bids; identify qualified applicants; engage in any written or oral discussions with qualified applicants, if needed; and request any additional information from qualified applicants. Any interested Board member, as described in Section 1(A), shall recuse himself/herself from discussions unless requested otherwise by other Board members and shall not vote on the contract. Any contract discussions occurring at a Board meeting may be done in executive session.

D. The Board of Directors shall, in its sole discretion and using its best judgment, determine the applicant or vendor that is best qualified to meet the Association's needs and need not necessarily award a contract to the lowest bidder. A contract shall be awarded by the affirmative vote of a majority of the Board members, excluding any member who has a direct or indirect financial interest in any business or entity or with any individual associated with such business or entity which shall benefit financially from the contemplated contract.

E. The Board of Directors shall notify the applicant or vendor in writing of its decision and intent to contract and shall proceed with contract negotiation and/or procurement.

CERTIFICATE OF OFFICER

The undersigned certifies that the foregoing Association Contracts and Solicitation of Bids Policy was duly approved and adopted by the Board of Directors of ALTURAS HOMEOWNERS ASSOCIATION, INC., on the 6th day of OCTOBER 2021, and that the undersigned has been authorized by the Board of Directors to execute and record this instrument. The undersigned further certifies that the foregoing Association Contracts and Solicitation of Bids Policy constitutes a dedicatory instrument under TEX. PROP. CODE § 202.006 which applies to the operation of Alturas at the Dominion, a Planned Unit Development, a subdivision located in Bexar County, Texas, as hereinabove described.

Signed this 6th day of OCTOBER, 2021.

ALTURAS HOMEOWNERS ASSOCIATION, INC.

By: [Signature]
Name: TRAEVY PURS
Title: PRESIDENT

File Information

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
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Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 12/6/2021 9:02 AM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk