

BOARD OF DIRECTORS

Legends Trace Homeowners Association, Inc

ARCHITECTURAL REVIEW AUTHORITY POLICY AND CHARTER

Texas Senate Bill 1588 requires an association to form an Architectural Review Authority (ARA). The ARA is defined as the governing authority for the review and approval of improvements within an association which pre-empts any previous committee or procedure provided for in an association's governing documents.

An ARA is not required for associations with less than 40 lots and does not apply during a development period.

The Board of Directors of the Legends Trace Homeowners Association, Inc ("Association") hereby adopts the following policy, resolution, and guidelines:

1. The ARA shall operate using the ARA Charter.
1. A person may not be appointed or elected to serve on the ARA if the person is:
 - a. A current board member
 - b. A current board member spouse
 - c. A resident in a current board member's home
2. A decision made by the ARA may be appealed to the board
3. A written denial must be sent to the owner by certified mail, hand delivery, or electronically. The denial and hearing process will be followed as outlined in the ACC Denial and Appeal Policy.

ARCHITECTURAL REVIEW AUTHORITY CHARTER

Authority Membership: Three (3) non board member, non-board home resident association member

Term of Office: One (1) year from date of appointment. Each and any of the ARC Member's term may be renewed for another year by the then current Board.

Purpose: The purpose of the Architectural Review Authority (ARA) is to consider and act upon any and all Applications, plans and specifications submitted for structural improvement, alteration or addition to the submitting homeowner's property.

Duties:

- ARA shall consider and act upon any and all plans and specifications submitted for approval.
- ARA shall approve an Application if it is deemed by a majority of the Committee Members that the construction, alteration or addition is in compliance with the deed restrictions and guidelines outlined in the association governing documents, policies, and regulations.
- ARA shall approve an Application provided that the upkeep and maintenance of the proposed change or improvement will not become a burden on the association.

- ARA shall notify the Applicant that he/she has a right to appeal a denied Application directly to the Board.
- ARA may inspect approved improvements once completion occurs.
- ARA may condition or approve with stipulation its Application approval upon any or all of the following as may be appropriate:

- (1) Changes or additions to the Application which ARA deems appropriate in order to approve the Application;
- (2) Security acceptable to the Corporation against a mechanic's lien or other encumbrance;
- (3) Agreement to grant an easement to the Corporation for required maintenance, if warranted;
- (4) Agreement to install at the Applicant's sole cost water, gas, electrical or other utility meters to measure any increased consumption, if warranted;
- (5) Agreement to reimburse the Corporation for any maintenance cost the Corporation may incur as a result of the improvement;
- (6) Agreement to complete the proposed work within a stated period of time.

Authority

- ARA will receive and review architectural plan submissions from members requesting improvements, modifications and/or alterations to any portion of any Separate Interest which may be subject to architectural approval as provided for in the association's Governing Documents.
- ARA shall consider an Application complete when it has received all plans, specifications, materials and any other requested information necessary to properly review the Application.
- ARA shall notify the Applicant of ARA's decision to approve or deny the Application within thirty (30) days receipt of a completed application.
- If the Applicant fails to respond to ARA's request for additional information within thirty (30) days from ARA's written request for such information, ARA may close its file and notify the Applicant that the Application is denied based on incompleteness.
- ARA may recommend a variance from compliance, including restrictions on height, size, floor area or placement of structures when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations apply.
- ARA may monitor the community on a quarterly basis to detect improvements made or in process of completion since the last inspection. If an ARC Application has not been received or a general variance has not been approved previously, the ARA can notify the board and/or managing agent of the violation. The board or managing agent will notify the owner.
- ARA shall not take any enforcement action, e.g., assess a fine, request a homeowner hearing or other action without prior Board Approval.
- ARA shall maintain detailed records of all submissions, reviews and correspondences.

- ARA to schedule, notice, and hold Meetings as may be necessary to facilitate any and all functions of the Authority as outlined by this Charter and/or as requested and/or approved by the Board of Directors.
- ARA to record, Draft and submit copies of the Minutes of any meeting(s) to the Board of Directors for review and approval of placement into the association's Book(s) of Minutes.
- ARA to recruit, interview and submit volunteer recommendations to the Board of Directors for appointment of additional Authority Members as may be necessary to the Authority and its needs.
- ARA to provide an annual review and recommendation report to the Board of Directors as it may relate to the Authority's activities and actions of the prior year. Report shall also outline any requests for funding which are anticipated as necessary for the continuing function of the Authority. This report shall be submitted to coincide with Budget preparation and approval. Generally, no later than August 1st of any fiscal year.
- At no time shall the Authority or its individual Members have authorization to interfere with, direct or otherwise control any actions or procedures as they may relate to a Member's vendor(s) or their contracts.

Reporting Procedure:

The Authority shall report directly to the Board of Directors and applying Members through the management company.

ARC Committee Members shall receive no compensation for services rendered, other than Board approved reimbursement for expenses incurred in the performance of duty.

Owners have the right to a hearing to appeal the decision by the ARA. Please refer to the association's adopted ACC Denial and Appeal Policy.



CERTIFICATION

"I, the undersigned, being a Director of the Legends Trace Homeowners Association, Inc, hereby certify that the foregoing was adopted by at least a majority of Legends Trace Homeowners Association, Inc board of directors, at an open and properly noticed meeting of the board, at which a quorum of the board was present."

Print name: Brandon Cron

Title: Board President

Signature: _____



ACKNOWLEDGEMENT

STATE OF TEXAS

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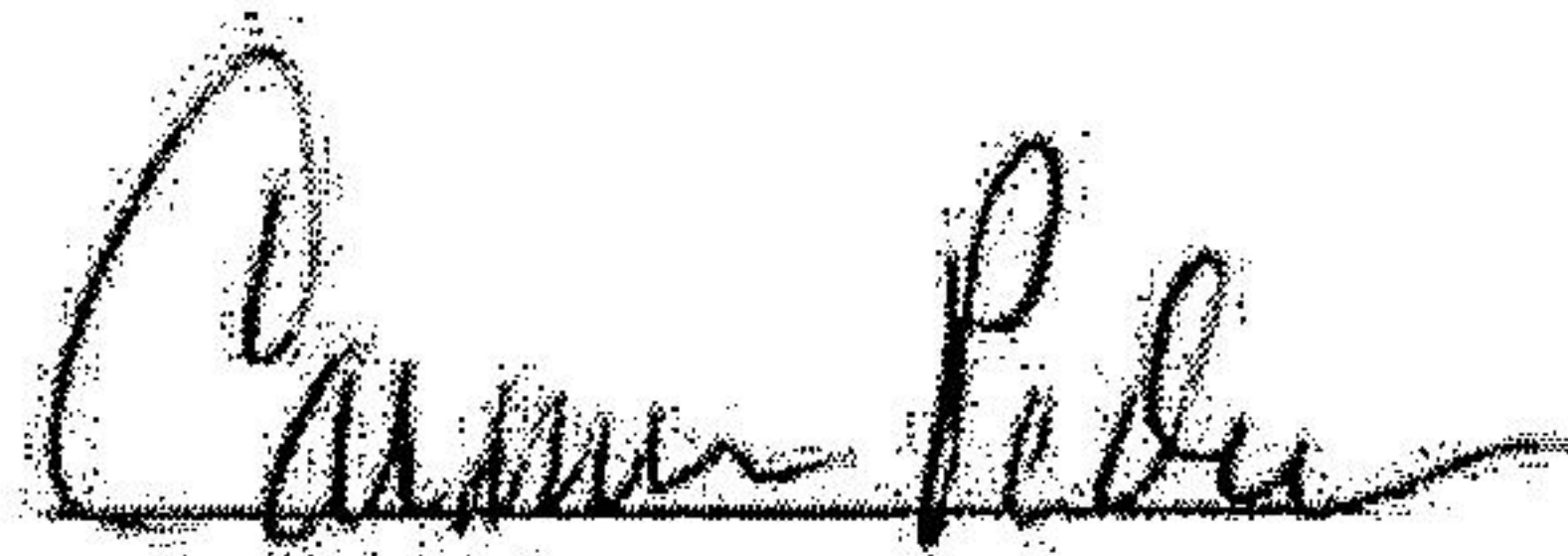
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COUNTY OF Montgomery

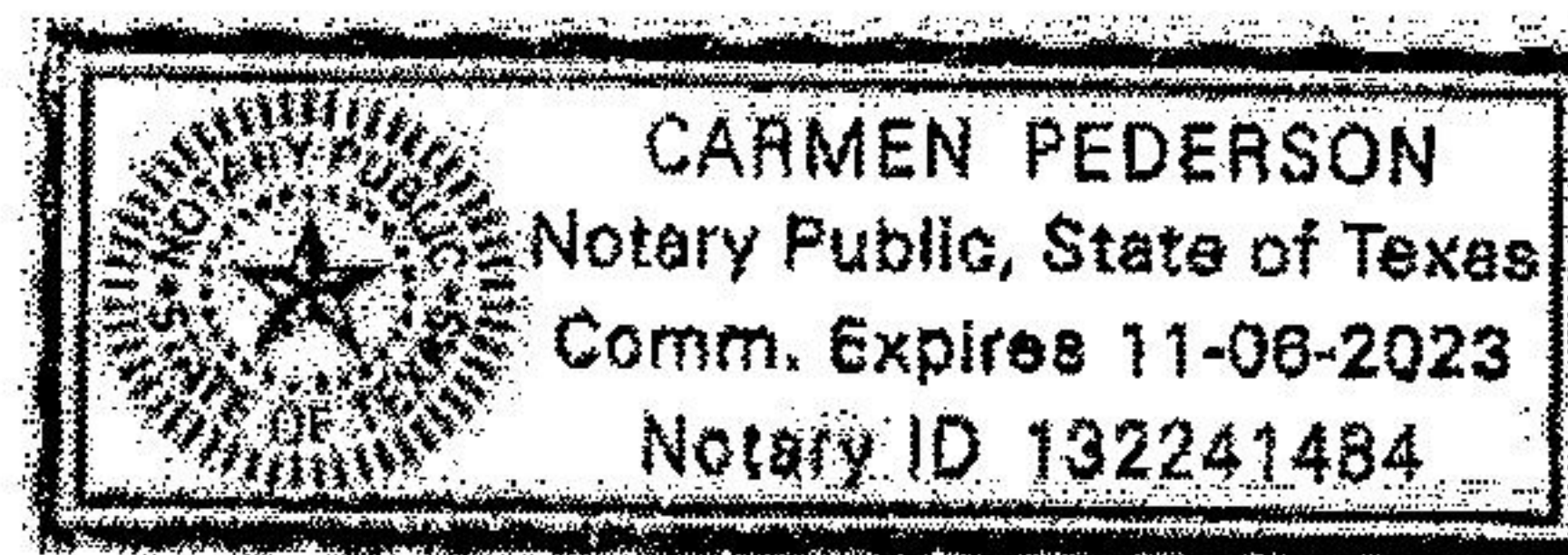
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BEFORE ME, the undersigned authority, on this day personally appeared the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 14 day of October, 2021.



Notary Public, State of Texas



E-FILED FOR RECORD

01/24/2022 01:20PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number
sequence on the date and time stamped herein
by me and was duly e-RECORDED in the Official Public
Records of Montgomery County, Texas.

01/24/2022



County Clerk
Montgomery County, Texas