

**RESOLUTION REGARDING ADOPTION OF
POLICY GOVERNING SERVICE ON
ARCHITECTURAL CONTROL COMMITTEE
THE BAL HARBOUR ASSOCIATION**

WHEREAS, the By-Laws governing The Bal Harbour Association, (“the Association”), as well as the Association’s Articles of Incorporation, the respective Declarations of Covenants, Conditions and Restrictions encumbering all properties which are governed by the Association (the “Declarations”) and all amendments and supplements thereto, and the Texas Business Organizations Code, authorize the Association, acting through its Board of Directors, to exercise all powers reasonable and necessary for the governance and operation of the Association;

WHEREAS, the Texas Property Code further authorizes the Association to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision, and the properties within same;

WHEREAS, the Texas Property Code provides that the Association may exercise other powers necessary and proper for the governance and operation of the Association;

WHEREAS, Chapter 209 of the Texas Property Code was recently modified to address eligibility for persons to serve on an association’s architectural review authority (“Architectural Control Committee” or “ACC”) and to require a specific solicitation of candidates prior to the appointment of persons to serve on such Committee; and

WHEREAS, the Board of Directors of the Association (“the Board”) has determined that in keeping with the new laws, the adoption of a Policy Governing Service on the Association’s Architectural Control Committee is necessary and proper.

NOW, THEREFORE, BE IT RESOLVED that the attached “Policy Governing Service on Architectural Control Committee” is hereby adopted on behalf of the Association, to become effective upon being recorded in the office of the County Clerk.

Adopted on this 1st day of December, 2025.

THE BAL HARBOUR ASSOCIATION

CERTIFICATION

"The undersigned, being a Director of The Bal Harbour Association, hereby certify that the foregoing Resolution Regarding Adoption of Policy Governing Service on Architectural Control Committee was adopted by the Board of Directors of The Bal Harbour Association, at a meeting of such Directors at which a quorum was present, or as otherwise authorized by law."

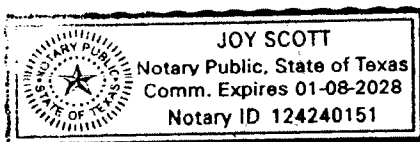
By: Janet Mullen
Director, The Bal Harbour Association

Print Name: JANET Mullen

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Before me, the undersigned authority, on this day personally appeared Janet Mullen, a Director of The Bal Harbour Association, a Texas non-profit corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said entity for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 1st day of December, 2025.



[Signature]
Notary Public, State of Texas

RP-2025-474725

**THE BAL HARBOUR ASSOCIATION
POLICY GOVERNING SERVICE ON
ARCHITECTURAL CONTROL COMMITTEE**

In accordance with the express provisions of the DCCR and/or the Bylaws of the Association, the Association's Architectural Control Committee (hereafter "ACC" or "architectural authority") shall be appointed by the Board of Directors. At such time as a vacancy occurs or is anticipated to occur on the ACC, whether by resignation, expiration of term or otherwise, the Board of Directors shall follow the below-described protocol in appointing individuals to fill such vacancy.

(a) Within a reasonable time after a vacancy on the ACC occurs, or at such time as a vacancy is anticipated, the Board shall establish a date upon which the Board will conduct a regular or special meeting of the Board, and thereat vote to appoint an individual to fill such vacancy.

(b) Not later than the 10th day before the date of the Board meeting contemplated in subsection (a) above, the Association shall provide notice to the association members, soliciting persons interested in serving on the ACC.

(c) The solicitation notice required under subsection (b) must be provided:

(A) by mail to each owner; or

(B) by:

(i) posting the notice in a conspicuous manner reasonably designed to provide notice to the members of the association:

(1) in a place located on the association's common property or, with the property owner's consent, on other conspicuously located privately owned property within the subdivision; or

(2) on any Internet website maintained by the association or other Internet media; and

(ii) sending the notice by e-mail to each owner who has registered an e-mail address with the association.

(iii) The solicitation notice required under subsection (b) must contain instructions for a person to notify the association of the person's interest in serving on the ACC, including the date by which the person's notification must be received by the association.

(d) The date by which notification of a person's interest in serving on the ACC must be received by the association may not be earlier than the 10th day after the date the association provides the initial solicitation notice to the members.

(e) Except as provided by subsection (g), below, a person may not be appointed to serve on an ACC unless the person timely notifies the association of the person's interest in serving on the ACC;

(f) Except as provided by subsection (g), a person may not be appointed to serve on the ACC if the person is:

(1) a current Board member;

(2) a current Board member's spouse; or

(3) a person residing in a current Board member's household.

(g) If a vacancy remains on the ACC after each person who timely responds to the solicitation notice is appointed or elected to the ACC, the Board may appoint any person to fill the vacancy, including a person not otherwise eligible under subsection (f).

RP-2025-474725
Pages 5
12/02/2025 10:49 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$37.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically
and any blackouts, additions or changes were present
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or
use of the described real property because of color or
race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in
File Number Sequence on the date and at the time stamped
hereon by me; and was duly RECORDED in the Official
Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

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