

Denton County
Juli Luke
County Clerk

Instrument Number: 161530

ERecordings-RP

NOTICE

Recorded On: September 02, 2021 02:21 PM

Number of Pages: 14

" Examined and Charged as Follows: "

Total Recording: \$78.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

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.

File Information:

Document Number: 161530
Receipt Number: 20210902000630
Recorded Date/Time: September 02, 2021 02:21 PM
User: Joy R
Station: Station 19

Record and Return To:

Simplifile



STATE OF TEXAS
COUNTY OF DENTON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke
County Clerk
Denton County, TX

**NOTICE OF FILING OF DEDICATORY INSTRUMENTS
FOR
SUNSET POINTE
(2021 Legislative Policies)**

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF DENTON §

THIS NOTICE OF FILING OF DEDICATORY INSTRUMENTS FOR SUNSET POINTE (this "Notice") is made this 31 day of AUGUST, 2021, by Two Sunset Pointe Homeowners' Association, Inc. (the "Association").

WITNESSETH:

WHEREAS, the Association is the property owners' association created to manage or regulate the planned unit development subject to the Declaration of Covenants, Conditions and Restrictions for Sunset Point, recorded on or about September 17, 2003 as Volume 5419 Page 6465 of the Real Property Records of Denton County, Texas (the "Declaration"); and

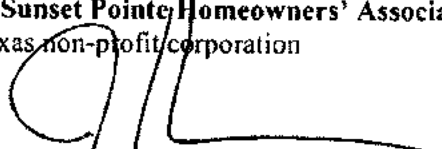
WHEREAS, Section 202.006 of the Texas Property Code provides that a property owners' association must file each dedicatory instrument governing the association that has not been previously recorded in the real property records of the county in which the development is located; and

WHEREAS, the Association desires to record the dedicatory instruments attached hereto as **Exhibit "A"** pursuant to and in accordance with Section 202.006 of the Texas Property Code.

NOW, THEREFORE, the dedicatory instruments attached hereto as **Exhibit "A"** are a true and correct copies of the originals and are hereby filed of record in the Real Property Records of Denton County, Texas, in accordance with the requirements of Section 202.006 of the Texas Property Code.

IN WITNESS WHEREOF, the Association has caused this Notice to be executed by its duly authorized agent as of the date first above written.

Two Sunset Pointe Homeowners' Association, Inc.,
A Texas non-profit corporation

By: 
Name: Jason Miller
Title: BOARD PRESIDENT

ACKNOWLEDGEMENT

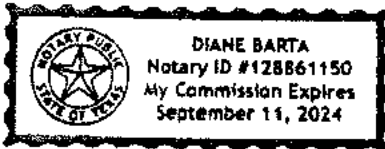
STATE OF TEXAS

§
§
§

COUNTY OF DENTON

BEFORE ME, the undersigned authority, on this day personally appeared Jason Miller, Board President of Two Sunset Pointe Homeowners' Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed on behalf of said corporation.

SUBSCRIBED AND SWORN TO BEFORE ME on this 31 day of AUGUST, 2021.



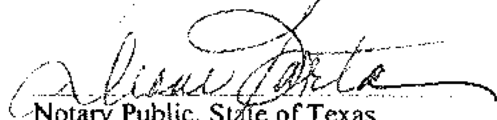

Notary Public, State of Texas
My Commission Expires: 9-11-24

EXHIBIT "A"

- A-1 Amended Religious Item Display Guidelines
- A-2 Security Measures Guidelines
- A-3 Swimming Pool Enclosure Guidelines
- A-4 Architectural Review Authority Procedures
- A-5 Violation Hearing Procedures
- A-6 Policy Regarding Solicitation of Bids

TWO SUNSET POINTE HOMEOWNERS' ASSOCIATION, INC.

AMENDED RELIGIOUS ITEM DISPLAY GUIDELINES

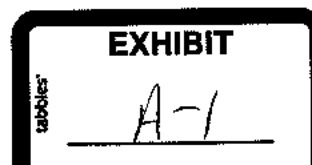
WHEREAS, Section 202.018 of the Texas Property Code precludes associations from adopting or enforcing a provision in a dedicatory instrument which prohibits an owner or resident from displaying or affixing on the owner's or resident's property or dwelling one or more religious items the display of which is motivated by the owner's or resident's sincere religious belief; and

WHEREAS, pursuant to Section 202.018(b) of the Texas Property Code, Two Sunset Pointe Homeowners' Association, Inc. (the "Association") is permitted to adopt and enforce certain limitations on the display of religious items; and

WHEREAS, the Association may have previously adopted Religious Item Display Guidelines (the "Original Guidelines"); and

NOW, THEREFORE, IT IS RESOLVED, in order to comply with recent changes to Section 202.018 of the Texas Property Code, the Association desires to replace any Original Guidelines with the following guidelines to govern the display of religious symbols (the "Amended Guidelines").

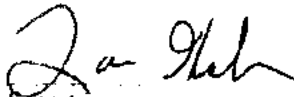
- A. An owner or resident may not display or affix a religious item on the owner or resident's property or dwelling which:
 1. threatens the public health or safety;
 2. violates a law other than a law prohibiting the display of religious speech;
 3. contains language, graphics, or any display that is patently offensive to a passerby for reasons other than its religious content;
 4. is installed on property:
 - (a) owned or maintained by the Association; or
 - (b) owned in common by members of the Association;
 5. violates any applicable building line, right-of-way, setback, or easement; or
 6. is attached to a traffic control device, street lamp, fire hydrant, or utility sign, pole, or fixture.
- B. The definitions contained in the Association's dedicatory instruments are hereby incorporated herein by reference.
- C. In the event of any conflict between Section 202.018 of the Texas Property Code and any restrictions contained in any dedicatory instrument of the Association, Section 202.018(b) and these Amended Guidelines control.



IT IS FURTHER RESOLVED that these Amended Religious Item Display Guidelines are effective upon adoption and recordation hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing guidelines were adopted by the Board of Directors at a meeting of same on AUGUST 25, 2021, and have not been modified, rescinded or revoked.

DATE: 8/26/2021


Secretary

TWO SUNSET POINTE HOMEOWNERS' ASSOCIATION, INC.

SECURITY MEASURES GUIDELINES

WHEREAS, Section 202.023 of the Texas Property Code precludes associations from adopting or enforcing a restrictive covenant that prevents an owner from building or installing security measures, including but not limited to a security camera, motion detector, or perimeter fence; and

WHEREAS, Section 202.023 of the Texas Property Code further provides that it does not prohibit an association from (1) prohibiting the installation of a security camera by an owner in a place other than the owner's private property; or (2) regulating the type of fencing that an owner may install.

NOW, THEREFORE, IT IS RESOLVED, in order to comply with Section 202.023 of the Texas Property Code, the Board of Directors of Two Sunset Pointe Homeowners' Association, Inc. (the "Association") desires to adopt the following guidelines to govern the building or installing of security measures (the "Guidelines").

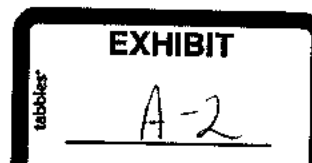
1. An owner may not install a security camera in any location other than the owner's own property.
2. Any and all perimeter fencing must comply with all covenants, conditions, restrictions and requirements contained in the Association's dedicatory instruments, including, but not limited to restrictions related to size, height, color, and material.
3. Owners must submit plans to and obtain the prior approval of the Association's architectural review authority where applicable before constructing or installing any perimeter fence.
4. The definitions contained in the Association's dedicatory instruments are hereby incorporated herein by reference
5. In the event of any conflict between Section 202.023 of the Texas Property Code and any restrictions contained in any dedicatory instrument of the Association, Section 202.023 and these Guidelines control.

IT IS FURTHER RESOLVED that these Security Measures Guidelines are effective upon adoption and recordation hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing guidelines were adopted by the Board of Directors at a meeting of same on AUGUST 25, 2021, and have not been modified, rescinded or revoked.

DATE: 9/26/2021


Secretary



TWO SUNSET POINTE HOMEOWNERS' ASSOCIATION, INC.

SWIMMING POOL ENCLOSURE GUIDELINES

WHEREAS, Section 202.022 of the Texas Property Code precludes associations from adopting or enforcing a provision in a dedicatory instrument that prohibits or restricts an owner from installing on the owner's property a swimming pool enclosure, as that term is defined in the statute, that conforms to applicable state or local safety requirements and that is black in color and consists of transparent mesh set in metal frames; and

WHEREAS, pursuant to Section 202.022(2) of the Texas Property Code, the Two Sunset Pointe Homeowners' Association, Inc. (the "Association") is permitted to adopt certain limitations relating to the appearance of swimming pool enclosures; and

NOW, THEREFORE, IT IS RESOLVED, in order to comply with Section 202.022 of the Texas Property Code, the Association desires to adopt the following guidelines to govern swimming pool enclosures (the "Guidelines").

1. An owner may install a swimming pool enclosure that complies with all state and/or local safety requirements if the swimming pool enclosure is (i) black in color, and (ii) consists of transparent mesh set in metal frames.
2. All other proposed swimming pool enclosures must comply with all restrictions, covenants, and requirements contained in the Association's dedicatory instruments including, but not limited to, limitations establishing permissible colors, size, height and material.
3. Owners must submit plans to and obtain the prior approval of the Association's architectural review authority where applicable before constructing or installing any swimming pool enclosure.
4. The definitions contained in the Association's dedicatory instruments are hereby incorporated herein by reference.
5. In the event of any conflict between Section 202.022 of the Texas Property Code and any restrictions contained in any dedicatory instrument of the Association, Section 202.022 and these Guidelines control.

IT IS FURTHER RESOLVED that these Swimming Pool Enclosure Guidelines are effective upon adoption and recordation hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing guidelines were adopted by the Board of Directors at a meeting of same on AUGUST 25, 2021, and have not been modified, rescinded or revoked.

DATE: 8/26/2021


Secretary



TWO SUNSET POINTE HOMEOWNERS' ASSOCIATION, INC.

ARCHITECTURAL REVIEW AUTHORITY PROCEDURES

WHEREAS, Section 209.00505 of the Texas Property Code establishes certain requirements for an association's architectural review authority and the procedures used by the architectural review authority; and

WHEREAS, in order to comply with Section 209.00505 of the Texas Property Code, the Two Sunset Pointe Homeowners' Association, Inc. (the "Association") desires to adopt procedures regarding the Association's architectural review authority.

NOW, THEREFORE, IT IS RESOLVED, in order to comply with Section 209.00505 of the Texas Property Code, the Association hereby adopts the following policies and procedures regarding the architectural review authority.

1. "Architectural review authority" means the governing authority for the review (sometimes referred to, among other things, as an architectural review committee or architectural control committee) and approval of improvements within the Association.

2. These Architectural Review Authority Procedures do not apply during a development period or during any period in which the Declarant:

(a) appoints at least a majority of the members of the architectural review authority or otherwise controls the appointment of the architectural review authority; or

(b) has the right to veto or modify a decision of the architectural review authority.

3. A person may not be appointed or elected to serve on the Association's architectural review authority if the person is:

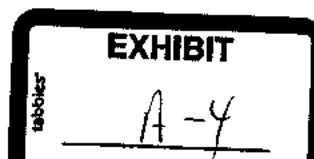
(a) a current board member;

(b) a current board member's spouse; or

(c) a person residing in a current board member's household.

4. A decision by the Association's architectural review authority denying an application or request by an owner for the construction of improvements in the Association may be appealed to the Board. A written notice of the denial must be provided to the owner by certified mail, hand delivery, or electronic delivery (the "Denial Notice"). The Denial Notice must:

(1) 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



(2) inform the owner that the owner may request a hearing under Subsection (e) on or before the 30th day after the date the Denial Notice was mailed to the owner.

5. The Board shall hold a hearing under this section not later than the 30th day after the date the Board receives the owner's request for a hearing and shall notify the owner of the date, time, and place of the hearing not later than the 10th day before the date of the hearing. Only one hearing is required under this subsection.

6. During a hearing, the Board or the designated representative of the Association and the owner or the owner's designated representative will 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 the changes, if any, requested by the architectural review authority in the Denial Notice.

7. The Board or the owner may request a postponement. If requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties.

8. The Association or the owner may make an audio recording of the meeting.

9. The Board may affirm, modify, or reverse, in whole or in part, any decision of the architectural review authority as consistent with the Association's dedicatory instruments.

10. In the event of any conflict between 209.00505 of the Texas Property Code and any restrictions contained in any dedicatory instrument of the Association, 209.00505 and these procedures control.

IT IS FURTHER RESOLVED that these Architectural Review Authority Procedures are effective upon adoption and recordation hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing procedures were adopted by the Board of Directors at a meeting of same on AUGUST 25, 2021, and have not been modified, rescinded or revoked

DATE: 8/26/2021


Secretary

TWO SUNSET POINTE HOMEOWNERS' ASSOCIATION, INC.

VIOLATION HEARING PROCEDURES

WHEREAS, Section 209.007 of the Texas Property Code establishes certain requirements for hearings before an association's board of directors involving violations of the association's dedicatory instruments; and

WHEREAS, in order to comply with Section 209.007 of the Texas Property Code, the Two Sunset Pointe Homeowners' Association, Inc. (the "Association") desires to adopt procedures regarding violation hearings.

NOW, THEREFORE, IT IS RESOLVED, in order to comply with changes to Section 209.007 of the Texas Property Code, the Association hereby adopts the following policies and procedures regarding Section 209.007 hearings before the board of directors regarding violations.

1. Pursuant to Section 209.007(d) of the Texas Property Code, the notice and hearing provisions of Sections 209.006 and 209.007 of the Texas Property Code do not apply if the Association files a suit seeking a temporary restraining order or temporary injunctive relief or files a suit that includes foreclosure as a cause of action. Additionally, the notice and hearing provisions of Sections 209.006 and 209.007 do not apply to a temporary suspension of a person's right to use common areas if the temporary suspension 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.

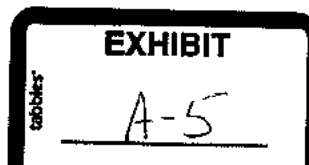
2. Except as provided by Section 209.007(d), and only if the owner is entitled to an opportunity to cure the violation, the owner has the right to submit a written request for a hearing to discuss and verify facts and resolve the matter in issue before the Board.

3. Not later than 10 days before the Association holds a hearing under this section, the Association shall provide to an owner a packet containing all documents, photographs, and communications relating to the matter the Association intends to introduce at the hearing.

4. If the Association does not provide a packet within the period described by Paragraph (2) above, the owner is entitled to an automatic 15-day postponement of the hearing.

5. During a hearing, 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.

6. In the event of any conflict between Section 209.007 of the Texas Property Code and any restrictions contained in any dedicatory instrument of the Association, Section 209.007 and these procedures control.



IT IS FURTHER RESOLVED that these Violation Hearing Procedures are effective upon adoption and recordation hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing procedures were adopted by the Board of Directors at a meeting of same on August 25, 2021, and have not been modified, rescinded or revoked.

DATE: 9/06/2021


Secretary

TWO SUNSET POINTE HOMEOWNERS' ASSOCIATION, INC.

POLICY REGARDING SOLICITATION OF BIDS

WHEREAS, pursuant to Section 209.0052(c) of the Texas Property Code, an association that proposes to contract for services that will cost more than \$50,000 shall solicit bids or proposals using a bid process established by the association; and

WHEREAS, the Board of Directors of Two Sunset Pointe Homeowners' Association, Inc. (the "Association") is required to adopt a bid process for such contracts.

NOW, THEREFORE, IT IS RESOLVED, in order to comply with Section 209.0052(c) of the Texas Property Code, the Association hereby adopts the following policy to govern the solicitation of bids and proposals for service contracts over \$50,000, and the same is to be known as the Association's Policy Regarding Solicitation of Bids.

1. Except in the event of a need for work in the event of an emergency (as defined below), prior to entering into any contract for services that will cost more than \$50,000.00, the Board of Directors shall solicit bids from at least three (3) separate vendors/providers, if reasonably available. In the case of an emergency, the Board may enter into a contract for services without soliciting or obtaining multiple bids so long as the terms of the contract appear fair and reasonable to the Association in the Board's sole and absolute discretion.

2. The Board is excused from soliciting and/or obtaining at least three (3) bids in the event of an emergency or certain exigent circumstances, including the following:

- a. An emergency exists such that there is insufficient time to solicit and obtain multiple bids.
- b. The Association was not able to locate at least three (3) vendors/providers to provide the services.
- c. The Association solicited bids from at least three (3) vendors/providers, but not all vendors/providers responded to the request for a bid.

3. An emergency, as used in this policy, shall be defined as, but not be limited to, an unexpected occurrence, condition, or circumstance that requires immediate action in order to address the risk of harm to individuals and/or property damage, or to satisfy any local, state, federal or other governmental order. In addition, other unforeseen circumstances may be deemed by the Board to constitute an emergency as determined by the Board in its sole and absolute discretion.

4. Any and all decisions to award a service contract to a particular vendor or provider must be a sound business decision based upon what is in the best interest of the Association at the time. Nothing in this Policy Regarding Solicitation of Bids shall require the Board to award a service contract to the lowest bidder.



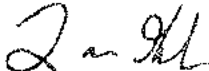
5. The Board may delegate the solicitation of bids procedures under this policy to the Association's management company as defined by Section 209.002 of the Texas Property Code.

6. In the event of any conflict between Section 209.0052(c) of the Texas Property Code and any restrictions contained in any dedicatory instrument of the Association, Section 209.0052(c) and this policy control.

IT IS FURTHER RESOLVED that this Policy Regarding Solicitation of Bids is effective upon adoption and recordation hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing policy was adopted by the Board of Directors at a meeting of same on August 25, 2001, and has not been modified, rescinded or revoked.

DATE: 8/06/2002


Secretary