



BLACKHAWK
PARK • LAKESIDE • RETREAT

RESOLUTIONS

All Board Resolutions compiled through November 13th, 2023

RESOLUTION ADOPTING RAINWATER HARVESTING POLICY

FOR

PARK AT BLACKHAWK AND LAKESIDE HOMEOWNERS' ASSOCIATION, INC.

WHEREAS, Texas Property Code § 202.007(d) becomes effective September 1, 2011, allowing owners in property owner associations the limited right to install rainwater harvesting devices; and

WHEREAS, the Association desires to adopt a resolution setting forth guidelines on the installation of rainwater harvesting devices.

BE IT RESOLVED that the Association's supplementary guidelines, effective September 1, 2011, for Owners and Members are as follows:

1. No rainwater harvesting device, storage container, related plumbing, or appurtenances thereto, shall be allowed on any property owned by the Association or owned in common by the members of the Association.
2. No rainwater harvesting device, storage container, related plumbing device, or appurtenances thereto, shall be allowed or located other than within a fenced yard or the fenced patio of the property owner.
3. All such rainwater harvesting devices, storage containers, related plumbing devices, or appurtenances thereto, and the location of their installation, must be approved by the Association either through its architectural committee, if one exists, or the board of directors.
4. All such rainwater harvesting devices, storage containers, related plumbing devices, or appurtenances thereto shall be properly screened as to obscure view of the same from adjoining property and the street, and such screening shall be approved in advance by the architectural committee, if one exists, or the board of directors.
5. The Association may regulate the owner's use of gravel, rocks, or cacti around the installation.
6. The Association may regulate yard and landscape maintenance.
7. No rainwater harvesting devices, storage containers, related plumbing devices, or appurtenances thereto, may be located between the front of the property owner's home and an adjoining or adjacent street.
8. Any rainwater harvesting devices, storage containers, related plumbing devices, or appurtenances thereto, must be of a color that is consistent with the color of the home.
9. Any rainwater harvesting devices, storage containers, related plumbing devices, or appurtenances thereto, must not contain language or other content that is not typically displayed by such a barrel or system as it is manufactured.

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on the date set forth below to be effective September 1, 2011.

Executed this the 30th day of June 2011.

Signed:

Eddie M. Garcia, President

RESOLUTION ADOPTING A SOLAR ENERGY DEVICE INSTALLATION POLICY
FOR

PARK AT BLACKHAWK AND LAKESIDE HOMEOWNERS' ASSOCIATION, INC.

WHEREAS, Texas Property Code §§ 202.010 & 202.011 (or other numbered sections subsequently used to prevent confusion by the enacting of identically numbered, separate provisions) are effective immediately, allowing owners in property owner associations the limited right to install solar energy devices; and

WHEREAS, the Association desires to adopt a resolution setting forth guidelines on the enforcement of its current conditions, covenants, restrictions, and rules, and the installation of solar energy devices.

BE IT RESOLVED, that, to the extent any dedicatory instrument of the Association prohibits the installation of any Solar energy device, as defined by Section 171.107 of the Texas Tax Code (herein, "Device" or "Devices"), the Association shall enforce that restriction only to the extent allowable by law, and therefore adopts the following guidelines as follows:

1. No Device may be installed on property owned or maintained by the Association nor on property owned in common by the members of the Association.
2. All such Devices must receive architectural approval of the Association prior to installation, pursuant to the Conditions, Covenants, and Restrictions of and for the Association and any and all application procedures currently in effect.
3. No such Devices may be installed on an owner's property other than on the roof of the home, or the roof of another structure owned by the owner which is allowed under a dedicatory instrument, or in a fenced yard or patio owned and maintained by the owner.
4. If a Device is mounted on the roof of the home, it may not extend higher than or beyond the roofline.
5. If a Device is mounted on the roof of the home, it must be in the location designated by the Association unless the alternate location increases the estimated annual energy production of the device as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than 10% above the energy production of the Device if located in the area designated by the Association.
6. The Device must conform to the slope of the roof and have a top edge that is parallel to the roofline.
7. The frames, support brackets, and visible piping or wiring must be in a silver, black, or bronze tone commonly available in the marketplace.
8. If the Device is located in a fenced yard or patio, the Device may not be taller than the fence line.

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on the date set forth below to be effective immediately.

Executed this the 30th day of June 2011.

Signed:

Eddie M. Garcia, President

RESOLUTION ADOPTING FLAG DISPLAY POLICY

FOR

PARK AT BLACKHAWK AND LAKESIDE HOMEOWNERS' ASSOCIATION, INC.

WHEREAS, Texas Property Code § 202.011 (or other numbered sections subsequently used to prevent confusion by the enacting of identically numbered, separate provisions) is effective immediately, allowing owners in property owner associations the limited right to display certain flags; and

WHEREAS, the Association desires to adopt a resolution setting forth guidelines on the enforcement of its current conditions, covenants, restrictions, and rules, and the display of flags.

BE IT RESOLVED, that, to the extent any dedicatory instrument of the Association prohibits the display of flags in contravention of Texas Property Code § 202.011 (or other numbered sections subsequently used to prevent confusion by the enacting of identically numbered, separate provisions), the Association shall enforce that restriction only to the extent allowable by law, and therefore adopts the following guidelines as follows:

1. Flags permitted to be displayed shall be the flag of the United States of America, the flag of the State of Texas, the flag of any governmental subdivision of the State of Texas, and the flag of any branch of the United States armed forces.
2. Flag displays shall be permitted only on property owned by the owner or over which the owner has exclusive control and use.
3. With respect to the United States flag, any such display must be in accordance with 4 U.S.C. Sections 5-10.
4. With respect to the Texas flag, any such display must be in accordance with Chapter 3100, Government Code.
5. A flagpole attached to a dwelling, or a freestanding flagpole must be constructed of a permanent, long-lasting material, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.
6. The display of a flag, or the location and construction of the supporting flagpole, must comply with applicable zoning ordinances, easements, and setbacks of record.
7. A displayed flag and the flagpole on which it is flown must be maintained in good condition. Any deteriorated flag or deteriorated or structurally unsafe flagpole must be repaired or removed.
8. No more than one flagpole may be constructed on any property, and no flagpole shall exceed more than 20 feet in height.
9. Flags may not be displayed that exceed a dimension of 8 feet in height by 5 feet in width.
10. Lighting used to illuminate any displayed flag shall not operate to create a nuisance and shall not illuminate any property other than the owner of such displayed flags property, nor shall it illuminate the interior of any dwelling at any time.
11. No Owner shall allow the external halyard of a flagpole to create noise that can be heard more than twenty-five feet (25') from the flagpole.

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on the date set forth below to be effective immediately.

Executed this the 30th day of June 2011.

Signed:

Eddie M. Garcia, President

RESOLUTION ADOPTING A COLLECTION POLICY

FOR

PARK AT BLACKHAWK AND LAKESIDE HOMEOWNERS' ASSOCIATION, INC.

WHEREAS, Texas Property Code §§ 209.0062 & .0064 become effective January 1, 2012, requiring associations to provide notice to members that are delinquent in their assessments by certified mail, return-receipt requested and waiting a period of 30 days for the member to bring their account current or arrange an alternative payment schedule, as prescribed by Texas Property Code § 209.0062, as conditions precedent to holding the member liable for costs of collection of a delinquent account, and

WHEREAS, the Association, desires to modify its current collection policy and operating procedures to comply with the law.

BE IT RESOLVED that any part of any collections policy currently in effect for the Association that is in conflict with this Resolution is hereby rescinded.

BE IT FURTHER RESOLVED that the Association's collection policy and process shall be as follows, effective January 1, 2012:

1. Members that are delinquent in the payment of any amount, prior to referral to an attorney for collection of the same, shall be notified by certified mail, return-receipt requested, of: the amount due to the association supported by an itemization of same, notice of the Member's option to enter into an alternative payment schedule based on the Association's policy of record, and their right to a period of 30 days to cure the delinquency before further collection action is taken.
2. The amount of the delinquency that triggers the aforementioned notice shall be determined by the board from time to time.
3. No less than 30 days subsequent to the notice sent pursuant to Number 1 above, the delinquent Member shall be referred to the Association's attorney for collection of all delinquent amounts and administrative fees. At that time, the delinquent Member shall be responsible for all reasonable and necessary attorney fees associated with the collection of the delinquent amount.
4. All other provisions of the Association's current collection policy shall remain in effect as originally written.

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on the date set forth below to be effective January 1, 2012.

Executed this the 30th day of June 2011.

Signed:

Eddie M. Garcia, President

RESOLUTION ADOPTING A PAYMENT PLAN GUIDELINES POLICY

FOR

PARK AT BLACKHAWK AND LAKESIDE HOMEOWNERS' ASSOCIATION, INC.

WHEREAS Texas Property Code §§ 209.0062(d) becomes effective January 1, 2012, requiring associations to develop payment plan policies allowing members that are delinquent in their assessments to arrange an alternative payment schedule to avoid incurring additional costs of collection and to file the same in the real property records of each county wherein the association is located, and

WHEREAS, the Association, desires to set forth its guidelines for alternative payment schedules.

BE IT RESOLVED that the Association hereby adopts the following guidelines:

1. Any Member that is delinquent in the payment of any amount may enter into a payment plan with the Association.
2. No Member shall be entitled to enter into a payment plan if such Member was in violation of any payment plan with the Association in the previous two-year period prior to the request for payment plan.
3. Payment plans shall be for a period not to exceed 3 months, shall include all amounts owed by the Member, shall include all amounts that will come due during the term of the plan, shall include all amounts for the cost of the administration of the payment plan as indicated in Number 7 below, and each payment thereunder shall be equal.
4. After a member is notified of a delinquency in the payment of amounts due to the Association, the member shall have a period of 30 days within which to request a payment plan. A payment plan will be prepared and delivered to the member within said 30-day period. The member must execute and return the payment plan along with the first payment due under the plan within said 30-day period.
5. If the member does not execute and deliver the payment plan to the Association within said 30-day period, it shall be conclusively presumed that the owner does not elect to enter into a payment plan and no further alternative payment schedules shall be offered.
6. Any payment returned for insufficient funds shall be a breach of the payment plan agreement.
7. Members shall be responsible for all legal fees associated with the preparation of the payment plan agreement, which shall not be less than \$200, as well as the administrative costs of the management company, which shall not be less than \$25 per payment under the payment plan.

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on the date set forth below to be effective January 1, 2012.

Executed this the 30th day of June 2011.

Signed:

Eddie M. Garcia, President

RESOLUTION ADOPTING BOARD MEETING NOTICE PROCEDURE

FOR

PARK AT BLACKHAWK AND LAKESIDE HOMEOWNERS' ASSOCIATION, INC.

WHEREAS Texas Property Code § 209.0051(e) becomes effective January 1, 2012, requiring associations to provide notice to all members of Board Meetings, and

WHEREAS, the Association, desires to set forth its guidelines for providing notice for Board Meetings.

BE IT RESOLVED that the Association hereby adopts the following guidelines:

Notice of all Board Meetings, to include the general subject of a regular or special Board Meeting, including a general description of any matter to be brought up in deliberation in executive session, will be:

1. Mailed to each property owner, at the address previously provided by such owner, no later than the 10th day, nor earlier than the 60 days, before the date of the meeting, OR
2. Provided at least 72 hours before the start of the meeting by:
 - a. Posting the written notice in a conspicuous manner at a place reasonably designed to provide notice to property owners OR posting the notice on an internet site maintained by the Association or its agent, and
 - b. Sending the notice by email to each owner who has registered an email address with the association. The Association shall maintain on its internet site a place for residents to register their email address.

Members are hereby advised that Texas Property Code § 209.0051(f) requires them to register their email address with the Association and update it from time to time. Failure to do so will likely result in said Member not receiving notice of meetings.

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on the date set forth below to be effective January 1, 2012.

Executed this the 30th day of June 2011.

Signed:

Eddie M. Garcia, President

RESOLUTION ADOPTING A RECORDS PRODUCTION AND COPYING POLICY
FOR

PARK AT BLACKHAWK AND LAKESIDE HOMEOWNERS' ASSOCIATION, INC.

WHEREAS Texas Property Code § 209.005(i) becomes effective January 1, 2012, requiring associations to file a records production and copying policy that prescribes the costs the Association will charge for compilation, production, and reproduction of information requested by a Member.

WHEREAS, failing the existence of such a policy, the Association shall be liable to compile and produce such records, but shall not be entitled to charge for same.

BE IT RESOLVED that the following shall be the Association's policy for records production and copying:

Upon receipt of a proper request for information, by a proper party pursuant to Texas Property Code § 209.005(c), the Association shall make the records described by § 209.005 available pursuant to the terms thereof, within the time allotted therein, and shall otherwise comply with such provisions of Texas Property Code § 209.005, including the withholding of certain information described therein.

Further, the Association itself or by and through its agent or manager, shall charge as follows when it is required to produce records accordingly:

- a. \$25 per hour if clerical staff performs the compilation/production task.
- b. \$75 per hour if a manager performs the compilation/production task.
- c. The prevailing billing rate for an attorney, CPA, or other third-party profession if they perform the compilation/production task.'
- d. A minimum hourly charge for compilation/production shall be two hours.
- e. \$.10 per photocopy.
- f. \$.50 per pdf or another image file.
- g. \$1.00 per CD or \$3.00 for DVD.
- h. The aforementioned amounts shall be increased annually by the Consumer Price Index for All Urban Consumers ("PI-U") as published by the U.S. Bureau of Labor and Statistics (1967=100) starting January 2013, or its replacement index if publication of the CPI-U is discontinued.
- i. To the extent that the aforementioned charges may exceed those allowed by current or future law, the charges shall be reduced to the legal maximum limit.
- j. Members may be required to pay an estimated cost in advance of the compilation/production and copying process with a final reconciliation to be prepared after the compilation/production and copying is performed. Any costs over the amount prepaid by the member may be charged to the member's account as an assessment. Any overpayment by the member shall be promptly refunded.

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on the date set forth below to be effective January 1, 2012.

Executed this the 30th day of June 2011.

Signed:

Eddie M. Garcia, President

RESOLUTION ADOPTING A RECORDS RETENTION POLICY

FOR

PARK AT BLACKHAWK AND LAKESIDE HOMEOWNERS' ASSOCIATION, INC.

WHEREAS Texas Property Code § 209.005(m) becomes effective January 1, 2012, requiring associations to adopt policies to retain certain records for minimum periods of time.

BE IT RESOLVED that the following is the Association's policy for records retention:

1. Formation documents, bylaws, CCRs - permanently
2. Financials - 7 years
3. Owner account records - 5 years
4. Contracts with a one-year term or more - 4 years from the date of termination.
5. Board meeting minutes - 7 years
6. Tax returns and audits - 7 years

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on the date set forth below to be effective September 1, 2011.

Executed this the 30th day of June 2011.

Signed:

Eddie M. Garcia, President

RESOLUTION ADOPTING STANDBY ELECTRIC GENERATOR POLICY

FOR

PARK AT BLACKHAWK AND LAKESIDE HOMEOWNERS' ASSOCIATION, INC.

WHEREAS, Texas Property Code § 202.019 became effective June 19, 2015, allowing owners in property owner associations the limited right to install and operate standby electric generators; and

WHEREAS, the Association desires to adopt a resolution setting forth guidelines on the installation and operation of standby electric generators consistent with its dedicatory instruments and the law.

BE IT RESOLVED that the Association's supplementary guidelines, effective June 19, 2015, for Owners and Members are as follows:

1. No standby electric generator may be installed or operated prior to approval by the Association pursuant to the Association's usual and customary policies and procedures set forth in its dedicatory instruments.
2. Standby electric generator shall be installed and maintained in compliance with the manufacturer's specifications and applicable governmental health, safety, electrical, and building codes.
3. All fuel and electrical connections shall be installed in accordance with applicable governmental health, safety, electrical, and building codes.
4. Nonintegral fuel tanks shall be installed and maintained to comply with applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes.
5. Any standby electric generator and its electrical and fuel lines shall be maintained in good condition.
6. Any standby electric generator, including its components, electric lines, and fuel lines, shall be repaired, replaced, or removed if it becomes deteriorated or unsafe.
7. Any standby electric generator, or its components or accessories (to include fuel tanks), shall be screened from view if it is:
 - a. Visible from the street faced by a dwelling;
 - b. Located in an unfenced side or rear yard of a residence and is visible either from an adjoining residence or from adjoining property owned by the Association; or
 - c. Located in a side or rear yard fenced by a wrought iron or residential aluminum fence and is visible through the fence either from an adjoining residence or from adjoining property owned by the Association.
8. Standby electric generators shall be tested only between the hours of 9:00 a.m. and 6:00 p.m., and only consistent with the manufacturer's recommendations.
9. Other than testing, standby electric generators shall not be used to generate all or substantially all of the electrical power to a residence, except when utility-generated electrical power to the residence is not available or is intermittent due to causes other than nonpayment for utility service to the residence.

10. Standby electric generators shall not be placed in the front yard of any residence.

11. No standby electric generator shall be placed on property owned or maintained by the Association or owned in common by the Association's members.

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on the date set forth below.

Executed this the 1st day of March 2021.

Signed:

Robert M Tiemann, Declarant

CERTIFIED RESOLUTION OF THE BOARD OF DIRECTORS
OF
PARK AT BLACKHAWK AND LAKESIDE HOMEOWNERS' ASSOCIATION, INC.

ADOPTION OF TREE POLICY

This Certified Resolution is made by the Board of Directors of Park at Blackhawk and Lakeside Homeowners Association, Inc. (the “**Board**”) to provide a framework, but not exhaustive, set of guidelines for Members of the Park at Blackhawk and Lakeside Homeowners Association, Inc. (the “**Association**”) regarding tree landscaping upon Lots with the Park at Blackhawk and Lakeside Subdivision (the “**Subdivision**”).

RECITALS:

A. WHEREAS, the Association is a Texas nonprofit homeowners Association located in Travis County, Texas, established by that certain Park at Blackhawk and Lakeside at Blackhawk Master Declaration of Covenants, Conditions and Restrictions recorded at Document No. 2002010202 of the Official Public Records of Travis County, Texas (the “**Declaration**”);

B. WHEREAS, the Association is further governed by those certain Bylaws of Park at Blackhawk and Lakeside Homeowners Association, Inc., recorded at Document No. 2012024542 of the Official Public Records of Travis County, Texas (hereinafter the “**Bylaws**”);

C. WHEREAS, pursuant to Article V, Section 5.4(a) of the Declaration the Master Association, and the Board, acting on behalf of the Master Association, shall have the power and authority at all times to make, establish and promulgate such Park at Blackhawk and Lakeside Rules not in conflict with the Declaration, as it deems proper, covering any and all aspects of its functions;

D. WHEREAS, pursuant to Article V Section 4(j) of the Bylaws the Board shall have the power to adopt such Park and Blackhawk and Lakeside Rules as the Board may consider necessary for the management of the Property, such rules and regulations may address minimum standards of property maintenance;

NOW THEREFORE, BE IT RESOLVED that at a duly called and noticed meeting of the Association’s Board of Directors conducted on the 13th day of November 2023 the Board of Directors approved to adopt the Tree Policy attached hereto as Exhibit “A”

BE IT FURTHER RESOLVED that this Tree Policy shall be effective upon the recording of this Resolution and attached Tree Policy in the Official Public Records of Travis County, Texas.

CERTIFICATE OF ADOPTION

The undersigned, Eddie Garcia, as the duly elected, qualified and acting President of the Park at Blackhawk and Lakeside Homeowners Association, Inc., a Texas Nonprofit Corporation, hereby certifies on behalf of the Association that the resolution set forth herein was duly adopted by the Board of Directors of the Association at the properly noticed meeting of the Board of Directors held on the 13th day of November 2023.

Executed this the 13th day of November 2023.

Signed:

Eddie Garcia, President

EXHIBIT "A"

PARK AT BLACKHAWK AND LAKESIDE HOMEOWNERS' ASSOCIATION, INC.

TREE POLICY

Definitions

1. Caliper: The diameter of a tree trunk measured 6 inches above the ground for trees up to and including 4-inch caliper size, and 12 inches above the ground for larger sizes.
2. Front Yard: The area within a lot that lies between the front boundary of the lot and the front face of the building situated on the lot.
3. Lot: A parcel of land within the Park at Blackhawk and Lakeside community.

Guidelines

Tree Loss and Planting

1. Minimum Number of Trees. All lots must have at least two (2) trees planted in the front yard.
2. Tree Replacement:
 - a. Single Tree Loss: If one tree dies, or is damaged and must be removed, and the remaining tree has at least an 8-inch caliper, a second tree need not be planted.
 - b. Insufficient Caliper: If the remaining tree has a caliper size smaller than 8 inches, a second tree must be planted.
 - c. Loss of Both Trees: If both trees die, or are damaged and must be removed, at least two (2) new trees must be planted.
3. Newly Planted Trees: Any newly planted tree must meet the following minimum size requirements:
 - a. A minimum caliper size of 1 inch.
 - b. A minimum height of 6 feet.