

GRAND HARBOR PROPERTY OWNERS ASSOCIATION ARCHITECTURAL CONTROL

POLICY AND PROCEDURE

POLICY

The GHPOA Board of Directors (BoD) recognizes the need for and continued use of committees; those essential, resident-staffed committees formed with specialized functionality and assigned duties and activities directed toward the betterment of the Grand Harbor Subdivision. It follows then that all "Architectural Improvements" to properties within the Grand Harbor/Harbor Side Subdivision are to be overseen by an Architectural Control Committee (ACC) established through Grand Harbor Property Owners Association (GHPOA) Resolution. The ACC shall perform its duties and responsibilities as delineated in the official Resolution and the "Declaration of Covenants, Conditions and Restrictions of Grand Harbor," (CCR) for all subdivision sections of various origination dates (ACC duties and responsibilities from GH Section One CCR are represented in this Policy/Procedure).

Committee member candidate(s) are to be property owners currently in good standing volunteering to serve on the ACC. When placed on an official BoD meeting's agenda, after discussion and affirmation, the members' name(s) are recorded in the proceedings' minutes. In order to remain functional over time, the ACC is to be composed of not less than three (3), or more than five (5) members, all current property owners of record. The conduct of ACC business shall be in orderly/organized fashion, with all applications for improvement promptly dispositioned by majority vote duly recorded and reported out of the Committee.

PROCEDURE

The following are procedural steps for review of all requested property improvements in Grand Harbor and Harbor Side and their eventual approval or rejection. The process documentation is depicted in the "ACC Document Tree."

I. Property Owner Application for Improvement

A. Property Owners intending to implement an architectural improvement should obtain an application package, either in hard copy from the GHPOA Office or from the GHPOA Website.

Grand Harbor Subdivision Improvements are in three forms:

- New Home Construction Improvement (NHCI)
- "Other" Improvement (OI)
- Boat Slip and Bulkheading Construction Improvement (BSBHCI)

B. All improvements must be requested via complete, legible application form and be accompanied by the required deposits and fees, along with the documentation cited in the form as necessary for the ACC's review and approval. The ACC is not obligated to accept an application that is missing any item listed in the application.

Architectural-improvement-request application packages should be submitted to the GHPOA business manager/agent during normal business hours:

**Grand Harbor POA
11301 Grand Harbor Blvd.
Montgomery, TX 77356**

Attn: Architectural Control Committee

C. A "Checklist" will be initiated and a unique Tracking Number assigned. The Applicant should request a dated submittal-confirmation receipt from the POA Office staff-person receiving the application, or soon thereafter be emailed the submittal-confirmation, once a Tracking Number is assigned.

II. Application Review

A. Applicant's financial account status will be checked and verified that the Applicant is in "good standing," i.e., not delinquent on the payment of past assessment dues or has unpaid CCR violation fines and outstanding fees.

B. The Improvement Application "ACC-Prep Checklist" will be completed. All received and investigative material accumulated up to that point will be placed into the property's file folder. The amount of deposit check will be noted and a copy of check included.

Procedural Note: For each NHCI application, a photo of the roadway immediately in front of the improvement site should be obtained by the POA staff.

C. The ACC will meet on a regular, scheduled basis (minimum bi-weekly) so as to provide Applicants an opportunity to interact with the Committee during its review/deliberative process. The ACC secretary will ensure adequate public, advance notification of ACC meetings at which time Applicants can inquire about and discuss their application status, if warranted.

D. A "GHPOA Improvement Application Log" must be maintained to clearly track and indicate the status of each application from initial submittal to final disposition. The Log will be updated at least bi-weekly to support Committee meetings and also serve to status the GHPOA Board of Directors (BoD) on committee activities/reviews. Minimum set of Log attributes are:

- Unique Application Identifying Number (NHC-xxx; OI-xxx; BSBC-xxx)
- Application Received by ACC Date
- Requested Improvement (Short Phrase Summary)

- Property Legal ID
- ACC Status (In-Review; Approved; Disapproved)
- Application Written Notification Date (Review Completed)
- BoD Appeal Hearing Date
- BoD Final Disposition
- BoD Final Disposition Notification Date

E. Per the Deed Restrictions, the ACC has sixty (60) days to process any and all applications to a final committee disposition. ACC failure to act within this period constitutes defacto application approval. An "ACC Application Review Disposition" Form will be prepared and signed by voting members when the ACC review is complete.

All application material, including the disposition form, is to be archived in the Property Owner's file.

III. Improvement Application Notification

A. All improvement applications will receive an ACC "approved" or "disapproved" disposition recorded on the "Review Disposition" form. If the application is approved by the ACC, the applicant can proceed with the improvement. If the ACC disposition is for disapproval, the reason(s) must be clearly cited. Applicant will be notified by phone or email and ACC letter that contains the review information recorded on the Review Disposition form

B. In accordance with Section 209 of the TX Property Code, an Applicant is entitled to an appeal to the GHPOA BoD (i.e., specific BoD Meeting Agenda Item) on all ACC Improvement disapprovals, at which time the Board will render its "first and final" decision. The association shall hold a hearing not later than the 30th day after the date the board receives the owner's request for a hearing and shall, in return, notify the owner of the date, time, and place at least 10 days before the actual date of the hearing.

C. Suitable, dated log entries should always be made on ACC and BoD actions.

GRAND HARBOR PROPERTY OWNERS ASSOCIATION (GHPOA)
BOARD of DIRECTORS
RESOLUTION

In a meeting of the GHPOA Board of Directors, duly called (per By-Laws: Art. III, Para. B, Sec. 4) and held on June 22, 2010, the following resolution was offered, and adopted:

"Whereas, the GHPOA Board of Directors (BoD) recognizes the need for and continued use of committees; those essential, resident-staffed organizational entities formed with specialized functionality and assigned duties and activities directed toward the betterment of the Grand Harbor Subdivision,

Therefore, it is resolved, in accordance with Article V, 'Committees' of the GHPOA By-Laws dated 3-13-2006, the Architectural Control Committee (ACC) shall be reformed and tasked to carry out all functions and responsibilities specifically delineated in the Subdivision sections' Covenants, Conditions and Restrictions of record and the attached ACC Policy/Procedure.

Furthermore, in order to remain functional over time, the ACC shall be composed of not less than three (3), or more than five (5) members, all being current property owners of record. The conduct of ACC business shall be in orderly/organized fashion, with all applications for improvement promptly dispositioned by majority vote duly recorded and reported out of the Committee. Committee member shall be appointed to serve by being individually nominated, approved by the Board, with their names recorded in the minutes of the officially-convened GHPOA BoD meeting.

And Furthermore, it is resolved the conduct of ACC business meetings shall be scheduled and announced to maximize the opportunity for Applicant communication with the ACC. Any application dispositioned by the ACC is subject to one-time applicant appeal to the GHPOA Board of Directors.

In Conclusion, the GHPOA shall fully defend, protect, and indemnify all Committee members, properly appointed and remaining in good standing, in accordance with By-Laws Article VI, Section G, 'Indemnity,' through suitable, comprehensive insurance policies continuously maintained in effect, with all policy premiums paid by the GHPOA."

I certify that the foregoing is a correct representation of the resolution passed by a majority of the Board of Directors of the GHPOALC on the date specified. This Resolution supersedes all prior resolutions defining/enabling the GHPOA ACC.



GHPOALC Secretary

2/14/11

Date

APPROVED:

Absent

President



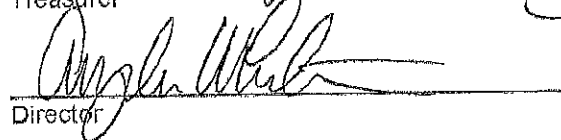
Vice President



Treasurer



Secretary



Director



CERTIFICATE OF CORPORATE RESOLUTION

I, the undersigned, do hereby certify:

That I am the duly elected and authorized Secretary of the Grand Harbor Property Owners Association, Inc., A Texas Non-Profit Corporation, and,

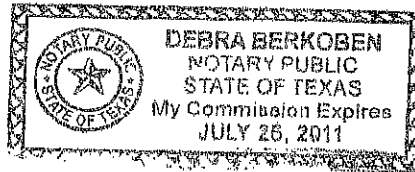
That the foregoing Resolution was duly adopted by formal action of the Board of Directors on the 22 day of 06, 2011

By: George Tolar
George Tolar, Secretary

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

THIS INSTRUMENT was acknowledged before me on the 7 day of March, 2011 by George Tolar, the Secretary of GRAND HARBOR PROPERTY OWNERS ASSOCIATION, a Texas non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein expressed.

Debra Berkoben
Notary Public – State of Texas



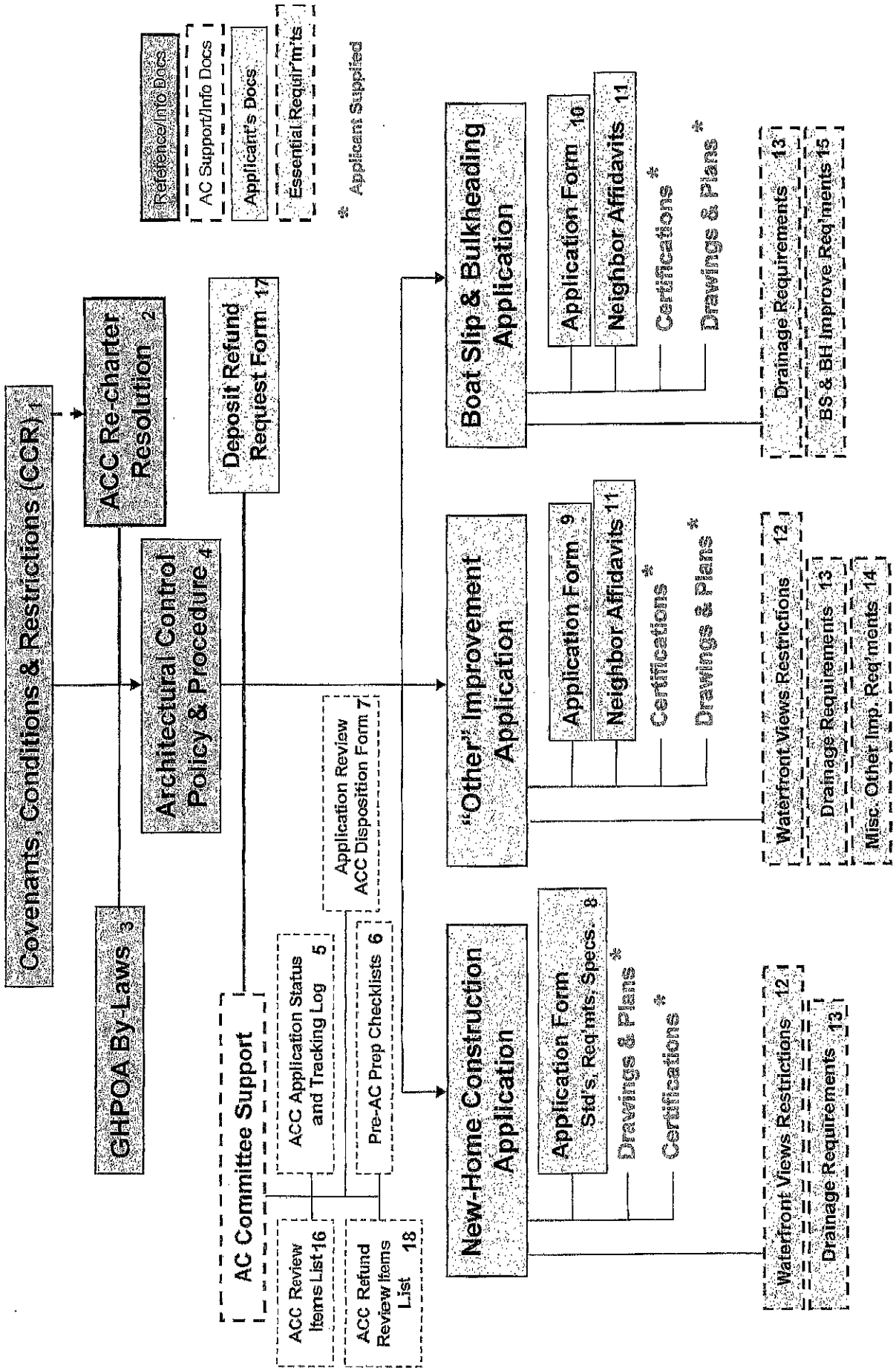
After filing, mail to:

Grand Harbor POA
11301 Grand Harbor Blvd.
Montgomery, TX 77356

Attn: Nancy Denega



GHPOA ARCHITECTURAL CONTROL DOCUMENT TREE



FILED FOR RECORD

04/11/2011 1:56PM

Mark Tumbull

COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

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

04/11/2011



Mark Tumbull

County Clerk
Montgomery County, Texas

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All black-outs, additions and changes were present at the time the instrument was filed and recorded.