



**AFFIDAVIT TO THE PUBLIC**  
RESOLUTION OF THE BOARD OF DIRECTORS  
OF 7H RANCH PROPERTY OWNERS' ASSOCIATION, INCORPORATED  
REGARDING ELECTION POLICY AND PROCEDURES  
Effective: January 1, 2018

Pursuant to the provisions of amendments to the Texas Property Code, the 7H Ranch Property Owners Association adopts this Policy to be effective the 1<sup>st</sup> day of January, 2018. This Policy shall be recorded in the Official Public Records of Comal County, Texas and shall continue in effect until superseded or revoked by subsequent written instrument filed of record.

The State Legislature has amended the requirements for the holding of elections by Property Owners' Associations (Texas Property Code Sections 209.0055 thru 209.00594) and the procedures for voting on issues presented to the members of such Associations. The purpose of this resolution is to clarify the requirements and procedures for such election and voting. In the event of conflict between this Policy (and the current By-Laws of the Association); it is the intent of the Association that applicable law shall control.

Qualifications of Board Members

Any Member of the Association may run for a place on the Board of Directors or serve as Director *except a person who has been convicted of a felony or crime involving moral turpitude who shall permanently ineligible to serve as a Director. Evidence of such a conviction must be established by written, documented evidence from records maintained by a governmental law enforcement authority.*

The fact that a person is delinquent in the payment of monies owed to the Association or is currently in violation of a restrictive covenant applicable to members of the Association *shall not be a bar to running for or service on the Board of Directors of the Association.*

Self Nomination

Each year, any Member qualified to serve as a Director may self-nominate to run for a place on the Board of Directors the following year by notifying the Secretary of the Association in writing by October 31st. This cutoff date has been established in the event that written ballots or proxies need to be prepared for an election to be held prior to the next annual meeting.

Voting Procedures

The fact that any Member of the Association is delinquent in the payment of monies owed to the Association or is currently in violation of a restrictive covenant applicable to members of the Association *shall not disqualify the Member from voting on any matter submitted to the Members of the Association.*

Voting rights of a Member of the Association may be exercised in the following ways:

- 1) In person or by proxy at a meeting of the POA;
- 2) By absentee ballot in the manner provided by applicable law. The Association shall provide an absentee ballot which contains each proposed action and provides for a vote for or against each proposed action. The casting of an absentee ballot may be limited because if there are amendments to a proposed ballot item, the absentee ballot will not be counted on the final vote on the measure.
- 3) By "electronic ballot". The casting of an electronic ballot may be limited because if there are amendments to a proposed ballot item, the electronic ballot will not be counted on the final vote on the measure. An electronic ballot means a ballot given by email, facsimile or posting on an internet

website established for that purpose *when the identity of the owner casting the ballot can be confirmed and the owner can receive a receipt of the electronic transmission and receipt of the owner's ballot. The Association shall send a notice of the posting of an electronic ballot to each Owner containing instructions on the procedure for obtaining access to the ballot.*


Ballots must be written and signed by the Member voting. Electronic ballots shall be deemed written and signed. As established in 7H Ranch By-Laws, Article II, Membership, Voting, Quorum, Proxies; *Members shall be entitled to one vote for each Lot in which they hold the interest required for membership.*

*Written and signed ballots are not required for uncontested races.*

By their signatures below, the President and Secretary of the Association certify that the foregoing Resolution and Policy was duly approved and adopted by the Board of Directors of the Association on the 18th day of December, 2017 and effective as of the date noted above.

Thus executed this 19<sup>th</sup> day of December, 2017.  
7H RANCH PROPERTY OWNERS' ASSOCIATION, INCORPORATED

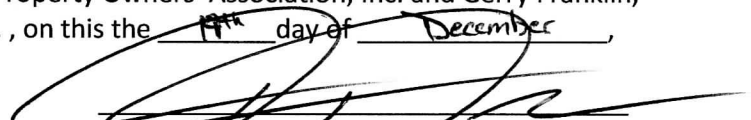
By:   
John T. Zunker, President

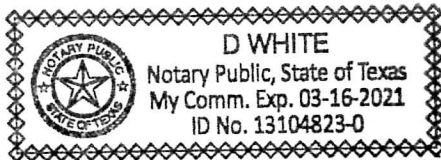
By:   
Geralyn (Gerry) Franklin, Secretary

#### ACKNOWLEDGEMENT

STATE OF TEXAS §  
§  
COUNTY OF COMAL §

I hereby certify that the foregoing instrument was acknowledged before me, the undersigned Notary, by John T. Zunker, President and duly authorized agent for 7HR Property Owners' Association, Inc. and Gerry Franklin, Secretary of 7H Ranch Property Owners Association, Inc., on this the 19<sup>th</sup> day of December, 2017.

  
Notary Public, State of Texas



Filed and Recorded  
Official Public Records  
Bobbie Koepf, County Clerk  
Comal County, Texas  
12/19/2017 03:07:05 PM  
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Bobbie Koepf