

TERRAMAR BEACH COMMUNITY IMPROVEMENT ASSOCIATION
ELECTRONIC MEETING AND ELECTRONIC VOTING POLICY

STATE OF TEXAS §

COUNTY OF GALVESTON §

WHEREAS, the property encumbered by this Electronic Meeting and Voting Policy (the "Policy") is that property restricted by the Declaration of Covenants, Conditions and Restrictions for **TERRAMAR BEACH COMMUNITY IMPROVEMENT ASSOCIATION**, recorded in the Official Public Records of Harris County, Texas, as same has been or may be amended from time to time (the "Declaration"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the **TERRAMAR BEACH COMMUNITY IMPROVEMENT ASSOCIATION** (the "Association"); and

WHEREAS, pursuant to the Dedicatory Instruments governing the Property, the Association is vested with the authority to adopt policies, rules and/or guidelines; and

WHEREAS, the Board of Directors of the Association (the "Board") has determined that, in order to provide guidance regarding the medium for Association meetings and process for voting on Association matters authorized by Texas Code 202, 204, and/or 209 (the "Code"), it is appropriate for the Association to adopt an Electronic Meeting and Electronic Voting Policy for the properties under the jurisdiction of the Association; and

WHEREAS, any reference made herein to Association meeting or voting approval is applicable to all Association matters; and

WHEREAS, reference is hereby made to the Declaration for all purposes, and any and all capitalized terms used herein shall have the meanings set forth in the Declaration, unless otherwise specified in this Policy, and

WHEREAS, the COVID 19 health crisis, government mandates on group gatherings, and homeowners preferences have restricted the Association's ability to have in-person meetings, and

WHEREAS, future health, government mandates, an/or public opinion could restriction the Association's ability to have in-person meetings.

NOW THEREFORE, pursuant to the authority granted in the Dedicatory Instruments and/or Code, the Board hereby adopts this Policy, which shall run with the land and be binding on all Owners and Lots within the Property. This Policy replaces any previously recorded or implemented policy that addresses the subjects contained herein.

ELECTRONIC MEETINGS:

Owners are allowed to participate in Association Meetings and Association Board meetings. These meetings may, *at the choosing* of the Board of Directors, be conducted either:

- 1) In-person at a location designated by the Board of Directors, or
- 2) Via an on-line video conference

All existing rules in the Association's Deed Restrictions and By-Laws that pertain to Association meetings remain as options to be used at the Board's direction. The Electronic Meeting and Electronic Voting Policy provides an additional option for the Association.

ELECTRONIC VOTING:

Certain business, activities or actions may require a vote of approval from either the Board of Directors or Homeowners. For example, the Board of Directors must vote to approve the Association's annual operating budget, while Homeowners vote to elect an individual to serve as an Association Director.

The Code and the Association's Deed Restrictions and By-Laws prescribe procedures for the use of a proxy when voting.

Individuals have a right to preserve the privacy of their vote. This policy provides a method to preserve privacy when voting on matters at during an in-person meeting and or during a video conference meeting.

The Association's Board may choose to:

- A. Accept only Electronic Votes cast via email
- B. Accept only votes cast by written ballot - sign by the homeowner, or
- C. Accept both Electronic Votes and written ballots.

The following rules for Electronic Voting apply for any situation that requires a vote:

- A. The Board will designate when Electronic Voting is applicable.
- B. "Electronic Voting" refers to a vote that is cast via email.
- C. All Electronic Votes cast via email must be sent directly to the HOA Management Company or other independent party designated by the Board of Directors.
- D. Any vote cast via email must be received from an email address that the HOA Management Company or other independent party has verified as belonging to a homeowner.
- E. The use of a Proxy is not required when Electronic Votes are cast since every homeowner has an opportunity to cast a vote – even if they are not able to attend the meeting.
- F. When utilizing the Electronic Voting:
 1. The timeframe for casting an Electronic Vote must be announced during the meeting.
 2. Homeowners will receive a "Notice" detailing the matter being voted on and instructions of how to submit an Electronic Vote.

G. The deadline for casting an Electronic Vote must be included in the Notice. For example, the deadline for receipt of an Electronic Vote via email is 5:00 p.m. Next Tuesday - xx/xx/xxxx

All existing rules, in the Association's Deed Restrictions and By-Laws, that pertain to voting remain as options to be used at the Board's direction. This policy provides additional options to the Association.

CERTIFICATION

I hereby certify that, as President of the **TERRAMAR BEACH COMMUNITY IMPROVEMENT ASSOCIATION**, the foregoing **Electronic Meetings and Electronic Voting Policy** was approved on the 11th day of March, 2023, at a meeting of the Board of Directors at which a quorum was present.

DATED, this the 8th day of May, 2023.

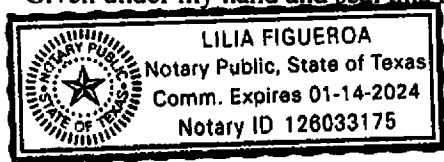
By: Jeff Walden
Print Name: Jeff Walden
Title: President

THE STATE OF TEXAS §

COUNTY OF GALVESTON §

BEFORE ME, on this day personally appeared Jeff Walden, the President of **TERRAMAR BEACH COMMUNITY IMPROVEMENT ASSOCIATION**, known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said Association.

Given under my hand and seal this the 8th day of May, 2023.



[Signature]
Notary Public - State of Texas

After Recording, Please Return To:
King Property Management
720 N. Post Oak Rd
Suite 300
Houston TX 77024

FILED AND RECORDED

Instrument Number: *2023021398*

Recording Fee: 34.00

Number Of Pages: 4

Filing and Recording Date: 05/11/2023 11:23AM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



Dwight D. Sullivan

Dwight D. Sullivan, County Clerk
Galveston County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the clerk.

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*