

**WHITE OAK LANDING, SECTION III HOMEOWNERS ASSOCIATION, INC.**  
**POLICY REGARDING BOARD ACTIONS VIA EMAIL**

STATE OF TEXAS                   §  
  §  
COUNTY OF HARRIS           §

WHEREAS, WHITE OAK LANDING, SECTION III HOMEOWNERS ASSOCIATION, INC. (the “Association”) is the governing entity for the White Oak Landing Subdivision, an addition in Harris County, Texas, according to the maps or plats thereof recorded in the Map Records of Harris County, Texas, under Volume 326, Page 122, Volume 327, Page 39, and File No. 347084, along with any amendments, supplements or replats thereto (collectively referred to as the “Subdivision”); and

WHEREAS, Section 209.0051(h) of the Texas Property Code was recently amended to allow the Board of Directors to take action outside of a meeting including voting by electronic means without notice to the members; and

WHEREAS, pursuant to Section 209.0051(h), the Association desires to enact uniform procedures to ensure that for electronic voting, each Director has a reasonable opportunity to express his or her opinion to all other board members and to cast his or her vote; and

WHEREAS, this Dedicatory Instrument represents Restrictive Covenants as those terms are defined by Texas Property Code Section 202.001, et. seq, and the Association shall have and may exercise discretionary authority with respect to these Restrictive Covenants.

NOW, THEREFORE, in accordance with the foregoing and as evidenced by the Certification hereto, the Board of Directors hereby adopts the following:

- 1.) Upon election to the Board of Directors, each Director shall register his or her current email address with the Association's managing agent and/or the Association’s President, and shall update the email address as it changes.
- 2.) When a matter arises for a vote of the Board of Directors, for which email voting is permitted, the managing agent and/or the Association’s President shall send an email to the registered email address of each Director. The email will state the proposal being voted on and request that each Director send a reply email to all Directors (for example, by utilizing the “Reply All” feature) casting his or her vote on the proposal.
- 3.) Each Director shall be entitled to reply to all other Directors and express his or her opinion on the proposal before casting his or her vote.
- 4.) A proposal shall be considered approved upon the following occurrences:
  - a. All Directors reply to all other Directors with their vote and the majority of the Directors vote to approve the proposal; or

- b. At least a majority of the Directors vote to approve the proposal, and any Directors that have not responded have had 72 hours to respond by voicing their opinion or casting their vote via email; unless the person sending the proposal has reason to believe the email was not delivered or received.
- 5.) For clarification, the Association has determined that 72 hours provides each Director with a reasonable opportunity to express an opinion and cast a vote.
- 6.) In the event a Director anticipates he or she will not have email access for a period of time lasting more than 72 hours, then that Director shall notify the Association’s managing agent or the Association’s President of the same. The Director shall indicate his or her desire to abstain from all votes for the duration of his or her absence or shall provide another method by which the Association may contact him or her (phone, fax, etc...) to obtain his or her vote and learn his or her opinion on the subject matter at hand.

**CERTIFICATION**

I, the undersigned, being the President of the WHITE OAK LANDING, SECTION III HOMEOWNERS ASSOCIATION, INC., hereby certify that the foregoing Policy was adopted by at least a majority of the WHITE OAK LANDING, SECTION III HOMEOWNERS ASSOCIATION, INC.’S Board of Directors.

Approved and adopted by the Board of Directors on the \_\_\_\_\_ day of September 2015.

\_\_\_\_\_  
 Ken Easterling, President  
 WHITE OAK LANDING, SECTION III  
 HOMEOWNERS ASSOCIATION, INC.

STATE OF TEXAS                   §  
    §  
 COUNTY OF HARRIS             §

Before me, the undersigned authority, on this day personally appeared Ken Easterling, President of WHITE OAK LANDING, SECTION III HOMEOWNERS ASSOCIATION, INC., a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this \_\_\_\_\_ day of September, 2015.

\_\_\_\_\_  
 Notary Public, State of Texas

AFTER RECORDING RETURN TO:

**SEARS | BENNETT | LLP**

9700 RICHMOND AVENUE, SUITE 222

HOUSTON, TEXAS 77042

TELEPHONE: (713) 782-1788

FACSIMILE: (713) 782-1787

WEBSITE: WWW.SEARSFIRM.COM