



RESOLUTION OF THE BOARD

**AMENDING LEASING REQUIREMENTS FOR
SUTTON FIELDS HOMEOWNERS ASSOCIATION INC.
(the "Association")**

WHEREAS, under Article 2, Section 2.2.1 of the Covenants, Conditions and Restrictions (the "CC&R's") for Sutton Fields Homeowners Association, Inc., (the "Association"), the Board of Directors, with authorization from the Declarant during the Declarant Control Period, may limit the number of leases within the Association, and by Resolution of the Board may amend certain leasing restrictions or rules as set forth in the CC&R's; and

WHEREAS, on the 13th day of April, 2022, the Board of Directors held an open Board meeting duly noticed to the Members and the matter came properly before the Board of Directors as one of the pre-noticed agenda topics, which after discussion among the members of the Board and after due consideration was given, a vote of the Board was taken and the decision to amend the leasing terms and/or restrictions as set forth in Article 2, Section 2.2.1 passed with unanimous vote of the Board.

NOW THEREFORE, the Board of Directors in conjunction with the Declarant, deem it in the best interest of the Association to **lower the current leasing maximum from twenty percent (20%) to fifteen percent (15%) and to supplement rules and restrictions for certain of items a. through g. of Article 2, Section 2.2.1 as outlined on page 2 below.** Furthermore, the Board of Directors have taken care to ensure all verbiage meets the most up to date regulations under Texas Property Code § 209.016 (or other numbered sections subsequently used to address said provisions). In the event regulations under the Texas Property Code should change, the Association shall adopt and carry out those rules and regulations according to the Texas Property Code until such time a Resolution or Amendment to the CC&R's to comply with such standards may be done.

KNOW ALL PERSONS BY THESE PRESENTS AND BE IT RESOLVED, that, to the extent any dedicatory instrument of the Association shall be required this Resolution shall be properly recorded in the Denton County Clerk's Office and a copy of the Resolution or corresponding changes shall be broadcast to all Owners by way of electronic communication through the Association's website, posting to the Association's website and will provide a copy to any Owner upon written request.

BE IT FURTHER RESOLVED, the Board of Directors does hereby affirm that at no time shall any amendment to the rules and restrictions regarding leasing affect or restrict in any way with Declarant and Builders being exempt from the fifteen percent (15%) maximum without the express written consent of the Declarant; and

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Sutton Fields Homeowners Association, Inc.
c/o Essex Association Management, L.P
1512 Crescent Drive, Suite 112
Carrollton, TX 75006
Office: (972) 428-2030



SUTTON FIELDS
Homeowners Association

Furthermore, any Owner who already has a valid lease in place at the time this Resolution is recorded shall be eligible for a "Grandfather Clause" upon compliance with those requirements listed in items 1) through 5) below:

- 1) prior authorization to lease the home was obtained from the Board or Managing Agent. If not, Owner shall have ten (10) days from the date notified by the Managing Agent to comply; and
- 2) a valid lease is in place and a fully executed copy of the lease or other proof that a lease is in place with the Managing Agent; and
- 3) Owner must submit the names and contact information for the primary Tenants responsible for the lease to the Managing Agent; and
- 4) the Owner does not allow the residence to sit empty for a period greater than ten (20) days between leases or lease renewals without notifying the Board of the vacancy and providing an approximate timeline as to when the residence will again be occupied. Owner must notify the Managing Agent when there is a change in tenants and must comply with all the items 1) through 5) along with other rules and restrictions as set forth in the CC&R's; and
- 5) If Owners having a lease in place at the time of recording of this document have not fulfilled the requirements in (1) through (4) above, the Owner will have ten (10) days from the date notified by the Managing Agent to comply or forfeit all rights and privileges to the "Grandfather Clause." Owner shall be subject to the leasing maximum restrictions for its current and all future leases of the residence.

The Association shall enforce the restriction, covenant, or rule only to the extent allowable by law under the Declaration and Texas Property Code § 209.016 (or other numbered sections subsequently used to address said provisions).

The Board of Directors hereby adopts the following supplements for the items listed on behalf of Article 2, Section 2.2.1 Leasing:

b. The following rule is supplemented to add: "On occasion, from time to time, if deemed appropriate by the Board an Owner may submit a request to the Board for the allowance of renting out a room in lieu of the entire residence. The Owner shall describe in detail the reason for the request and the Board shall take into consideration any relevant request which it deems necessary or appropriate. Any such allowance may be temporary in nature at the Board's sole discretion."

c. The following rule is supplemented to add: "Owner shall provide to the Association or its managing agent a fully executed copy of the lease or other proof that a lease is in place along with the names and contact information for the primary tenants responsible for the lease. Owner shall supply this information each time occupancy for the home changes within five (5) days of new tenants' occupancy of the home and at least once per year during the time the tenants occupy the home. A background and/or credit check of all potential tenants is recommended but is not mandatory."

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d. The following rule is supplemented to add: "Owner must obtain a signed acknowledgment from the tenant that he/she has explained the rules and requirements in detail. Owners are hereby noticed the Association will diligently enforce rules and regulations and expect compliance from any Tenant or Occupant and any failure of the Tenant or Occupant shall be addressed with the Owner of the Lot and the Owner shall be held responsible for any non-compliance or infraction of the rules committed by any Tenant or Occupant. Owners are encouraged to take notices of infractions seriously when they are notified and promptly act to gain the cooperation and compliance of all Occupants. Owners shall not allow tenants to use their secure log in information to access information on any secured platform established for homeowner use only or owned and/or operated by the Association or its managing agent."


The above supplements are hereby adopted for enforcement in addition to the rules and restrictions for leasing already existing in the CC&R's or any policy of the Association. To the extent these guidelines contradict with the original language from the CC&R's or any policy, the original of said rule or restriction shall control. The Board of Directors reserves the right to further supplement, amend, or rescind any rule or regulation or supplementation thereof as set forth in this Resolution.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on April 13, 2022. Supplemental rules set forth herein shall be enforceable upon the Membership three (3) business days after notification of supplementation of the rules is delivered to the Members. Said delivery may be via electronic means through the Association's website to include posting the Resolution to the website for Members to view and download at their convenience.

Executed this 13th day of April, 2022



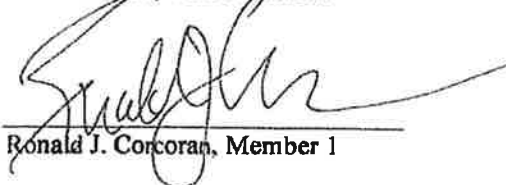
Brock Babb, President



Dustin Warren, Vice President



Alex Hargis, Secretary



Ronald J. Concoran, Member 1



Joe Wammers, Member 2

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Denton County
Juli Luke
County Clerk

Instrument Number: 130180

ERecordings-RP

NOTICE

Recorded On: September 08, 2022 10:42 AM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$46.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 130180
Receipt Number: 20220908000262
Recorded Date/Time: September 08, 2022 10:42 AM
User: Melissa K
Station: Station 25

Record and Return To:

Simplifile



STATE OF TEXAS
COUNTY OF DENTON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke
County Clerk
Denton County, TX