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MANZANO RIDGE

COMMUNITY MANUAL

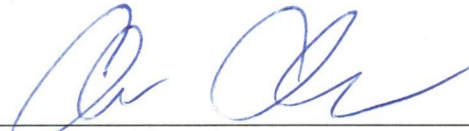
DATED EFFECTIVE: 2/7, 2022

- APPENDIX A:** Certificate of Formation of Manzano Ridge Property Owners Association
- APPENDIX B:** Bylaws of Manzano Ridge Property Owners Association
- APPENDIX C:** Manzano Ridge Property Owners Association Records Retention Policy
- APPENDIX D:** Manzano Ridge Property Owners Association Records Production and Copying Policy
- APPENDIX E:** Manzano Ridge Property Owners Association Guidelines for Alternative Payment Plans
- APPENDIX F:** Manzano Ridge Property Owners Association Membership Voting Policy

As used in this Community Manual, the term **“Property”** shall mean all property in MANZANO RIDGE, a subdivision in Burnet County, Texas, as shown by plat recorded as Clerk Document No. 202016771, Official Public Records of Burnet County, Texas, and as subject to the Declaration of Covenants, Conditions and Restrictions for Manzano Ridge, recorded as Document No. 202106081 in the Official Public Records of Burnet County, Texas (as amended and supplemented from time to time, the **“Declaration”**), and as the same be increased or decreased from time to time.

The undersigned hereby certifies that he is the duly elected and acting President of Manzano Ridge Property Owners Association (the **“Association”**), and that this is a true and correct copy of the current Community Manual of the Property and the Association, adopted by the Board of Directors of the Association.

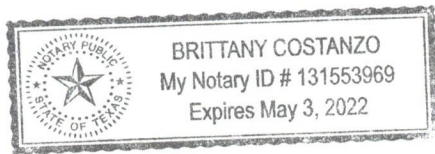
IN WITNESS WHEREOF, the undersigned has executed this certificate on
February 7, 2022.


Chris Claiborne, President

THE STATE OF TEXAS *

COUNTY OF Burnet *

This instrument was acknowledged before me on February 7, 2022, by CHRIS CLAIBORNE, President of and on behalf of Manzano Ridge Property Owners Association, a Texas non-profit corporation, for the purpose therein stated.




Notary Public, State of Texas

JOINDER BY DECLARANT

To be binding on the Property and the owners of property within the MANZANO RIDGE SUBDIVISION in accordance with, and subject to, the Declaration, 6.59 MANZANO, LLC, a Texas limited liability company (the "**Declarant**"), hereby adopts this Community Manual, as the initial Community Manual for the Property.

IN WITNESS WHEREOF, the undersigned have executed this instrument on February 7, 2022.

Declarant:

6.59 MANZANO, LLC

By: 

Chris Claiborne, Manager

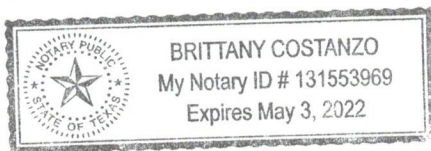
THE STATE OF TEXAS

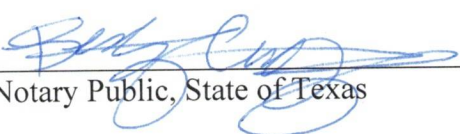
*

COUNTY OF Burnet

*

This instrument was acknowledged before me on February 7, 2022, by Chris Claiborne, Manager of and on behalf of 6.59 MANZANO, LLC, a Texas limited liability company, for the purposes therein stated.




Notary Public, State of Texas

MANZANO RIDGE
COMMUNITY MANUAL

APPENDIX A:

Manzano Ridge Property Owners Association
Certificate of Formation

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697



Jose A. Esparza
Deputy Secretary of State

Office of the Secretary of State

CERTIFICATE OF FILING OF

MANZANO RIDGE PROPERTY OWNERS ASSOCIATION
File Number: 804090093

The undersigned, as Deputy Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Nonprofit Corporation has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Deputy Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 05/26/2021

Effective: 05/26/2021



A handwritten signature in black ink, appearing to be "JE", followed by a long horizontal line.

Jose A. Esparza
Deputy Secretary of State

CERTIFICATE OF FORMATION
OF
MANZANO RIDGE PROPERTY OWNERS ASSOCIATION
(a Texas Non-profit corporation)

The undersigned natural person over the age of eighteen years, acting as incorporator of a Texas non-profit corporation under the Texas Business Organizations Code, hereby adopts the following Certificate of Formation for such corporation:

Article 1 – Property Owners Association

The corporation shall be, mean and constitute a “property owners association,” as that term is defined in Tex. Prop. Code §209.002(7) in that it (A) is designated as the representative of the owners of property covered by the dedicatory instrument entitled Master Declaration of Covenants, Conditions and Restrictions for Manzano Ridge Subdivision, recorded under File No. 202106081 in the Official Public Records of Burnet County, Texas (“Declaration”); (B) has a membership primarily consisting of the owners of the property covered by the Declaration for the residential subdivision located in Burnet County, Texas, known as MANZANO RIDGE (“Subdivision”); and (C) manages and regulates the Subdivision for the benefit of owners of property in the Subdivision.

Article 2 – Name

The name of the corporation (the “Association”) is:

MANZANO RIDGE PROPERTY OWNERS ASSOCIATION

Article 3 – Non-profit

The Association is a non-profit corporation, organized pursuant to the Tex. Bus. Org. Code §§3.005 and 3.009.

Article 4 – Duration

The duration of the Association shall be perpetual.

Article 5 – Purposes

The general purposes for which the Association is formed are to exercise the right and powers and to perform the duties and obligations of the Association, in accordance with the Declaration, the Bylaws of the Association and the laws of the State of Texas (“State Law”).

Article 6 – Powers

In furtherance of its purpose, the Association shall have the following powers which, unless indicated otherwise by this Certificate of Formation, the Declaration, the Bylaws, or State Law, may be exercised by the board of directors.

1. All rights and powers conferred upon non-profit corporations by State law in effect from time to time;
2. All rights and powers conferred upon property owners associations by State law, in effect from time to time; and
3. All powers necessary, appropriate or advisable to perform any purpose or duty of the Association as set out in this Certificate of Formation, the Declaration, the Bylaws or State Law.

Article 7 – Membership

The Association shall be a non-stock membership corporation. The Declaration and Bylaws shall determine the number and qualifications of the members of the Association; the voting rights and other privileges of membership; and the obligations and liabilities of members. Cumulative voting is not allowed.

Article 8 – Management by Board

The management and affairs of the Association shall be vested in the board of directors, except for those matters expressly reserved to others in the Declaration and Bylaws. The Bylaws shall determine the number and qualification of directors; the term of office of directors, the method of electing, removing and replacing directors, and the methods of holding a board meeting and obtaining consents.

Article 9 – Limitations of Liability

A. Except as provided in Paragraph B below, an officer or director of the Association is not liable to the Association or its members for monetary damages for acts or omissions that occur in the person's capacity as an officer or director except to the extent a person is found liable for (i) a breach of the officer or director's duty of loyalty to the Association or its members; (ii) an act or omission not in good faith that constitutes a breach of duty of the officer or director to the Association; (iii) an act or omission that involves intentional misconduct or knowing violation of law; (iv) a transaction from which the officer or director receives an improper benefit, whether or not the benefit resulted from the action taken within the scope of the person's office; or (v) an act or omission for which the liability of an officer or director is expressly provided by applicable statute. The liability of officers and directors of the Association may also be limited by the Charitable Immunity and Liability Act of 1987, Chapter 84, Texas Civil Practice and Remedies Code, as amended.

B. The limitation on the liability of an officer or director does not eliminate or modify that person's liability as a member of the Association. It is intended that the liability of any member arising out of any contract made by the Association, or out of the indemnification of officers or directors, or for damages as a result of injuries arising in connection with the Common Areas, or for liabilities incurred by the Association, shall be limited to the same proportion in which he is liable for common expenses as a member of the Association.

Article 10 – Indemnification

Each person who acts as a member of the Board of Directors, officer or committee member of the Association shall be indemnified by the Association against any costs, expenses and liabilities which may be imposed upon or reasonably incurred by him in connection with any civil or criminal action, suit or proceeding in which he may be named as a party defendant or in which he may be a witness by reason of his or her being or having been a member of the Board of Directors, officer, or committee member of the Association, or by reason of any action alleged to have been taken or omitted by him in either such capacity. Such indemnification shall be provided in the manner and under the terms, conditions and limitations set forth in Article VI, Section 1 of the Declaration.

Article 11 – Amendment of Certificate

This Certificate of Formation may be amended in accordance with the Tex. Bus. Org. Code §§§§3.051, 3.059, 3.061(a), and 22.105, subject to the following:

1. An amendment shall not conflict with the Declaration or State Law.
2. An amendment shall not impair or dilute a right granted to a person by the Declaration, without that person's written consent.
3. Without member approval, the board of directors may adopt amendments permitted by the Texas Business Organizations Code.

Article 12 – Dissolution

The Association may be dissolved with the written and signed assent of not less than sixty-seven percent (67%) of the total number of votes of the Association, as determined under the Declaration. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed, and assigned to any nonprofit corporation, association, trust, or other organization to be devoted to such similar purposes.

Article 13 – Action Without a Meeting

Pursuant to Tex. Bus. Org. Code §§6.201 and 22.220(a), any action required by the Texas Business Organizations Code to be taken at a meeting of the members or directors, or any action that may be taken at a meeting of the members or directors of any committee may be taken without a meeting if a consent in writing setting forth the action to be taken, is signed by a sufficient number of members, directors, or committee members as would be necessary to take that action at a meeting at which all of the members, directors, or members of the committee were present and voted. This Article does not apply to the actions required to be taken in an open meeting in Tex. Prop. Code §209.0051(h)(1)-(15) & (i)(1)-(4).

Article 14 – Initial Board of Directors

The initial board shall consist of three (3) directors who shall serve as directors until their successors shall have been elected and qualified, as provided in the Bylaws. The name and address of each initial director is as follows:

1. **CHRIS CLAIBORNE**
900 RR 620 S, Suite C212
Lakeway, Texas 73734
2. **CHARLES CLAIBORNE**
900 RR 620 S, Suite C212
Lakeway, Texas 73734
3. **BOB RICHARDSON**
900 RR 620 S, Suite C212
Lakeway, Texas 73734

Article 15 – Registered Agent

The name of the Association's registered agent and registered office is:

CHRIS CLAIBORNE
900 RR 620 S, Suite C212
Lakeway, Texas 73734

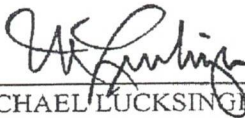
Article 16 – Incorporator

The name and address of the incorporator is:

MICHAEL LUCKSINGER

P. O. Box 130
Burnet, Texas 78611

I execute this Certificate of Formation on May 26, 2021.



MICHAEL LUCKSINGER, Authorized Incorporator

MANZANO RIDGE
COMMUNITY MANUAL

APPENDIX B:

Manzano Ridge Property Owners Association
Bylaws

**Bylaws of
MANZANO RIDGE PROPERTY OWNERS ASSOCIATION**

Basic Information

Property Owners

Association: MANZANO RIDGE PROPERTY OWNERS ASSOCIATION, a Texas non-profit corporation, established by the certificate of formation filed with the secretary of state of Texas on May 26, 2021, under file number 804090093.

Principal Office: 900 South RR 620, Suite C212, Austin, TX 78734.
The Property Owners Association may have other offices.

Declaration: The Declaration of Restrictive Covenants of Manzano Ridge Subdivision, recorded under Instrument No. 202106081, Official Public Records of Burnet County, Texas.

Definitions: Capitalized terms used but not defined herein have the meaning set forth in the Declaration.

Voting Members: Members entitled to vote or their proxies as set out herein.

A. Members

A.1. Membership. Every Owner of a Lot in Manzano Ridge is a Member of the Property Owners Association (the "POA"). Membership is appurtenant to and may not be separated from ownership of a Lot. The Property Owners Association has two classes of voting Members:

A.1.a. Class A. Class A Members are all Owners, other than Declarant. Class A Members have one vote per Lot. When more than one person is an Owner, each is a Class A Member, but only one vote may be cast for a Lot.

A.1.b. Class B. The Class B Member is 6.59 Manzano, LLC, a Texas limited liability company ("Declarant"). Declarant has three (3) votes for each Lot owned. The Class B membership ceases and converts to Class A membership on the earlier of-

- i. Ten (10) years after the date of the first conveyance of a Lot to a person other than Declarant;
- ii. Upon the conveyance of all the Lots by Declarant; or
- iii. When Declarant, in its sole discretion, so chooses.

A.2. Place of Meeting. Members meetings will be held at the Property Owners Association's Principal Office or at another place designated by the Board.

A.3. Annual Meetings. The first Members meeting will be held within three (3) months after the formation of the Property Owners Association. Subsequent regular annual Members meetings will be held each year in the month of March.

A.4. Special Meetings. The president may call special meetings. The president must call a special meeting if directed by the Board or by a petition signed by a majority of the Class A Voting Members.

A.5. Notice of Meetings, Election, and Vote. Written notice stating the place, day, and hour of each Members meeting, other than a reconvened meeting, must be given to each Member not less than ten nor more than sixty days before the meeting. For voting not at a meeting, notice must be given not later than the twentieth day before the latest day on which a ballot may be submitted to be counted. The special Members meeting notices must also state the meeting's purpose, and no business may be conducted except as stated in the notice. Notice to a Member must state the purpose of an association-wide election or vote and is deemed given when hand delivered, mailed or electronically transmitted to the Member's email address on record with Manzano Ridge Property Owners Association. If mailed, notice is deemed given (whether actually received or not) when deposited with the United States Postal Service, postage prepaid.

A.6. Waiver of Notice. A Member may, in writing, waive notice of a meeting. Attendance at a meeting is a waiver of notice of the meeting, unless the Member objects to lack of notice when the meeting is called to order.

A.7. Quorum. A majority of the Voting Members is a quorum. If a Members meeting cannot be held because a quorum is not present, either in person, by proxy, by absentee ballot, or by electronic ballot, a majority of the Voting Members who are present may adjourn the meeting. At the reconvened meeting, forty percent of the Voting Members is a quorum. If a quorum is not present, a majority of the Voting Members who are present may adjourn the meeting. At the second reconvened meeting, a majority of the Board is a quorum. Written notice of the place, date, and hour of each reconvened meeting must be given to each Member not more than 21 nor less than 7 days before the reconvened meeting.

A.8. Majority Vote. Voting by Members may be at a meeting or outside of a meeting. Voting must be as required by law. Votes representing more than 50 percent of the Voting Members present at a meeting at which a quorum is present are a majority vote.

A.9. Voting Methods. Voting Members may, at the option of the Board, vote in person, by proxy, by absentee ballot, by electronic ballot, or by any other process approved by the Board. A Member must be allowed to vote by absentee ballot or proxy, but the Board is not required to provide a Member with more than one voting method.

A.10. Conduct of Meetings. The president will preside over Members meetings. The secretary will keep minutes of the meetings and will record in a minutes book the votes of the members.

B. Board

B.1. Governing Body; Composition. The affairs of the Property Owners Association are governed by the Board. Each director has one vote. The initial Board is composed of the directors appointed in the certificate of formation. Each subsequent director must be a Member or, in the case of an entity Member, a person designated in writing to the secretary.

B.2. Qualifications.

B.2.a. Member. Each director, subsequent to the initial Board of Directors, must be a Member or, in the case of an entity Member, a person designated in writing by either proxy or a resolution to the secretary of the Property Owners Association.

B.2.b. Felony or Crime Involving Moral Turpitude. If the Board is presented with written, documented evidence from a database or other record maintained by a governmental law enforcement authority that a director was convicted of a felony or crime involving moral turpitude not more than twenty years before the date the Board is presented with the evidence, that director is immediately ineligible to serve on the Board, automatically considered removed from the Board, and prohibited from future service on the Board.

B.2.c. Cohabitation of Directors. A Member may not serve on the Board if the Member cohabits at the same primary residence with a director. This section does not apply during the Property Owners Association's development period to affect the eligibility to serve on the Board of:

- i. a Member who cohabits with a developer or Declarant of the Subdivision;
or
- ii. the developer or Declarant.

B.3. Number of Directors. The Board consists of not less than three nor more than five (5) directors. Within those limits, the Board may change the number of directors. No decrease may shorten the term of a director.

B.4. Term of Office. The initial directors serve until the first annual meeting of Members. Successor directors will have a term of one year. Directors may serve consecutive terms.

B.5. Election. At the first annual meeting of Members, the Voting Members will elect directors to succeed the initial directors. At subsequent annual Members meetings, successors for each director whose term is expiring will be elected. Cumulative voting is prohibited. The candidate or candidates receiving the most votes will be elected. The directors elected by the Voting Members will hold office until their respective successors have been elected.

B.6. Removal of Directors and Vacancies

B.6.a. Removal by Members. Any director may be removed, with or without cause, by a majority of the Voting Members. Any director whose removal is sought will be given notice of the proposed removal.

B.6.b. Removal by Board. Any director may be removed at a Board meeting if the director-

- i. failed to attend 4 consecutive Board meetings; or
- ii. failed to attend 50 percent of Board meetings within one year.

B.6.c. Vacancies. A director's position becomes vacant if the director dies, becomes incapacitated, resigns, or is no longer a Member.

B.6.d. Successors. If a director is removed or a vacancy exists, a successor will be elected by the remaining directors for the remainder of the term.

B.7. Compensation. Directors will not receive compensation. A director may be reimbursed for expenses approved by the Board.

B.8. Powers. The Board has all powers necessary to administer the Property Owners Association's affairs.

B.9. Management. The Board may employ a managing agent. Declarant, or an affiliate of Declarant, may be the managing agent.

B.10. Accounts and Reports. Accounting and controls must conform to good accounting practices. Accounts will not be commingled with accounts of other persons. The following financial reports will be prepared at least annually:

B.10.a. An income statement reflecting all income and expense activity for the preceding period.

B.10.b. A statement reflecting all cash receipts and disbursements for the preceding period.

B.10.c. A variance report reflecting the status of all accounts in an "actual" versus "approved" budget format.

B.10.d. A balance sheet as of the last day of the preceding period.

B.10.e. A delinquency report listing all Owners who are delinquent by more than 60 days in paying any Assessment and describing the status of any action to collect those delinquent Assessments.

B.11. Borrowing. The Board may borrow money to maintain, repair, or restore the Common Area without the approval of the Members. If approved in advance by the Members in the same manner as approving a Special Assessment, the Board may borrow money for any other purpose.

B.12. Rights of Association. With respect to the Common Area, and in accordance with the Declaration, the Property Owners Association will have the right to contract with any person for the performance of various duties and functions. Such agreements require the approval of the Board.

B.13. Enforcement Procedures

B.13.a. Notice. Before the Board may (i) suspend an Owner's right to use a Common Area, (ii) file a suit against an Owner other than a suit to collect any Assessment, (iii) foreclose the Property Owners Association's lien, (iv) charge an Owner for property damage, or (v) levy a fine for a violation of the Dedicatory Instruments, the Property Owners Association or its agent must give written notice to the Owner as required or permitted by law. The notice must describe the violation or property damage that is the basis for the suspension action, charge, or fine and state any amount due the Property Owners Association from the Owner. The notice must also (i) inform the Owner that if the violation is curable and does not pose a threat to public health or safety, which means it could not materially affect the health or safety of an ordinary resident, the Owner is entitled to a reasonable period to cure the violation and avoid the fine or suspension unless the Owner was given notice and a reasonable opportunity to cure a similar violation within the preceding six months; (ii) indicate that the Owner may request a hearing in accordance with Texas Property Code section 209.007 on or before the thirtieth day after the date the notice was mailed to the Owner, (iii) state that the Owner may have special rights if the Owner is serving on active military duty, and (iv) state the date by which the Owner must cure a curable violation that does not pose a threat to public health and safety.

B.13.b. Hearing. If the Owner is entitled to an opportunity to cure the violation, the Owner has the right to submit a written request for a hearing to discuss and verify facts and resolve the matter in issue before a committee appointed by the Board or before the Board if the Board does not appoint a committee. If a hearing is to be held before a committee, the notice must state that the Owner has the right to appeal the committee's decision to the Board by written notice to the Board.

The Property Owners Association must hold a hearing under this section not later than the thirtieth day after the date the Board receives the Owner's request for a hearing and must notify the Owner of the date, time, and place of the hearing not later than the tenth day before the date of the hearing. The Board or the Owner may request a postponement, and, if requested, a postponement will be granted for a period of not more than ten days. Additional postponements may be granted by agreement of the parties. The Owner or the Property Owners Association may make an audio recording of the meeting.

The hearing will be held in executive session affording the alleged violator a reasonable opportunity to be heard. Before any sanction hereunder becomes effective, proof of proper notice will be placed in the minutes of the meeting. Such proof will be deemed adequate if a copy of the notice, together with a statement of the date and manner of delivery, is entered by the officer, director, or agent who delivered the notice. The notice requirement will be satisfied if the alleged violator appears at the meeting. The minutes of the meeting will contain a written statement of the results of the hearing and the sanction, if any, imposed. The Board may, but will not be obligated to, suspend any proposed sanction if the violation is cured within a 21-day period. Such suspension will not constitute a waiver of the right to sanction violations of the same or other provisions and rules by any person.

B.13.c. Appeal. Following hearing before a committee, if any, the violator will have the right to appeal the decision to the Board. To perfect this right, a written notice of appeal must be received by the managing agent, if any, president, or secretary within 10 days after the hearing date.

B.13.d. Changes in Law. The Board may change the enforcement procedures set out in this section to comply with changes in law.

C. Board Meetings

C.1. Meetings. Except as permitted by law, all regular and special meetings of the Board must be open to the Owners. Except for a meeting held by electronic or telephonic means, a Board meeting must be held in a county in which all or part of the property in the subdivision is located or in a county adjacent to that county. A board meeting may be held by electronic or telephonic means, provided all Owners and Board Members have access to the communication at the meeting as required by law.

C.2. Notice. Owners and Board Members must be given notice of the date, hour, place, and general subject of a regular or special Board meeting, including a general description of any matter to be brought up for deliberation in executive session. Notice must be given as required by law.

C.3. Waiver of Notice. The actions of the Board at any meeting are valid if (a) a quorum is present and (b) either proper notice of the meeting was given to each director or a written waiver of notice is given by any director who did not receive proper notice of the meeting. Proper notice of a meeting will be deemed given to any director who attends the meeting without protesting before or at its commencement about the lack of proper notice.

C.4. Quorum of Board. At all meetings, a majority of the Board will constitute a quorum, and the votes of a majority of the directors present at a meeting at which a quorum is present constitutes the decision of the Board. If the Board cannot act because a quorum is not present, a majority of the directors who are present may adjourn the meeting to a date not less than 7 nor more than 21 days from the date the original meeting was called. At the reconvened

meeting, if a quorum is present, any business that may have been transacted at the meeting originally called may be transacted without further notice.

C.5. Conduct of Meetings. The president will preside at Board meetings. The secretary will keep minutes of the meetings and will record in a minute book the votes of the directors. The Board meeting will be conducted as required by law.

C.6. Proxies. Directors may vote by written proxy.

D. Officers

D.1. Officers. The officers of the Property Owners Association are a president, vice president, secretary, and treasurer, to be elected from the Members. The Board may appoint other officers having the authority and duties prescribed by the Board. Any two or more offices may be held by the same person, except the offices of president and secretary.

D.2. Election, Term of Office, and Vacancies. Officers will be elected annually by the Board at the first meeting of the Board following each annual meeting of the Voting Members. A vacancy in any office may be filled by the Board for the unexpired portion of the term.

D.3. Removal. The Board may remove any officer whenever, in the Board's judgment, the interests of the Property Owners Association will be served thereby.

D.4. Powers and Duties. Officers have such powers and duties as are generally associated with their respective offices and as may be specifically conferred by the Board. The president is the chief executive officer of the Property Owners Association. The treasurer has primary responsibility for the preparation of the budget and financial reports and may delegate all or part of the preparation and notification duties to a finance committee, management agent, or both.

D.5. Resignation. Any officer may resign at any time by giving written notice to the Board, the president, or the secretary. Resignation takes effect on the date of the receipt of the notice or at any later time specified in the notice.

E. Committees

The Board may establish committees by resolution and authorize the committees to perform the duties described in the resolution.

F. Miscellaneous

F.1. Fiscal Year. The Board may establish the Property Owners Association's fiscal year by resolution. In the absence of a Board resolution determining otherwise, the Property Owners Association's fiscal year is a calendar year.

F.2. Rules for Meeting. The Board may adopt rules for the conduct of meetings of Members, Board, and committees.

F.3. Conflict. The Declaration controls over these Bylaws.

F.4. Inspection of Books and Records


F.4.a. Inspection by Member. After a written request to the Property Owners Association, a Member may examine and copy, in person or by agent, any Property Owners Association books and records relevant to that purpose. The Board may establish rules concerning the (i) written request; (ii) hours, days of the week, and place; and (iii) payment of costs related to a Member's inspection and copying of books and records.

F.4.b. Inspection by Director. A director has the right, at any reasonable time, and at the Property Owners Association's expense, to (i) examine and copy the Property Owners Association's books and records at the Property Owners Association's Principal Office and (ii) inspect the Property Owners Association's properties.

F.5. Notices. Any notice required or permitted by the Dedicatory Instruments must be in writing. Notices regarding enforcement actions must be given as required or as permitted by law. All other notices may be given by regular mail. Notice by mail is deemed delivered (whether actually received or not) when properly deposited with the United States Postal Service, addressed to (a) a Member at the Member's last known address according to the Property Owners Association's records; and (b) the Property Owners Association, the Board, or a managing agent at the Property Owners Association's Principal Office or another address designated in a notice to the Members. Unless otherwise required by law or the Dedicatory Instruments, actual notice, however delivered, is sufficient.

F.6. Amendment. These Bylaws may be amended at any time by the vote of sixty-five percent of the Voting Members in the Property Owners Association. This provision will not be construed as limiting the Board's power to amend the enforcement procedures to comply with changes in law.

MANZANO RIDGE PROPERTY OWNERS
ASSOCIATION, a Texas nonprofit corporation,

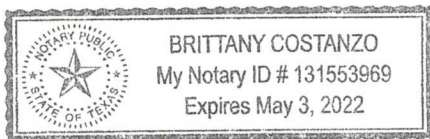


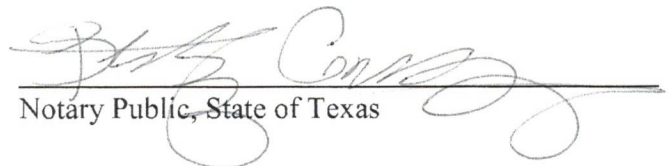
Chris Claiborne, President

STATE OF TEXAS)

COUNTY OF Burnet)

This instrument was acknowledged before me on 1-21²⁰²², 2021, by
CHRIS CLAIBORNE, President of and on behalf of MANZANO RIDGE PROPERTY
OWNERS ASSOCIATION, a Texas nonprofit corporation.





Notary Public, State of Texas

MANZANO RIDGE
COMMUNITY MANUAL

APPENDIX C:

Manzano Ridge Property Owners Association
Records Retention Policy

MANZANO RIDGE PROPERTY OWNERS ASSOCIATION
POLICY RESOLUTION
Records Retention Policy

STATE OF TEXAS §
 §
COUNTY OF BURNET §

This Records Retention Policy for the Manzano Ridge Property Owners Association (the "Policy") is adopted by the Association (the "Association"), a Texas Non-Profit Corporation.

WHEREAS, the Association adopted a Policy through the following resolution of the Manzano Ridge Property Owners Association Board of Directors (the "Board").

NOW THEREFORE, the Association hereby adopts a Records Retention schedule as follows:

- 1) Certificates of formation, articles of incorporation, bylaws, restrictive covenants and all amendments to certificates of formation, bylaws and covenants shall be retained permanently at the Association's principal office address, electronically or in a storage facility as deemed appropriate by the Board.
- 2) Financial books and records shall be retained for seven years at the Association's principal office address, electronically or in a storage facility as deemed appropriate by the Board.
- 3) Account records of current owners shall be retained for five years at the Association's principal office address, electronically or in a storage facility as deemed appropriate by the Board.
- 4) Contracts with a term of one year or more shall be retained for four years after the expiration of the contract term at the Association's principal office address, electronically or in a storage facility as deemed appropriate by the Board.
- 5) Minutes of meetings of the owners and the Board shall be retained for seven years at the Association's principal office address, electronically or in a storage facility as deemed appropriate by the Board.
- 6) Tax returns and audit records shall be retained for seven years at the Association's principal office address, electronically or in a storage facility as deemed appropriate by the Board.

Documents not specifically listed above will be retained for the time period of the documents most closely related to those listed in the above schedule. Electronic documents will be retained as if they were paper documents. Therefore, any electronic files that fall into one of the document types on the above schedule will be maintained for the identified time period.

The custodian of the records of the Association is responsible for the ongoing process of identifying the Association's records which have met the required retention period and overseeing their destruction. Destruction of any physical documents will be accomplished by shredding. Destruction of any electronic records of the Association shall be made via a reasonable attempt to remove the electronic records from all known electronic locations and/or repositories.

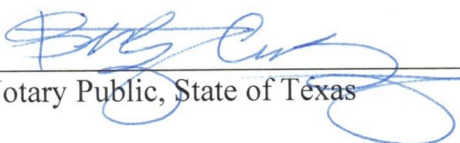
Duly adopted at a meeting held by the Board of Directors of Manzano Ridge Property Owners Association on February 7, 2022.


CHRIS CLAIBORNE, President

STATE OF TEXAS §
 §
COUNTY OF Burnet §

This instrument was acknowledged before me on February 7, 2022, by CHRIS CLAIBORNER, President of and on behalf of MANZANO RIDGE PROPERTY OWNERS ASSOCIATION, a Texas non-profit corporation.




Notary Public, State of Texas

MANZANO RIDGE
COMMUNITY MANUAL

APPENDIX D:

Manzano Ridge Property Owners Association
Records Production and Copying Policy

MANZANO RIDGE PROPERTY OWNERS ASSOCIATION
Records Production and Copying Policy

Dated Effective:

February 7, 2022

Subdivision:

MANZANO RIDGE
Subdivision in Burnet County, Texas

Property Owners Association:

MANZANO RIDGE PROPERTY OWNERS
ASSOCIATION, established by the certificate of
formation filed with the secretary of state of Texas
on May 26, 2021, under file number 804090093.

Charges:

Charges for examining and copying Property
Owners Association information are set out in
Exhibit "A".

Except for information deemed confidential by law or court order, the Property Owners Association will make its books and records open to and reasonably available for examination by an owner of property in the Subdivision or a person designated in a writing signed by the owner as the owner's agent, attorney, or certified public accountant, in accordance with Texas Property Code section 209.005. Owners are also entitled to obtain copies of information in the Property Owners Association's books and records on payment of the Charges for the copies. To the extent the Charges in this policy exceed the charges in section 70.3 of title 1 of the Texas Administrative Code, the amounts in section 70.3 of title 1 of the Texas Administrative Code govern.

Information not subject to inspection by owners includes but is not limited to-

1. any document that constitutes the work product of the Property Owners Association's attorney or that is privileged as an attorney-client communication;
2. files and records of the Property Owners Association's attorney relating to the Property Owners Association, excluding invoices requested by an owner under Texas Property Code section 209.008(d); and
3. except to the extent the information is provided in the meeting minutes or as authorized by Texas Property Code section 209.005(l), (a) information that identifies the dedicatory instrument violation history of an individual owner; (b) an owner's personal financial information, including records of payment or nonpayment of amounts due the Property Owners Association; (c) an owner's contact information, other than the owner's address; and (d) information related to an employee of the Property Owners Association, including personnel files.

If a document in the Property Owners Association's attorney's files and records relating to the Property Owners Association would be subject to a request by an owner to inspect or copy Property Owners Association documents, the document will be produced by using the copy from the attorney's files and records if the Property Owners Association has not maintained a separate copy of the document.

Procedures for Inspecting Information or Obtaining Copies

1. An owner or the owner's agent must submit a written request for access or information by certified mail, with sufficient detail describing the Property Owners Association's books and records requested, to the mailing address of the Property Owners Association or authorized representative as reflected on the most current management certificate filed with the county clerk of Burnet County, Texas.

2. The request must include enough description and detail about the information requested to enable the Property Owners Association to accurately identify and locate the information requested. Owners must cooperate with the Property Owners Association's reasonable efforts to clarify the type or amount of information requested.

3. The request must contain an election either to inspect the books and records before obtaining copies or to have the Property Owners Association forward copies of the requested books and records and-

- a. if an inspection is requested, the Property Owners Association, on or before the tenth business day after the date the Property Owners Association receives the request, will send written notice of dates during normal business hours that the owner may inspect the requested books and records to the extent those books and records are in the possession, custody, or control of the Property Owners Association; or
- b. if copies of identified books and records are requested, the Property Owners Association will, to the extent those books and records are in the possession, custody, or control of the Property Owners Association, produce the requested books and records for the requesting party on or before the tenth business day after the date the Property Owners Association receives the request.

4. If the Property Owners Association is unable to produce the books or records requested that are in its possession or custody on or before the tenth business day after the date the Property Owners Association receives the request, the Property Owners Association must provide to the requestor written notice that-

- a. informs the owner that the Property Owners Association is unable to produce the information on or before the tenth business day after the date the Property Owners Association received the request; and

- b. states a date by which the information will be sent or made available for inspection to the requesting party that is not later than the fifteenth business day after the date notice under this subsection is given.

5. If an inspection is requested or required, the inspection will take place at a mutually agreeable time during normal business hours, and the owner will identify the books and records for the Property Owners Association to copy and forward to the owner.

6. The Property Owners Association may produce copies of the requested information in paper copy, electronic, or other format reasonably available to the Property Owners Association.

7. Before starting work on an owner's request, the Property Owners Association must provide the owner with a written, itemized statement of estimated Charges for examining and copying records related to the owner's request, using amounts prescribed in this policy when the estimated Charges exceed \$40. Owners may modify the request in response to the itemized statement.

8. Within ten business days of the date the Property Owners Association sent the estimate of Charges, the owner must respond in writing to the written estimate, or the request is considered automatically withdrawn. The response must state whether the owner (a) accepts the estimate per the request, (b) modifies the request, or (c) withdraws the request.

9. Owners are responsible for Charges related to the compilation, production, and reproduction of the requested information in the amounts stated in this policy. The Property Owners Association may require advance payment of the estimated Charges of compilation, production, and reproduction of the requested information.

10. If the estimated Charges are less or more than the actual Charges, the Property Owners Association must submit a final invoice to the owner on or before the thirtieth business day after the date the information is delivered. If the final invoice includes additional amounts due from the owner, the additional amounts, if not reimbursed to the Property Owners Association before the thirtieth business day after the date the invoice is sent to the owner, may be added to the owner's account as an assessment. If the estimated Charges exceeded the final invoice amount, the owner is entitled to a refund, and the refund will be issued to the owner not later than the thirtieth business day after the date the invoice is sent to the owner.

<SIGNATURE PAGE FOLLOWS>

SIGNATURE PAGE
Records Production and Copying Policy

MANZANO RIDGE PROPERTY OWNERS
ASSOCIATION, a Texas nonprofit corporation,




Chris Claiborne, President

STATE OF TEXAS)

COUNTY OF Barnett)

This instrument was acknowledged before me on February 7, 2022, by
Chris Claiborne, President of and on behalf of MANZANO RIDGE PROPERTY OWNERS
ASSOCIATION, a Texas nonprofit corporation.





Notary Public, State of Texas
My commission expires: _____

Exhibit A

Charges for Examining and Copying Property Owners

Association Information

A. Labor Charge for Computer Programming

If a particular request requires the services of a computer programmer to execute an existing program or to create a new program so that requested information may be accessed and copied, the Property Owners Association will charge \$28.50 an hour for the programmer's time spent on the request.

B. Labor Charge for Locating, Compiling, Manipulating, and Reproducing Data and Information

1. The charge for labor costs incurred in processing an owner's request for Property Owners Association information is \$15.00 an hour. The labor charge will be calculated based on the actual time to locate, compile, manipulate, and reproduce the requested data and information.

2. A labor charge will not be billed in connection with complying with requests that are for fifty or fewer pages of paper records, unless the documents to be copied are located in (a) two or more separate buildings that are not physically connected with each other or (b) a remote storage facility.

3. A labor charge will not be billed for any time spent by an attorney, legal assistant, or any other person who reviews the requested information to determine whether it is confidential or privileged under Texas law.

4. When confidential or privileged information is mixed with public information in the same page, a labor charge may be recovered for time spent to redact, black out, or otherwise obscure the confidential or privileged information in order to comply with the owner's request. The Property Owners Association will not charge for redacting confidential or privileged information for requests of fifty or fewer pages unless the request also qualifies for a labor charge under section 552.261(a)(1) or 552.261(a)(2) of the Texas Government Code.

C. Overhead Charge

1. Whenever any labor charge is applicable to a request, the Property Owners Association may include in the Charges direct and indirect costs, in addition to the specific labor charge. This overhead charge would cover such costs as depreciation of capital assets, rent, maintenance and repair, utilities, and administrative overhead. If the Property Owners Association chooses to recover such costs, the overhead charge will be computed at 20 percent of the charge made to cover any labor costs associated with a particular request.

For example, if one hour of labor is used for a particular request, the formula would be as follows:

- a. Labor charge for locating, compiling, and reproducing— $\$15.00 \times .20 = \3.00 .
- b. Labor charge for computer programming— $\$28.50 \times .20 = \5.70 .

If a request requires a charge for one hour of labor for locating, compiling, and reproducing information (\$15.00 per hour) and one hour of programming (\$28.50 per hour), the combined overhead would be $\$15.00 + \$28.50 = \$43.50 \times .20 = \8.70 .

2. An overhead charge will not be made for requests for copies of fifty or fewer pages of standard paper records.

D. Microfiche and Microfilm Charge

If the Property Owners Association already has the requested information on microfiche or microfilm, the charge for a copy must not exceed the cost of reproducing the information on microfiche or microfilm or ten cents per page for standard size paper copies of the information on microfiche or microfilm, plus any applicable labor and overhead charge for more than fifty copies.

E. Remote Document Retrieval Charge

To the extent that the retrieval of documents stored on the Property Owners Association's property results in a charge to comply with a request, the Property Owners Association will charge the actual cost of the retrieval.

F. Copy Charges

1. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is ten cents per page or part of a page. Each side of a piece of paper on which information is recorded is counted as a single copy. A piece of paper that has information recorded on both sides is counted as two copies. Standard paper copy is a copy of Property Owners Association information that is a printed impression on one side of a piece of paper that measures up to eight and one-half by fourteen inches.

2. A "nonstandard" copy includes everything but a copy of a piece of paper measuring up to eight and one-half by fourteen inches. Microfiche, microfilm, diskettes, magnetic tapes, and CD-ROM are examples of nonstandard copies. The charges in this subsection are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are-

- a. diskette—\$1.00;
- b. magnetic tape—actual cost;
- c. data cartridge—actual cost;
- d. tape cartridge—actual cost;
- e. rewritable CD (CD-RW)—\$1.00;
- f. nonrewritable CD (CD-R)—\$1.00;
- g. digital video disc (DVD)—\$3.00;
- h. JAZ drive—actual cost;
- i. other electronic media—actual cost;
- j. VHS video cassette—\$2.50;
- k. audio cassette—\$1.00;
- l. oversize paper copy (e.g., larger than eight and one-half by fourteen inches, greenbar, bluebar, not including maps and photographs using specialty paper)—\$0.50; and
- m. specialty paper (e.g., Mylar, blueprint, blueline, map, photographic)—actual cost.

MANZANO RIDGE
COMMUNITY MANUAL

APPENDIX E:

Manzano Ridge Property Owners Association
Guidelines for Alternative Payment Plans

MANZANO RIDGE PROPERTY OWNERS ASSOCIATION
Guidelines for Alternative Payment Plans

Dated Effective: 2/7, 2022

Property Owners Association: MANZANO RIDGE PROPERTY OWNERS ASSOCIATION, established by the certificate of formation filed with the secretary of state of Texas on May 26, 2021, under file number 804090093.

Property Owners Association's Address: 900 RR 620, Suite C212, Lakeway, Texas 73734. The Property Owners Association may have other offices.

Subdivision: MANZANO RIDGE

Payment Plans Guidelines: The Manzano Ridge Property Owners Association will provide delinquent owners an alternative payment schedule by which an owner may make partial payments to the Association for delinquent regular or special assessments or any other amount owed to the Association without accruing additional monetary penalties. For purposes of these guidelines, monetary penalties do not include reasonable costs associated with administering the payment plan or interest.

Administrative Fee: A \$10.00 administrative fee will accrue monthly, throughout the duration of this payment plan.

Annual Interest Rate. Twelve (12.0%) per annum

The Property Owners Association establishes these guidelines to allow owners who are delinquent in payment of a debt to the Property Owners Association to pay the debt in partial payments to avoid monetary penalties. However, delinquency in payment of a debt may result in nonmonetary penalties, such as loss of privileges.

Payments under a payment plan will incur the monthly Administrative Fee and interest at the Annual Interest Rate.

To be entitled to pay a debt under a payment plan, an owner who is delinquent on a debt must submit a written request to the Property Owners Association.

Owners can make no more than 2 requests for a payment plan within a twelve-month period. The Property Owners Association is not required to enter into a payment plan agreement with an owner who failed to honor the terms of a previous payment plan agreement during the two years following the owner's default under the previous payment plan agreement.

MANZANO RIDGE PROPERTY OWNERS
ASSOCIATION, a Texas nonprofit corporation,

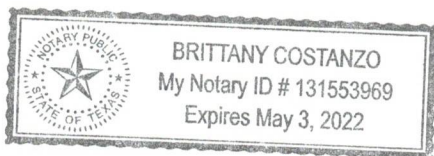
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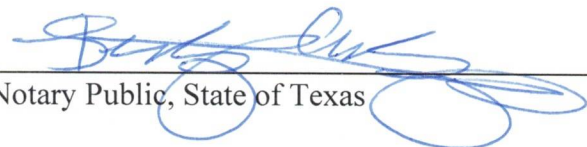
Chris Claiborne, President

STATE OF TEXAS)

COUNTY OF Burnet)

This instrument was acknowledged before me on February 7, 2022, by
Chris Claiborne, President, of and on behalf of MANZANO RIDGE PROPERTY OWNERS
ASSOCIATION, a Texas nonprofit corporation.




Notary Public, State of Texas

MANZANO RIDGE
COMMUNITY MANUAL

APPENDIX F:

Manzano Ridge Property Owners Association
Membership Voting Policy

MANZANO RIDGE PROPERTY OWNERS ASSOCIATION POLICY RESOLUTION

Membership Voting Policy

STATE OF TEXAS §
 §
COUNTY OF BURNET §

This Membership Voting Policy for the Manzano Ridge Property Owners Association (the "Policy") is adopted by the Manzano Ridge Property Owners Association (the "Association"), a Texas Non-Profit Corporation.

WHEREAS, membership voting is governed in whole or in part by Sections 209.0058, 209.0059, 209.00593 and 209.0054 of Texas Property Code (the "Voting Requirements"), and;

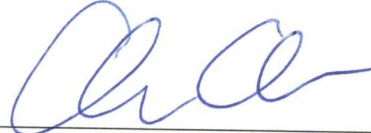
WHEREAS, the Association may adopt policies and rules to help facilitate the provisions outlined in the Voting Requirements.

NOW THEREFORE, the Association hereby adopts a Membership Voting Policy as follows:

- 1) The Association shall have the sole authority to promulgate all ballots, absentee ballots, proxy forms or other instruments ("Voting Instruments") for use in Association-wide votes or elections and the Association may not accept any other form of these instruments in connection with an Association vote or election.
- 2) The Association may include copies of Voting Instruments for use in Association-wide votes or elections in the notice of said meeting. Members shall otherwise be entitled to obtain from the Association copies of said unexecuted Voting Instruments.
- 3) All Voting Instruments must be signed and dated by the member executing said instrument. Unsigned or undated instruments may be deemed invalid and may not be counted toward quorum and/or totals in a vote or election.
- 4) Voting Instruments may be submitted to the Association electronically or by mail not later than one business day prior to the election or vote to which they pertain. Voting Instruments may also be submitted in person at the meeting to which they pertain prior to the close of voting.
- 5) Electronic submission of executed Voting Instruments may include e-mail submission or facsimile transmission of said Voting Instrument to the respective email address or fax number listed for such purpose on said instrument promulgated by the Association. Electronic submission of said Voting Instruments may also include an electronic transmission made through a secured exchange available through the Association's website.
- 6) Voting Instruments may also be mailed to the principal office address of the Association as listed on the Voting Instrument. If mailing, Voting Instruments must be received not later than one business day prior to the Election or Vote to which they pertain.

- 7) Votes cast by proxy may only be cast in person by the proxy holder at the meeting for which said proxy is effective.

Duly adopted at a meeting held by the Board of Directors of Manzano Ridge Property Owners Association on 2/7, 2022.

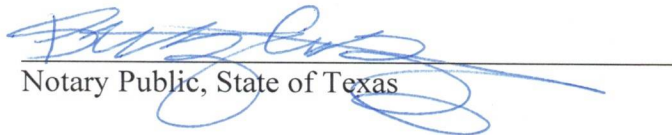
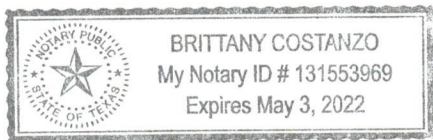


CHRIS CLAIBORNE, President

STATE OF TEXAS §

COUNTY OF Burnet §

This instrument was acknowledged before me on February 7, 2022, by CHRIS CLAIBORNE, President of and on behalf of MANZANO RIDGE PROPERTY OWNERS ASSOCIATION, a Texas non-profit corporation.



Notary Public, State of Texas



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Janet Parker, County Clerk

Burnet County Texas

2/11/2022 2:42:44 PM

FEE: \$170.00

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