

CERTIFICATE FOR ORDER OR RESOLUTION

STATE OF TEXAS §
COUNTIES OF WILLIAMSON AND TRAVIS §

We, the undersigned officers of the Board of Directors of Williamson-Travis Counties Municipal Utility District No. 1 of Williamson and Travis Counties, Texas (the "District"), hereby certify as follows:

1. The Board of Directors of the District convened in regular session on the 17th day of January 2024 at The Park at Lakeline Oaks, 1000 Old Mill Road, Cedar Park, Texas 78613, a location within the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Linda Fabre	President/Treasurer
Hanoi Avila	Vice President
Kelley D. Masters	Secretary
David Flores	Assistant Secretary
Beth Jones	Director

and all of said persons were present, except for the following absentees: NONE, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting:

**AN ORDER OF THE BOARD OF DIRECTORS OF WILLIAMSON-TRAVIS COUNTIES
MUNICIPAL UTILITY DISTRICT NO. 1; PROHIBITING CERTAIN VIOLATIONS OF DEED
RESTRICTIONS; ESTABLISHING DEED RESTRICTION ENFORCEMENT PROCEDURES;
ESTABLISHING PENALTIES FOR VIOLATIONS OF DEED RESTRICTIONS; PROVIDING FOR
REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING
FOR OPEN MEETING; PROVIDING
AN EFFECTIVE DATE**

was introduced for the consideration of the Board. It was then duly moved and seconded that the Order of Resolution be adopted, and, after due discussion, the motion, carrying with it the adoption of the Order or Resolution prevailed and carried by the following vote:

AYES: L. Fabre, H. Avila, K. Masters, D. Flores
NOES: B. Jones

2. That a true, full and correct copy of the aforesaid Order or Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; and that said Order or Resolution has been duly recorded in said Board's minutes of said meeting; that the persons named in the above and foregoing paragraph were duly chosen, qualified and acting officers and members of the Board as indicated therein, that each of the officers and members of said Board was duly and sufficiently notified officially and personally, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; that public notice of the time, place and subject of said meeting was given as required by the Texas Government Code, §551.043, as amended, and §49.063 of the Texas Water Code, as amended, and that the undersigned are the duly chosen, qualified and acting officers of the current Board of Directors.

SIGNED AND SEALED the 17 day of January, 2024.

Kelley Masters
Secretary
Board of Directors

Linda Fabre
President
Board of Directors



AN ORDER OF THE BOARD OF DIRECTORS OF WILLIAMSON-TRAVIS COUNTIES MUNICIPAL UTILITY DISTRICT NO. 1; PROHIBITING CERTAIN VIOLATIONS OF DEED RESTRICTIONS; ESTABLISHING DEED RESTRICTION ENFORCEMENT PROCEDURES; ESTABLISHING PENALTIES FOR VIOLATIONS OF DEED RESTRICTIONS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR OPEN MEETING; PROVIDING AN EFFECTIVE DATE

WHEREAS, Williamson-Travis Counties Municipal Utility District No. 1 ("District") is a political subdivision created and operating under Texas Constitution Article XVI, Section 59, and Chapters 49 and 54, Texas Water Code; and

WHEREAS, Section 54.237, Texas Water Code, provides the District with authority to "take all actions necessary to enforce a restriction, including the initiation, defense, or intervention in litigation or an administrative proceeding to enjoin or abate the violation of a restriction when, in the reasonable judgment of the board of directors of the [D]istrict, enforcement of the restriction is necessary to sustain taxable property values in the [D]istrict"; and

WHEREAS, the District is comprised of many sections, including Anderson Mill West, Volente Hills, Hunter's Glenn, and Lakeline Oaks, and each section may have deed restrictions associated with each lot within said section;

WHEREAS, the Board of Directors of the District ("Board of Directors") finds that enforcing Deed Restrictions will help sustain taxable property values within the District; and

WHEREAS, the Board of Directors finds that adopting policies for violations of the Deed Restrictions under Sections 49.004 and 54.237, Texas Water Code, will establish a preliminary procedure for persons accused of violating Deed Restrictions and thereby possibly avoid the expenditure of resources of both the District and the accused in litigating such matters;

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF WILLIAMSON-TRAVIS COUNTIES MUNICIPAL UTILITY DISTRICT NO. 1 THAT:

Section 1: Findings of Fact. The forgoing Recitals are true and accurate legislative findings of the Board.

Section 2: Adoption of District Policy. Deed Restrictions.

- a. The deed restrictions which are common or substantially in-common to each section where the Board of Directors has authority to enforce such deed restrictions, and the deed restrictions which protect the health and safety of the District, or prohibit nuisances in the District (the "Deed Restrictions") are in the reasonable judgment of

the Board of Directors necessary to sustain the taxable value of the District and will be considered actionable upon complaint.

- b. The Deed Restrictions for each section where the Board of Directors has authority to enforce such Deed Restrictions are hereby declared to be policies of the District.
- c. Notwithstanding the foregoing, the Board of Directors may from time to time determine that a particular Deed Restriction is either non-enforceable due to cost or impracticality or should not be enforced because such enforcement is not necessary to sustain taxable property values within the District. The District will provide a description of such instances on the District's website.
- d. The District does not have the legal authority to act as an Architectural Control Committee ("ACC"); as such, the District cannot legally enforce deed restrictions for which a deed assigns responsibility to an ACC.
- e. Complaints about a violation of a Deed Restriction may be submitted by a qualified voter within the District or the owner of land subject to taxation in the District. Each complaint shall contain an address and date where the alleged violation occurred, a photograph, video or supporting evidence, and shall provide an adequate description of the alleged violation. Complaints from parties not qualified to vote within the District or not owning land subject to taxation in the District, complaints not containing an address, date or adequate description, anonymous complaints, and complaints about violations outside of the complaining party's section will be considered invalid and will not be processed or acted upon by the District Deed Restriction Committee ("DRC") or a contractor of the District. For example, a complaint from a resident in Anderson Mill West regarding an alleged deed restriction violation in Volente Hills will not be processed by the DRC. However, a member of the Board of Directors may register a complaint about any property within the geographic boundaries of the District.
- f. The DRC or a contractor of the District will evaluate each complaint received about potential Deed Restriction violations and determine, in its reasonable judgment, if the alleged violation is one that affects the taxable value of the District (see 2(a) above). The DRC or a contractor of the District will notify the complainant within two weeks of the date of the complaint whether the District intends to take action on the report. If the complaint is valid and actionable, the DRC or a contractor of the district shall investigate the complaint and take digital photographs of each actionable violation and document the time and date of each image.
- g. If the DRC or a contractor of the district determines, based upon a valid and actionable complaint, that a person or entity is violating a specific and explicit Deed Restriction on property within the District, which the Board of Directors has determined necessary to sustain the taxable property value of the District, notices shall be provided to the Violator as set forth below.

- h. The remedies provided in this Order shall not be exclusive and the District shall also have the right to sue any Violator to enforce a Deed Restriction seeking injunctive relief, damages, and any other remedy available under the law.
- i. Regardless of the status of a violation as to the sequence of violation enforcement, any violation condition which, in the opinion of the DRC, is so egregious as to require emergency or expedited action can be referred to:
 - (i) County law enforcement or other applicable authority;
 - (ii) The District's Board of Directors through the President of the Board;
 - (iii) The District's legal counsel of record.
- j. The DRC will investigate and act only on complaints about properties in sections of the District without an active HOA enforcing Deed Restrictions. However, if an active HOA refuses to enforce Deed Restrictions the Board of Directors finds necessary to sustain the taxable property values of the district, the DRC will investigate and act on complaints regarding such uncorrected violations.
- k. Any person who violates a Deed Restriction applicable to the real property where that person owns or resides also violates a policy of the District. Each penalty for violating Deed Restrictions is laid out in the specific Deed Restriction.
- l. For any notice provided under this Order, "District" means Williamson-Travis Counties Municipal Utility District No. 1, or its designee.

Section 3. Adoption of Penalties for Violations of Deed Restrictions.

- a. The following will apply to anyone violating the Deed Restrictions enumerated in 2(a):
 - (i) First Notice of Violation. The District intends to send Friendly Letters for violations prior to sending the formal letters required by this Order. The form of the Friendly Letter and the method of delivery of the Friendly Letter shall be determined by the DRC. Any person who in the reasonable judgment of the DRC violates a Deed Restriction enumerated in 2(a) will receive a Friendly Letter notifying the resident of (i) the date of the violation, (ii) the nature of the violation, and (iii) request that the violator remedy the violation within two weeks ("First Notice Letter").
 - (ii) Second Notice of Violation. Any person who in the reasonable judgment of the DRC continues to violate a Deed Restriction enumerated in 2(a) two weeks after receipt of the First Notice Letter will receive formal written notification of such violation via a postal letter sent via regular first class mail delivered by the District, which notice will set forth (i) the date of the violation, (ii) the nature of the violation, (iii) a copy of the Friendly Letter,

and (iv) request that the violator remedy the violation within two weeks (“Second Notice Letter”).

- (iii) Third Notice of Violation. If the violation is not remedied within two weeks after the date of the Second Notice Letter, the District will issue a third written notice, delivered by certified mail return receipt requested, which notice will set forth (i) the date of the violation, (ii) the nature of the violation, (iii) photographs of the violation, (iv) copies of the Friendly Letter and the Second Notice Letter, (v) request to remedy the violation immediately, and (vi) notification that if the violation is not remedied within two weeks, the District may initiate civil litigation against the Violator (“Third Notice Letter”).
- (iv) Fourth Notice of Violation; Referral to District's Attorney. If the violation is not remedied within two weeks after the date of the Third Notice Letter, the District may refer the violation to the District's Attorney for initiation of civil litigation.

- b. Any resident receiving a violation may appeal the violation to the Board at the District's next regular Board of Directors meeting. Residents wishing to appeal will have five minutes to discuss the violation with the Board.

Section 4: Repeal of Conflicting Provisions. Any Order or Resolution of the Board of Directors adopted prior to the effective date of this Order is hereby repealed to the extent that it conflicts with this Order.

Section 5: Severability. Should a court of competent jurisdiction find that any provision of this Order is unlawful or otherwise unenforceable, the provision will be severed from this Order and all other provisions will remain in full force and effect.

Section 6: Open Meeting. The Board of Directors considered and adopted this Order during a duly noticed open meeting, in compliance with Texas Government Code Chapter 551, the Texas Open Meetings Act.

Section 7: Effective Date. This Order is effective immediately on and after the date indicated below.

PASSED AND APPROVED this 17th day of January 2024.

/s/ Linda Fabre
President, Board of Directors

ATTEST:

/s/ Kelley Masters
Secretary, Board of Directors

