## Electronically Recorded Official Public Records

**Tarrant County Texas** 

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Mary Louise Garcia

PGS 6 \$36.00

Submitter: ACS

Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201

## THIRD SUPPLEMENTAL CERTIFICATE AND MEMORANDUM OF RECORDING OF ASSOCIATION DOCUMENTS FOR WALNUT MEADOWS HOMEOWNERS' ASSOCIATION, INC.

STATE OF TEXAS

\$ \$ \$

COUNTY OF TARRANT

The undersigned, as attorney for the Walnut Meadows Homeowners' Association, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instrument affecting the owners of property described on Exhibit "B" attached hereto (the "*Property*"), hereby states that the dedicatory instrument attached hereto is a true and correct copy of the following:

Policy Resolution of the Board of Directors of the Walnut Meadows Homeowners' Association, Inc. Regarding Ethical Conduct of Directors, Officers and Committee Members [September 27, 2011] (Exhibit "A").

All persons or entities holding an interest in and to any portion of Property are subject to the foregoing dedicatory instrument.

IN WITNESS WHEREOF, the Walnut Meadows Homeowners' Association, Inc. has caused this Third Supplemental Certificate and Memorandum of Recording of Association Documents to be filed with the office of the Tarrant County Clerk, and supplements that certain Certificate and

Memorandum of Recording of Association Documents for Walnut Meadows Homeowners' Association, Inc. filed on July 10, 2006, and recorded as Instrument No. D206207002 in the Official Public Records of Tarrant County, Texas; that certain First Supplemental Certificate and Memorandum of Recording of Association Documents for Walnut Meadows Homeowners' Association, Inc. filed on May 24, 2010, and recorded as Instrument No. D210122051 in the Official Public Records of Tarrant County, Texas; and that certain Third Supplemental Certificate and Memorandum of Recording of Association Documents for Walnut Meadows Homeowners' Association, Inc. filed on November 22, 2011, and recorded as Instrument No. D210288448 in the Official Public Records of Tarrant County, Texas.

WALNUT MEADOWS HOMEOWNERS' ASSOCIATION, INC.

Its: Attorney

STATE OF TEXAS

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COUNTY OF DALLAS

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BEFORE ME, the undersigned Notary Public, on this day personally appeared Judd A. Austin, Jr., attorney for the Walnut Meadows Homeowners' Association, Inc., known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 6th day of

October, 2011



Notary Public. State of Tex

STATE OF TEXAS

COUNTY OF TARRANT

## POLICY RESOLUTION OF THE BOARD OF DIRECTORS OF THE WALNUT MEADOWS HOMEOWNERS ASSOCIATION, INC. REGARDING ETHICAL CONDUCT OF BOARDS OF DIRECTORS, OFFICERS AND COMMITTEE MEMBERS

WHEREAS, the Board of Directors of the Walnut Meadows Homeowners Association, Inc. (the "Association") has the authority and responsibility of making decisions within the Walnut Meadows Community that impact the members of the Association; and

WHEREAS, the Association is governed by a Board of Directors (the "Board") consisting of residents of the Walnut Meadows Community who are elected and/or appointed to serve in such position on a volunteer, non-paid basis; and

WHEREAS, the Board is responsible for appointing their officers and committees and persons to serve as members of committees; and

WHEREAS, the Board and their officers and committee members have the duties and responsibilities for setting policies and standards, making decisions and engaging in conduct that fosters the best interests of the members of the Association and the Walnut Meadows Community; and

WHEREAS, the Board wishes to set forth certain rules of conduct, standards of behavior and ethical considerations regarding the conduct, activities and actions of their directors, officers and committee members on behalf and for the benefit of the Association and its members.

NOW THEREFORE, BE IT RESOLVED, that the Board does hereby adopt the following rules of conduct, standards of behavior, and ethical considerations regarding the conduct, activities and actions of their officers, directors and committee members on behalf and for the benefit of the Association and its members.

- 1. On matters impacting Walnut Meadows as a community, the President of the Board shall be the official spokesperson for the Association and the community. Such communications by the President shall be approved by the Board.
- 2. The Board shall use its best efforts to reach decisions and take actions which are consistent with the protection of property values in Walnut Meadows and in the best interest of the members of the Association as a whole.



- 3. Officers and directors of the Board shall seek to phrase and communicate all such writings, publications and speeches in a professional and constructive manner.
- 4. Directors, officers and committee members of the Association shall refrain from (1) engaging in any writing, publication or speech making that includes content defaming or criticizing the Association or members of the Board, the Association's managing agent or any Walnut Meadows resident generally (collectively, the "Walnut Meadows Constituencies"); (2) taking action, making decisions or seeking to influence other officers or directors to take actions or make decisions for the purpose of advancing their personal interests; (3) implementing a contract or service agreement that has not been duly approved by the Board of the Association; (4) divulging or communication information of a confidential or personal nature to parties who are not authorized to receive or discuss such information; and (5) interfering with a contractor while such contractor is implementing its contract rather than directing all communications pertaining to a contractor implementing its contract through the Association's managing agent.
- 5. The Board of the Association and its directors, officers and committee members shall be courteous and respectful towards the Walnut Meadows Constituencies and shall maintain in confidence information obtained through participation in Board meetings or Association activities that may impact the Association or the personal lives of Walnut Meadows residents. It is understood and agreed that information discussed in executive session is considered confidential, communications from counsel for the Association are considered confidential as are communications or information pertaining to delinquent accounts of individual members, enforcement actions against individual members, personnel decisions, and matters pertaining to litigation. Should any director, officer or committee member have a question as to whether any information or communication is considered confidential, such inquiry shall be presented to the Board of Directors for a decision. The Board of Directors shall have final authority in determining whether a matter is deemed confidential.
- 6. Upon the conviction of a Board member of any felony, such board member will voluntarily resign his or her position. The Board may take action to remove any individual convicted of a felony from any position as an officer, director or committee member of the Association upon any failure by such person to voluntarily resign. Any director or officer of the Association who is under investigation for a felony offense shall request a leave of absence from the Board or other Association related committee on which he or she serves for the duration of the investigation.
- 7. All Board members shall observe professional conduct and language at Board meetings. Derogatory comments concerning individuals within the Walnut Meadows Constituency shall not be deemed professional conduct and shall be prohibited as inconsistent with the best interests of the Walnut Meadows Community. It is understood that differences of

opinion may occur and are in fact encouraged - they should be expressed in a clear and concise business fashion - with an understanding the best interests of the Association and its members are the paramount consideration.

- 8. No volunteer shall use his or her position within the Association to enhance his or her personal financial status. Any volunteer whose pecuniary interest will be directly impacted by a decision of the Board shall fully disclose such potential conflict of interest and recuse themselves from any matter requiring decision by the Board. Any officer or director who obtains information that may adversely impact or affect the Association or the Board has an obligation to promptly and fully disclose such information to the Board.
  - 9. This resolution shall be binding on the Board of the Association, the officers and directors and committee members of the Association and the managing agent. Each person serving on the Board, as an officer, or on a committee and the managing agent will be furnished a copy of this Resolution.

RESOLVED:

BY:

Directo

EFFECTIVE THIS DATE: September 27, 2011

WALNUT MEADOWS HOMEOWNERS ASSOCIATION, INC.

## EXHIBIT B

Those tracts and parcels of real property located in the City of Mansfield, Tarrant County, Texas and more particularly described as follows:

ALL lots, tracts and parcels of real property situated in WALNUT MEADOWS, an Addition to the City of Mansfield, Tarrant County, Texas, as shown on the plat thereof recorded in Cabinet A, Slide 7798 of the Plat Records of Tarrant County, Texas.