20050600 AMENDMENT Total Pages: 3
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STATE OF TEXAS §

COUNTY OF HAYS §

AMENDMENT OF RULES AND REGULATIONS OF ELLIOTT RANCH HOMEOWNERS ASSOCIATION, INC.

(Regarding Transfer Fees)

Document reference. Reference is hereby made to that certain Amended and Restated Declaration of Covenants and Restrictions for Elliott Ranch, filed at Vol. 1512, Pg. 913 in the Official Public Records of Hays County, Texas (together with all amendments and supplemental documents thereto, the "**Declaration**").

Reference is further made to the Resolutions of the Board of Directors Adopting Rules for Elliott Ranch Homeowners Association, Inc., filed at Book No. 90017227, Vol. 3685, Pg. 758; the Rules and Regulations: Elliott Ranch Homeowners Association, Inc., filed as Document No. 10000474, Vol. 3804, Pg. 534; the rules contained in the document recorded as Document No. 11029542, Vol. 4245, Pg. 733; the rules contained in document recorded as Document No. 11029543, Vol. 4245, Pg. 742; the rules contained in document recorded as Document No. 11029544, Vol. 4245, Pg. 748; the rules contained in document recorded as Document No. 11029545, Vol. 4245, Pg. 755; the Collections Policy recorded as Document No. 12004806, Vol. 4287, Pg. 448; the rules contained in the document record as Document No. 14004719, Vol. 4862, Pg. 857; and the Transfer Fee Rule recorded as Document No. 15001744, Vol. 5119, Pg. 156 all in the Official Public Records of Hays County, Texas (cumulatively and together with any amendments or supplements, the "**Rules**").

WHEREAS the Declaration provides that owners of lots subject to the Declaration are automatically made members of Elliott Ranch Homeowners Association, Inc. (the "**Association**");

WHEREAS the Association, acting through its board of directors (the "**Board**"), is authorized to adopt and amend rules and regulations governing the property subject to the Declaration and the operations of the Association pursuant to Declaration Article 11 Section (d)(v) and/or State law, and has previously adopted the Rules; and

WHEREAS the Board has voted to amend the Transfer Fee Rule as provided herein and to supplement the previously-adopted Rules;

THEREFORE the Transfer Fee Rule has been, and by these presents is, AMENDED, ADOPTED and APPROVED, as follows:

TRANSFER FEES

1. Transfer Fees. In addition to fees for issuance of a resale certificate and any updates or re-issuance of the resale certificate, transfer fees are due upon the sale or transfer of any property in accordance with the then-current fee schedule adopted by the board, in addition to any fee charged by the Association's managing agent. As of the date of filing of this instrument, the transfer fee due to the Association upon any sale or transfer is equivalent to one year's dues (aka regular assessments), unless otherwise determined by the board via resolution.

   It is the owner/seller's responsibility to determine the then-current fees. Transfer fees not paid at or before closing are the responsibility of the purchasing owner and will be

assessed to the owner's account accordingly. The Association may require payment in advance for issuance of any resale certificate or other transfer-related documentation.

If a resale certificate is not requested and a transfer occurs, all fees associated with Association record updates related to the transfer will be the responsibility of the new owner and may be assessed to the unit's account at the time the transfer becomes known. These fees will be set according to the then-current fee schedule of the Association or its managing agent and may be equivalent to the resale certificate fee or in any other amount.

2. All transfer fees shall be collectible in the same manner as assessments, including lien and other assessment collection rights, to the maximum extent allowed by law. Fees may include working capital or reserve funding fees, resale certificate fees, resale certificate update fees, rush fees, and other such fees.

Subject solely to the amendments contained herein, the Rules remain in full force and effect.

ELLIOTT RANCH HOMEOWNERS ASSOCIATION, INC.
Acting by and through its Board of Directors

Signature: Ken Murdock
Printed Name: Ken Murdock
Title: President

Acknowledgement

STATE OF TEXAS Hays §

COUNTY OF _____ §

This instrument was executed before me on the 15th day of September, 2020, by Ken Murdock in the capacity stated above.

KIMBALL DEMPSEY
My Notary ID # 7977255
Expires March 25, 2024

Notary Public, State of Texas

After recording, please return to:
Niemann & Heyer, L.L.P.
Attorneys At Law
Westgate Building, Suite 313
1122 Colorado Street
Austin, Texas 78701

THE STATE OF TEXAS

COUNTY OF HAYS

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Hays County, Texas.

20050600 AMENDMENT
11/05/2020 02:30:15 PM Total Fees: $30.00

Elaine H. Cárdenas

Elaine H. Cárdenas, MBA, PhD, County Clerk
Hays County, Texas