

Brook Meadows Homeowners Association, Inc. (BMHA)

Administrative Resolution AR005

**Signage – Definition, Classification,
Investigation and Resolution**

WHEREAS, ARTICLE I of the Amended and Restated Declaration of Covenants, Conditions, and Restrictions (the “CC&R’s”) for Brook Meadows, changing the Brook Meadows Homeowner Association, Inc. (the “Association”) from a voluntary to a mandatory Association, was approved by a majority of the Association membership (the “Membership”) and filed by the Association Board of Directors (the “Board”) on June 13, 2006; and

WHEREAS, ARTICLE VI, Section 6.2 of the CC&R’s states, “The Board of Directors has the authority to promulgate reasonable rules and regulations concerning enforcement of the covenants and restrictions contained in this Declaration and/or amendments concerning the use and enjoyment of Commonly Maintained Areas.” and

WHEREAS, ARTICLE II, Section 2.6 (q) Uses Specifically Prohibited of the CC&R’s states that “...All signs are subject to the approval of the Committee and may be required by the Committee to be removed if, in the judgment of the Committee, same are found to be inconsistent with the high standards and aesthetics of the Addition”; and the term “Committee” refers to the Architectural Review Committee (the “ARC”), with Board oversight and Board final approval of the judgment/recommendations of the Committee; and

WHEREAS, ARTICLE 3.01 of the Amended and Restated Bylaws of Brook Meadows Homeowners Association Inc. (the “Bylaws”) approved and filed by the Board on October 30, 2006, states that the powers of the Association shall be exercised by or under the authority of, and the business and affairs of the Association shall be managed under the direction of, the Board or its designees, who may exercise all such powers of the Association and do all such lawful acts and things as are not by statute or by the Articles or by these Bylaws directed or required to be exercised or done by the Members.”; and

WHEREAS, it is the intent of the Board to establish orderly and consistent signage non-compliance identification, classification, investigation and resolution process and procedures that are in the best interests of the Brook Meadows Community (the “Addition”) and to improve continuity from one Board to the succeeding Board;

Now, therefore, be it resolved that the steps to be followed to effect identification, classification, investigation and resolution of signage non-compliance issues shall be as follows:

1. **Definition and Requirements of Signage:** “Signage,” within the context of this Administrative Resolution, shall be defined as any displayed information that is

presented in the form of words, symbols and/or pictures that is in public view on any lot in the Addition. Per the CC&Rs, realtor's signs no larger than five (5) square-feet and builder, contractor, signs no larger than nine (9) square-feet are permitted. All other signs shall be subject to BMHA approval. BMHA Standard Rules for all other Signage in the Addition shall be as follows:

- a) If outside the structure(s) on the lot, Signage shall be ground mounted on the lot and not attached to any structure, landscaping, traffic signs, or vehicle on or outside the lot.
- b) Signage shall be limited to only one sign per subject matter per lot.
- c) Signage shall be standard in nature and not contain lights, or other non-standard decorative components.
- d) Signage shall not be a safety hazard.
- e) Signage shall be no larger than nine (9) square-feet.
- f) Signage subject matter shall not be offensive, shall reflect positively on Brook Meadows and shall be consistent with the high standards and aesthetics of the Addition.

Because of the potential ambiguity and subjective nature of individual, group and/or community judgment regarding what is restricted subject matter of Signage -- in the context of not being offensive, reflecting positively on Brook Meadows, and maintaining high standards and aesthetics of the Addition -- additional and more specific Signage rules and/or guidelines regarding restricted subject matter of Signage will be included in AR006 and periodically updated on a case-by-case basis in accordance with the results of ARC and Board investigation(s) of Signage subject matter in response to suspected non-compliant signage complaints submitted by any BMHA member in "Good Standing."

2. **Identification of Non-Compliant Signage:** Identification of Signage suspected or believed to be non-compliant with BMHA Signage rules, CC&R's requirements and/or other governing document(s) requirements can be made by any BMHA member in "Good Standing" by submitting to the BMHA Board a written or verbal complaint that identifies the specifics and location of the Signage in question.
3. **Initial Classification of Signage Non-Compliance Complaint:** Upon receipt of a written or verbal Signage complaint from any BMHA member in "Good Standing," the Board Member(s) receiving the complaint shall initiate Step 1 of BMHA Administrative Resolution AR004: BMHA Board Action and Procedures Regarding CC&R, Bylaws, or Articles of Incorporation Non-Compliance (the "AR004") and temporarily classify the complaint as a Suspected Non-Compliant Signage Complaint (the "Complaint") and record the Complaint classification and related information in the "BMHA Issue Log".
4. **ARC Complaint Investigation and Board Oversight:** As part of the Board's implementation of Step 3 of AR004, the Director assigned liaison responsibility for the ARC (the "ARC Liaison") shall assign the Complaint to the ARC Chairman for ARC investigation and recommendation(s). The ARC Liaison will then assume responsibility for implementing Steps 4 and 5 of AR004, which include: performing Board oversight of ARC activities; tracking ARC investigation progress; resolving ARC issues as appropriate during the investigation; and updating and maintaining Complaint status information in the BMHA Issue Log. The ARC process and procedures, including rules

and guidelines regarding investigation and analysis efforts to determine if the signage in the Complaint is, or is not, compliant with BMHA governing documents, are included in AR006: BMHA ARC Process and Procedures, which will be developed after the filing of this document.

5. **ARC Complaint Investigation and Recommendation Report:** Upon completion of the ARC investigation, the ARC Chairman shall prepare an ARC Complaint Investigation and Recommendation Report (the "ARC Report") and submit it to the ARC Liaison. This report will also be recorded in the "BMHA Issues Log".
6. **2nd Classification of Signage Non-Compliance Complaint:** As part of the Board's implementation of Step 6 of AR004, the ARC Liaison shall present the ARC Report to the Board, and the Board will discuss the ARC Report and then approve or disapprove the ARC investigation and/or recommendation(s), which will establish the 2nd classification of the Complaint: Valid Signage Complaint or Invalid Signage Complaint.
7. **Resolution and Notification to Interested Parties:** The ARC Liaison will draft applicable BMHA letter(s) for Board approval and signature, and the approved letter(s) will be mailed to the BMHA Member(s) identified in the Complaint and to the originator of the Complaint in accordance with Steps 6, 8, 9 and 10 of AR004, as appropriate.
8. **Final Classification of Signage Non-Compliance Complaint:** In accordance with the completion and results of the above Steps, the Board will establish and record the Final classification of the Complaint in the "BMHA Issue Log": Cleared Signage Non-Compliance or Failure To Clear Signage Non-Compliance.

BMHA Web Page Hyperlink: <http://www.brookmeadows.org/Bylaws%20&%20Art%20of%20Inc.htm>

ATTEST:

Record of Board's Vote on this Resolution:

Kevin Elder, President:	Yes _____
	No _____
Dick Cress, Vice President:	Yes _____
	No _____
Howard Wixson, Treasurer:	Yes _____
	No _____
Jim Tressler, Director At Large:	Yes _____
	No _____
Carole Taylor, Secretary:	Resigned (10-27-2006)

Date _____ President _____
Kevin Elder

CERTIFICATION

I, the undersigned, do hereby certify:

That I am the duly elected and acting President of Brook Meadows Homeowners Association, Inc., a Texas non-profit corporation;

That the foregoing Administrative Resolution of said Association, as duly adopted by a resolution of the Board of Directors of the Association on the 13th day of December, 2006.

IN WITNESS WHEREOF, I have hereunto subscribed my name this the _____ day of _____, 2006.

Kevin Elder, President

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, on this day personally appeared Kevin Elder, the President of Brook Meadows Homeowners Association, Inc. known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for the purposes and consideration therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

Given under my hand and seal of office, this _____ day of _____, 2006.

Notary Public – State of Texas