

**CERTIFICATE OF ADOPTION
OF
DROUGHT-RESISTANT LANDSCAPING AND
WATER-CONSERVING NATURAL TURF GUIDELINES
OF
THE CREEK COMMUNITY FOUNDATION**

STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF BRAZOS §

WHEREAS, the Board of Directors (the "Board") of The Creek Community Foundation, a Texas non-profit corporation (the "Association") is charged with administering and enforcing that certain Supplemental Declaration of Covenants, Conditions, Restrictions, Reservations, Easements and Rights for Millican Reserve to Create the Village of The Creek recorded in the Office of the County Clerk of Brazos County, Texas, under Clerk's File No. 2015-1247555, as may be supplemented and amended from time to time encumbering the Village of The Creek at Millican Reserve community (the "Community"); and

WHEREAS, Chapter 202 of the Texas Property Code was amended effective September 1, 2013, to add Section 202.007(a)(4), 202.007(d)(8), and 202.007(d-1) concerning drought-resistant landscaping and water-conserving natural turf; and

WHEREAS, Section 202.007(d)(8) allows a property owners' association to require an owner to submit a detailed description or a plan for the installation of drought-resistant landscaping or water-conserving natural turf for review and approval by the property owners' association to ensure, to the extent practicable, maximum aesthetic compatibility with other landscaping in the subdivision; and

WHEREAS, the Board has determined that it is appropriate for the Association to adopt guidelines regarding drought-resistant landscaping and water-conserving natural turf; and

WHEREAS, the Bylaws of the Association provide that a majority of the members of the Board shall constitute a quorum for the transaction of business and that the action of a majority of the members of the Board at a meeting at which a quorum is present is the action of the Board; and

WHEREAS, the Board held a meeting on December 30th, 2018 (the "Adoption Meeting"), at which at least a majority of the members of the Board were present and duly passed guidelines regarding drought-resistant landscaping and water-conserving natural turf described herein below (the "Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines").

NOW, THEREFORE, to give notice of the matters set forth herein, the undersigned, being the President of the Association, does hereby certify that at the Adoption Meeting, at least a majority of the members of the Board were present and the Board duly adopted the Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines. The Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines are effective upon recordation of this Certificate in the Official Public Records of Real Property of Brazos County, Texas (the "Official Public Records"), and supplement any restrictive covenants, guidelines or policies regarding drought-resistant landscaping or water-conserving natural turf which may have previously been in effect for the Community, unless such restrictive covenants, guidelines or policies are in conflict with the Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines, in which case the terms in the Drought-Resistant Landscaping and Water-

Conserving Natural Turf Guidelines will control. The Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines are as follows:

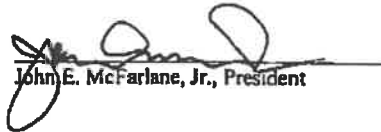
Drought-resistant landscaping or water-conserving natural turf shall not be used on any lot unless the following minimum conditions are met:

- a. An owner must submit a detailed description or a plan for the installation of drought-resistant landscaping or water-conserving natural turf for review and approval by the Association to ensure, to the extent practicable, maximum aesthetic compatibility with other landscaping in the Community. Artificial turf and landscaping is not permitted.
- b. The Association reserves the right to adopt further guidelines pertaining to landscape design permitting or excluding certain drought-resistant landscaping or water-conserving natural turf based on the aesthetic compatibility with other landscaping in the Community, and any use of drought-resistant landscaping or water-conserving natural turf, to the extent practicable, shall be in compliance therewith.

EXECUTED on the date of the acknowledgment set forth herein below, to be effective upon recordation in the Official Public Records.

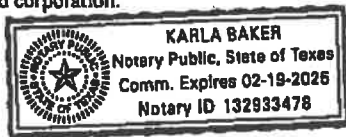
The Creek Community Foundation,
a Texas non-profit corporation

By:


John E. McFarlane, Jr., President

THE STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on May 10th, 2021, by John E. McFarlane, Jr., President of The Creek Community Foundation, a Texas non-profit corporation, on behalf of said corporation.




Notary Public, State of Texas

WHEN RECORDED, RETURN TO:

Hoover Slovacek LLP
Galleria Tower II
5051 Westheimer Rd., Suite 1200
Houston, Texas 77056

**Brazos County
Karen McQueen
County Clerk**

Instrument Number: 1432042
Volume : 17010

ERecordings - Real Property

Recorded On: May 19, 2021 08:07 AM

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" Examined and Charged as Follows: "

Total Recording: \$34.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 1432042
Receipt Number: 20210518000171
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CSC Global
OPTION 3 ON PHONE



**STATE OF TEXAS
COUNTY OF BRAZOS**

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Public Records of Brazos County, Texas.

Karen McQueen
County Clerk
Brazos County, TX