

**CERTIFICATE OF ADOPTION
OF
SHINGLE CRITERIA
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 June 17, 2011, to add Section 202.011 ("Section 202.011") thereto; and

WHEREAS, Section 202.011 requires a property owners' association to allow certain types of shingles if certain criteria is met; and

WHEREAS, the Board has determined that in connection with providing criteria regarding certain types of shingles, it is appropriate for the Association to adopt the criteria described herein below; 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, 2018²⁰ (the "Adoption Meeting"), at which at least a majority of the members of the Board were present and duly passed the criteria described herein below (the "Shingle Criteria").

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 Shingle Criteria. The Shingle Criteria is effective upon recordation of this Certificate in the Official Public Records of Real Property of Brazos County, Texas (the "Official Public Records"), and supplements any restrictive covenants, guidelines or policies regarding the type of shingles described in the Shingle Criteria which may have previously been in effect for the Community, unless such restrictive covenants, guidelines or policies are in conflict with the Shingle Criteria, in which case the terms in the Shingle Criteria will control. The Shingle Criteria is as follows:

Subject to the criteria set forth below, owners may install shingles (the "Acceptable Shingles") on the roof of the owner's dwelling and other improvements located upon the owner's property that are designed primarily to: (i) be wind and hail resistant; (ii) provide heating and cooling efficiencies greater than those provided by customary composite shingles; or (iii) provide solar generation capabilities. Provided however, the Acceptable Shingles, when installed: (i) must resemble the shingles used or otherwise authorized for use on property in the Community; (ii) must be more durable than and of equal or superior quality to the shingles used or otherwise authorized for use on property in the Community; and (iii) must match the aesthetics of the properties surrounding the owner's property.

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

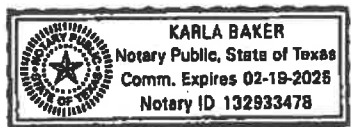
The Creek Community Foundation,
a Texas non-profit corporation

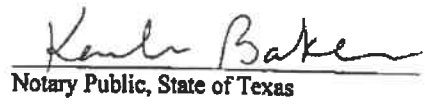
By:


John E. McFarlane, Jr., President

THE STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on May 10th, ²⁰²¹~~2018~~, 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: 1432039
Volume : 17010

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Recorded On: May 19, 2021 08:05 AM

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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: 1432039
Receipt Number: 20210518000168
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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