

**RESOLUTION IN SUPPORT OF AMENDMENT
TO CHAPTER 211 OF THE TEXAS PROPERTY CODE**

STATE OF TEXAS §
 §
COUNTY OF POLK §

WHEREAS, there are numerous subdivisions located in Polk County, Texas, most of which have deed restrictions and in many cases property owners associations; and

WHEREAS, the standard language in most of the subdivisions in Polk County requires a written instrument signed by a majority of the property owners in the respective subdivision, and due to the nature of the ownership of the property owners, many who do not live in the subdivisions and do not participate in the actions of the property owners associations, thereby making it difficult to impossible to amend the deed restrictions to bring the deed restrictions current with current Texas law and standard practices; and

WHEREAS, Polk County’s elected representatives in the Texas Legislature are being requested to introduce legislation to assist the property owners associations in Polk County, Texas, as well as the other counties surrounding Lake Livingston, i.e. Trinity, Walker and San Jacinto Counties, to authorize an election to adopt a procedure to amend deed restrictions to assist the property owners associations to adopt, by a Chapter 211 election, a procedure to amend the deed restrictions applicable to those subdivisions in Polk County; and

WHEREAS, the Polk County Judge and Commissioners Court have duly considered the proposed legislation, and have determined that it is an effective and economical means for the property owners associations within Polk County to amend their deed restrictions while giving those property owners who want to participate the opportunity to participate in the decisions of the property owners association.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE JUDGE AND COMMISSIONERS OF POLK COUNTY, TEXAS:

Section 1: The Judge and Commissioners of Polk County hereby support the amendment of Chapter 211 to allow for a Chapter 211 election for those subdivisions where the right to amend the deed restrictions, applicable to that subdivision, currently requires a written instrument signed by a majority of the property owners in the respective subdivision, and due to the nature of the ownership of the property owners, many who do not live in the subdivisions and do not participate in the actions of the property owners associations.

Section 2: That a copy of this Resolution shall be recorded in the minutes of this Court.

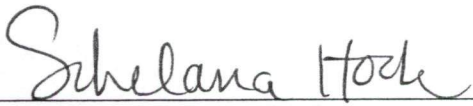
Section 3: That this Resolution shall be in full force and effect from and after its passage and adoption.

ORDERED AND ADOPTED this 10th day of February, 2015.

POLK COUNTY


Sydney Murphy, County Judge

ATTEST:


Schelana Hock, County Clerk

(SEAL)



STATE OF TEXAS §
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I, the undersigned, Clerk of Polk County, Texas, do hereby certify that the above and foregoing is a true and correct copy of a Resolution of the Commissioners Court of Polk County and was passed and adopted on the 10 day of February , 2015, all as same appears of record in the minutes of said Commissioners Court and on file in my office.

WITNESS MY HAND AND THE SEAL OF POLK COUNTY, TEXAS, this 10 day of February , 2015.

By: *Schelana Hock*
Schelana Hock, County Clerk

(SEAL)

