AFTER RECORDING RETURN TO:
Gregory A. Richards, PC
280 Thompson Drive
Kerrville, Texas 78028
Email: greg@gregrichardslaw.com

YELLOW ROSE ESTATES HOMEOWNERS, INC
COMMUNITY MANUAL

Consisting of:
Certificate of Formation
Bylaws
Management Certificate
Records Production and Copying Policy
Records Retention Policy

PROPERTY

Yellow Rose Estates is a subdivision of Kerr County, Texas and is subject to the Declaration of Covenants, Conditions and Restrictions, recorded under Clerk's File Number 25-00866 Official Public Records of Kerr County, Texas.

YELLOW ROSE ESTATES HOMEOWNERS, INC
COMMUNITY MANUAL

TABLE OF CONTENTS

The undersigned certifies that the attachments hereto have been duly adopted by the Board of Directors of YELLOW ROSE ESTATES HOMEOWNERS, INC.

YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC

____
By: CARLOS Y. BENAVIDES, III
Its: President

Acknowledgment

STATE OF TEXAS §
§
COUNTY OF KERR §

This instrument was acknowledged before me on the 6th day of February, 2025 by CARLOS Y. BENAVIDES, as President of YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC.

GREGORY A. RICHARDS
My Notary ID # 10442256
Expires March 18, 2028

____
Notary Public, State of Texas

ATTACHMENT 1

CERTIFICATE OF FORMATION

CERTIFICATE OF FORMATION OF YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC., A NONPROFIT CORPORATION

This Certificate of Formation is submitted for filing pursuant to the applicable provisions of the Texas Business Organizations Code.

Article I – Property Owners' Association

The Corporation is the "Association" as defined in the Declaration of Covenants, Conditions and Restrictions for YELLOW ROSE ESTATES, a development (the "Development") to be filed in the Official Public Records of Kerr County, Texas, as such instrument may be amended from time to time (the "Declaration").

Article II - Entity Name and Type

The name and type of filing entity being formed are: YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC., a Texas nonprofit corporation (hereinafter "Association").

Article III – Purpose and Powers

A. The general purposes for which the Association is formed are to exercise all of the rights and powers and to perform all of the duties and obligations of the Association as set forth in and in accordance with the Declaration, the Bylaws of the Association (the "Bylaws"), and state law, as each may be amended from time to time; and for any lawful purpose not expressly prohibited by state law. These purposes include, without limitation (a) to provide for and help implement a plan of development for the Development designed to preserve and protect the character and natural beauty of the Development, (b) to provide for the maintenance and repair of common elements and roads in the Development, (c) to fix, levy, collect, and enforce payment of any charges or assessments as set forth in the Declaration, and (d) to pay all expenses incurred by the Association in connection with the exercise of its rights, the performance of its duties, and/or the conduct of the business of the Association.

B. In furtherance of its purposes, the Association shall have the following powers:

1. all rights and powers conferred upon non-profit corporations by state law in effect from time to time;

2. all rights and powers conferred upon property owners' associations by state law, in effect from time to time; and

3. all powers necessary, appropriate, or advisable to perform any purpose or duty of the Association as set out in this Certificate, the Bylaws, the Declaration, or state law.

Article IV - Restrictions and Limitations

Notwithstanding the foregoing or anything to the contrary herein, the Association may not:

A. Engage in any activity or take any action prohibited by the applicable provisions of the Texas Business Organizations Code.

B. Pay any dividend or distribute any part of the income of the Association to its members, if any, directors, if any, or officers. However, the Association may do the following:

1. Pay compensation in a reasonable amount to its members, directors, or officers for services rendered; and

2. Confer benefits upon its members in conformity with its purposes, provided such compensation and benefits are reasonable.

C. Make loans to the Association's directors.

D. Engage in any activities, except to an insubstantial degree, that are not in furtherance of the purpose or purposes of the Association.

E. Conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and its regulations, or by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code and regulations.

F. Serve any private interest except if clearly incidental to the public benefit provided by the Association.

G. Allow any of the Association's net earnings to inure to the benefit of the members, if any of the Association, or any private individual.

H. Engage in more than an insubstantial degree in the carrying on of propaganda, or otherwise attempting, to influence legislation, and the Association shall not directly or indirectly participate in, or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office, except as allowed by Internal Revenue Code and its regulations.

I. Make distributions at such time and in such manner as to subject it to tax under Section 4942 of the Code.

J. Engage in any act of self-dealing which would be subject to tax under Section 4941 of the Code.

K. Retain any excess business holdings which would subject it to tax under Section 4943 of the Code.

L. Make any investments which would subject it to tax under Section 4944 of the Code.

M. Make any taxable expenditure which would subject it to tax under Section 4945 of the Code.

Article V - Registered Office and Registered Agent

The initial registered agent is an individual resident of the state whose name is: LINDA CRISTINA BENAVIDES ALEXANDER. The business address of the initial registered agent and the initial registered office is: 1116 Calle Del Norte, Laredo, Texas 78041.

Article VI - Organizer

The name and address of the organizer is:

Name	**Address**
YR Development Company By: Linda Cristina Benavides Alexander, President	1116 Calle Del Norte Laredo, Texas 78041

Article VII - Governing Authority

Management of the affairs of the Association is to be vested in its board of directors, except for those matters, if any, expressly reserved to others in the Declaration and Bylaws. The number of initial directors shall be three (3). The number and qualification of directors shall be set by the bylaws of the Association as may be amended from time to time, provided that the number of directors may never be less than three. The names and addresses of the persons who are to serve as directors until the first annual meeting or until their successors are elected and qualified are:

Name	**Address**
1. Linda Cristina Benavides Alexander	1116 Calle Del Norte Laredo, Texas 78041
2. Carlos Y. Benavides III	1116 Calle Del Norte Laredo, Texas 78041
3. Guillermo D. Benavides	1116 Calle Del Norte Laredo, Texas 78041

Article VIII - Organizational Structure

The Association will have members, each of which shall be an "Owner", as that term is defined in the Declaration ("Owner"). The Declaration and Bylaws will determine the qualification for, and number of members of the Association; and the voting rights and responsibilities of the members. Cumulative voting is not allowed.

Article IX – Limitation on Liability and Indemnification

A. An officer or director of the Association shall not be liable to the Association or its members for monetary damages for acts or omissions that occur in the person's capacity as an officer or director, except to the extent a person is found liable for (i) a breach of the officer's or director's duty or loyalty to the Association or its members, (ii) an act or omission not in good faith that constitutes a breach of duty of the officer or director of the Association, (iii) an act or omission that involves intentional misconduct or a knowing violation of the law, (iv) a transaction from which the officer or director receives an improper benefit, whether or not the benefit resulted from an action taken within the scope of the person's office, or (v) an act or omission for the liability of an officer or director that is expressly provided by an applicable statute. The liability of officers and directors of the Association may also be limited by applicable law.

B. To the full extent permitted by the applicable provisions of Title 1, Chapter 8 of the Texas Business Organizations Code and other applicable law, the Association shall advance expenses to and indemnify any present and former directors, officers, employees, and agents of the Association and persons serving or formerly serving at the request of the Association as directors, officers, partners, venturers, proprietors, trustees, employees, agents or similar functionaries of another foreign or domestic Association, employee benefit plan, other enterprise or entity against judgments, penalties (including excise and similar taxes), fines, settlements and reasonable expenses actually incurred by the person in any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative, arbitrative or investigative, any appeal in such action, suit or proceeding and any inquiry or investigation that could lead to such an action, suit, or proceeding, because the person is or was acting in one of the capacities set forth above.

Article X - Distribution of Assets Upon Winding Up

After all liabilities and obligations of the Association in the process of winding up are paid, satisfied and discharged, the property of the Association shall be applied and distributed in accordance with section 22.304, Texas Business Organizations Code.

Article XI - Effective Date of Filing

This certificate of formation becomes effective when the document is filed by the secretary of state.

Article XII – Amendment

YR Development Company, the Declarant as specified in the Declaration, may amend these articles until the Control Transfer Date, as defined in the Declaration. After the Control Transfer Date, these articles may be amended by the approval of 2/3rds of the Owners (as determined in accordance with the provisions of the Declaration).

Article XIII – Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

YR DEVELOPMENT COMPANY

Date: Nov. 2, 2023

L Cristina B Alexander
LINDA CRISTINA BENAVIDES ALEXANDER
President

Form 202 Secretary of State P.O. Box 13697 Austin, TX 78711-3697 FAX: 512/463-5709 Filing Fee: $25	**Certificate of Formation** **Nonprofit Corporation**	**Filed in the Office of the Secretary of State of Texas** **Filing #: 805304871 11/14/2023** **Document #: 1305054230002** **Image Generated Electronically for Web Filing**

Article 1 - Corporate Name

The filing entity formed is a nonprofit corporation. The name of the entity is :

Yellow Rose Estates Homeowners Association, Inc.

Article 2 – Registered Agent and Registered Office

☐A. The initial registered agent is an organization (cannot be corporation named above) by the name of:

OR

☑B. The initial registered agent is an individual resident of the state whose name is set forth below:

Name:
Linda Cristina Benavides Alexander

C. The business address of the registered agent and the registered office address is:

Street Address:
1116 Calle Del Norte Laredo TX 78041

Consent of Registered Agent

☐A. A copy of the consent of registered agent is attached.

OR

☑B. The consent of the registered agent is maintained by the entity.

Article 3 - Management

☐ A. Management of the affairs of the corporation is to be vested solely in the members of the corporation.

OR

☑ B. Management of the affairs of the corporation is to be vested in its board of directors. The number of directors, which must be a minimum of three, that constitutes the initial board of directors and the names and addresses of the persons who are to serve as directors until the first annual meeting or until their successors are elected and qualified are set forth below.

Director 1: **Linda Cristina Benavides Alexander**	Title: **Director**
Address: **1116 Calle Del Norte Laredo TX, USA 78041**	
Director 2: **Guillermo D Benavides**	Title: **Director**
Address: **1116 Calle Del Norte Laredo TX, USA 78041**	
Director 3: **Carlos Y Benavides III**	Title: **Director**
Address: **1116 Calle Del Norte Laredo TX, USA 78041**	

Article 4 - Organization Structure

☑ A. The corporation will have members.

or

☐ B. The corporation will not have members.

Article 5 - Purpose

The corporation is organized for the following purpose or purposes:

Article V – Purpose and Powers

A. The general purposes for which the Association is formed are to exercise

all of the rights and powers and to perform all of the duties and obligations of the Association as set forth in and in accordance with the Declaration, the Bylaws of the Association (the "Bylaws"), and state law, as each may be amended from time to time; and for any lawful purpose not expressly prohibited by state law. These purposes include, without limitation (a) to provide for and help implement a plan of development for the Development designed to preserve and protect the character and natural beauty of the Development, (b) to provide for the maintenance and repair of common elements and roads in the Development, (c) to fix, levy, collect, and enforce payment of any charges or assessments as set forth in the Declaration, and (d) to pay all expenses incurred by the Association in connection with the exercise of its rights, the performance of its duties, and/or the conduct of the business of the Association.

B. In furtherance of its purposes, the Association shall have the following powers:

1. all rights and powers conferred upon non-profit corporations by state law in effect from time to time;

2. all rights and powers conferred upon property owners' associations by state law, in effect from time to time; and

3. all powers necessary, appropriate, or advisable to perform any purpose or duty of the Association as set out in this Certificate, the Bylaws, the Declaration, or state law.

Supplemental Provisions / Information

Article VI - Restrictions and Limitations

Notwithstanding the foregoing or anything to the contrary herein, the Association may not:

A. Engage in any activity or take any action prohibited by the applicable provisions of the Texas Business Organizations Code.

B. Pay any dividend or distribute any part of the income of the Association to its members, if any, directors, if any, or officers. However, the Association may do the following:

1. Pay compensation in a reasonable amount to its members, directors, or officers for services rendered; and

2. Confer benefits upon its members in conformity with its purposes, provided such compensation and benefits are reasonable.

C. Make loans to the Association's directors.

D. Engage in any activities, except to an insubstantial degree, that are not in furtherance of the purpose or purposes of the Association.

E. Conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and its regulations, or by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code and regulations.

F. Serve any private interest except if clearly incidental to the public benefit provided by the Association.

G. Allow any of the Association's net earnings to inure to the benefit of the members, if any of the Association, or any private individual.

H. Engage in more than an insubstantial degree in the carrying on of propaganda, or otherwise attempting, to influence legislation, and the Association shall not directly or indirectly participate in, or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office, except as allowed by Internal Revenue Code and its regulations.

I. Make distributions at such time and in such manner as to subject it to tax under Section 4942 of the Code.

J. Engage in any act of self-dealing which would be subject to tax under Section 4941 of the Code.

K. Retain any excess business holdings which would subject it to tax under Section 4943 of the Code.

L. Make any investments which would subject it to tax under Section 4944 of the Code.

M. Make any taxable expenditure which would subject it to tax under Section 4945 of the Code.

Article VII – Limitation on Liability and Indemnification

A. An officer ordirector of the Association shall not be liable to the Association or its members for monetary damages for acts or omissions that occur in the person's capacity as an officer or director, except to the extent a person is found liable for (i) a breach of the officer's or director's duty or loyalty to the Association or its members, (ii) an act or omission not in good faith that constitutes a breach of duty of the officer or director of the Association, (iii) an act or omission that involves intentional misconduct or a knowing violation of the law, (iv) a transaction from which the officer or director receives an improper benefit, whether or not the benefit resulted from an action taken within the scope of the person's office, or (v) an act or omission for the liability of an officer or director that is expressly provided by an applicable statute. The liability of officers and directors of the Association may also be limited by applicable law.

B. To the full extent permitted by the applicable provisions of Title 1, Chapter 8 of the Texas Business Organizations Code and other applicable law, the

Association shall advance expenses to and indemnify any present and former directors, officers, employees, and agents of the Association and persons serving or formerly serving at the request of the Association as directors, officers, partners, venturers, proprietors, trustees, employees, agents or similar functionaries of another foreign or domestic Association, employee benefit plan, other enterprise or entity againstjudgments, penalties (including excise and similar taxes), fines, settlements and reasonable expenses actually incurred by the person in any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative, arbitrative or investigative, any appeal in such action, suit or proceeding and any inquiry or investigation that could lead to such an action, suit, or proceeding, because the person is or was acting in one of the capacities set forth above.

Article VIII - Distribution of Assets Upon Winding Up

After all liabilities and obligations of the Association in the process of winding up are paid, satisfied and discharged, the property of the Association shall be applied and distributed in accordance with section 22.304, Texas Business Organizations Code.

Article IX – Amendment

YR Development Company, the Declarant as specified in the Declaration, may amend these articles until the Control Transfer Date, as defined in the Declaration. After the Control Transfer Date, these articles may be amended by the approval of 2/3rds of the Owners (as determined in accordance with the provisions of the Declaration).

[The attached addendum, if any, is incorporated herein by reference.]

Effectiveness of Filing

☑ A. This document becomes effective when the document is filed by the secretary of state.

OR

☐ B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Initial Mailing Address

Address to be used by the Comptroller of Public Accounts for purposes of sending tax information.

The initial mailing address of the filing entity is:

1116 Calle Del Norte
Laredo, TX 78041
USA

Organizer

The name and address of the organizer are set forth below.

YR Development Company, Linda Cristina Benavides Alexander, President 1116 Calle Del Norte, Laredo, TX 78041

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

YR Development Company, Linda Cristina Benavides Alexander, President

Signature of organizer.

FILING OFFICE COPY

ATTACHMENT 2

BYLAWS

BYLAWS OF
YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC.

ARTICLE I - OFFICES

1. REGISTERED OFFICE AND AGENT

The registered office and registered agent of the Corporation shall be as set forth in the Corporation's Certificate of Formation. The registered office or the registered agent may be changed by resolution of the Board of Directors, upon making the appropriate filing with the Secretary of State.

2. PRINCIPAL OFFICE

The principal office of the Corporation shall be 1116 Calle Del Norte, Laredo, Texas 78041, provided that the Board of Directors shall have the power to change the location of the principal office.

3. OTHER OFFICES

The Corporation may also have other offices at such places, within or without the State of Texas, as the Board of Directors may designate, or as the business of the Corporation may require or as may be desirable.

ARTICLE II - DIRECTORS

1. BOARD OF DIRECTORS

To the extent not limited or prohibited by law, the Certificate of Formation or these Bylaws, the powers of the Corporation shall be exercised by or under the authority of, and the business and affairs of the Corporation shall be managed under the direction of the Board of Directors of the Corporation. Directors need not be residents of the State of Texas or members of the Corporation unless the Certificate of Formation or these Bylaws so require.

2. NUMBER AND ELECTION OF DIRECTORS

The number of directors shall be three (3) provided that the number may be increased or decreased from time to time by an amendment to these Bylaws or resolution adopted by the Board of Directors, provided that the number of directors may not be decreased to fewer than three (3). No decrease in the number of Directors shall have the effect of shortening the term of any incumbent director.

At the first annual meeting of the Board of Directors and at each annual meeting thereafter, the directors shall elect directors. A director shall hold office until the next annual election of directors and until said director's successor shall have been elected, appointed, or designated and qualified.

3. REMOVAL

A director may be removed from office, with or without cause, by the persons entitled to elect, designate, or appoint the director. If the director was elected to office, removal requires an affirmative vote equal to the vote necessary to elect the director.

4. RESIGNATION

A director may resign by providing written notice of such resignation to the Corporation. The resignation shall be effective upon the date of receipt of the notice of resignation or the date specified in such notice. Acceptance of the resignation shall not be required to make the resignation effective.

5. VACANCIES AND INCREASE IN NUMBER OF DIRECTORS

Any vacancy occurring in the Board of Directors shall be filled by the affirmative vote of a majority of the remaining directors though less than a quorum of the Board of Directors. A director elected to fill a vacancy shall be elected for the unexpired term of the previous director. Any directorship to be filled by reason of an increase in the number of directors shall be filled by election at an annual meeting or at a special meeting of the Board of Directors called for that purpose.

6. ANNUAL MEETING OF DIRECTORS

The annual meeting of the Board of Directors shall be held on the first Saturday during the month of July, at which they shall elect officers and transact such other business as shall come before the meeting. The time and place of the annual meeting of the Board of Directors may be changed by resolution of the Board of Directors.

Failure to hold the annual meeting at the designated time shall not work a dissolution of the Corporation. In the event the Board of Directors fails to call the annual meeting at the designated time, any Director may make demand that such meeting be held within a reasonable time, such demand to be made in writing by registered mail directed to any officer of the Corporation. If the annual meeting of the Board of Directors is not called within sixty (60) days following such demand, any Director may compel the holding of such annual meeting by legal action directed against the Board of Directors, and all of the extraordinary writs of common law and of courts of equity shall be available to such Director to compel the holding of such annual meeting.

7. REGULAR MEETING OF DIRECTORS

Regular meetings of the Board of Directors may be held with or without notice at such time and place as may be from time to time determined by the Board of Directors.

8. SPECIAL MEETINGS OF DIRECTORS

The Secretary shall call a special meeting of the Board of Directors whenever requested to do so by the President or by two (2) or more directors. Such special meeting shall be held at the date and time specified in the notice of meeting.

9. PLACE OF DIRECTORS' MEETINGS

All meetings of the Board of Directors shall be held either at the principal office of the Corporation or at such other place, either within or without the State of Texas, as shall be specified in the notice of meeting or executed waiver of notice.

10. NOTICE OF DIRECTORS' MEETINGS

Notice of any special meeting of the Board of Directors shall be given at least two (2) days previously thereto by written notice delivered personally or sent by mail or telegram to each Director at that Director's address as shown by the records of the Corporation. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, the postage thereon prepaid. If notice is given by telegram, such notice shall be deemed to be delivered when the telegram is delivered to the telegraph company. Any Director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transaction at, nor the purpose of, any regular or special meeting of the Board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or by these Bylaws.

11. QUORUM AND VOTING OF DIRECTORS

A quorum for the transaction of business by the Board of Directors shall be a majority of the number of directors fixed by these Bylaws. Directors present by proxy may not be counted toward a quorum. The act of the majority of the directors present in person or by proxy at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or the Certificate of Formation.

A director may vote in person or by proxy executed in writing by the director. No proxy shall be valid after three months from the date of its execution. Each proxy shall be revocable unless expressly provided therein to be irrevocable, and unless otherwise made irrevocable by law.

12. COMPENSATION

Directors, as such, shall not receive any stated salary for their services, but by resolution of the Board of Directors a fixed sum and expenses of attendance, if any, may be allowed for attendance at any meeting of the Board or Directors. A director shall not be precluded from serving the Corporation in any other capacity and receiving compensation for such services. Members of committees may be allowed similar compensation and reimbursement of expenses for attending committee meetings.

13. ACTION BY DIRECTORS WITHOUT MEETING

Any action required by the Texas Business Organizations Code to be taken at a meeting of the Board of Directors, or any action which may be taken at a meeting of the Board of Directors or any committee, may be taken without a meeting if a consent in writing, setting forth the action to be taken, shall be signed by all the Board of Directors entitled to vote with respect to the subject matter thereof, or all of the members of the committee, as the case may be. Such consent shall have the same force and effect as a unanimous vote.

If the Corporation's Certificate of Formation so provides, any action required by the Texas Business Organizations Code to be taken at a meeting of the Board of Directors or any action that may be taken at a meeting of the Board of Directors of any committee may be taken without a meeting if a consent in writing, setting forth the action to be taken, is signed by a sufficient number of Board of Directors or committee members as would be necessary to take that action at a meeting at which all of the Board of Directors or members of the committee were present and voted.

Each written consent shall bear the date of signature of each Director or committee member who signs the consent. A written consent signed by less than all of the Board of Directors or committee members is not effective to take the action that is the subject of the consent unless, within sixty (60) days after the date of the earliest dated consent delivered to the Corporation in the manner required by this section, a consent or consents signed by the required number of Board of Directors or committee members is delivered to the Corporation at its registered office, registered agent, principal place of business, transfer agent, registrar, exchange agent, or an officer or agent of the Corporation having custody of the books in which proceedings of meetings of Board of Directors or committees are recorded. Delivery shall be by hand or certified or registered mail, return receipt requested. Delivery to the Corporation's principal place of business shall be addressed to the President or principal executive officer of the Corporation.

Prompt notice of the taking of any action by Board of Directors or a committee without a meeting by less than unanimous written consent shall be given to all Board of Directors or committee members who did not consent in writing to the action.

If any action by Board of Directors or a committee is taken by written consent signed by less than all of the Board of Directors or committee members, any articles or documents filed with the Secretary of State as a result of the taking of the action shall state, in lieu of any statement required by this Act concerning any vote of the Board of Directors or committee members, that written consent has been given in accordance with the provisions of section 6.202 of the Texas Business Organizations Code and that any written notice required by such section has been given.

A telegram, telex, cablegram, or similar transmission by a Director or member of a committee or a photographic, photostatic, facsimile, or similar reproduction of a writing signed by a Director or member of a committee shall be regarded as signed by the Director or member of a committee for purposes of this section.

14. COMMITTEES OF THE BOARD OF DIRECTORS

The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate and appoint one or more committees, each of which shall consist of two or more persons, which committees, to the extent provided in said resolution, shall have and exercise the authority of the Board of Directors in the management of the Corporation, except that no such committee shall have the authority of the Board of Directors in reference to amending, altering or repealing the Bylaws; electing, appointing or removing any member of any such committee or any Director or officer of the Corporation; amending or restating the Certificate of Formation; adopting a plan of merger or adopting a plan of consolidation with another Corporation; authorizing the sale, lease, exchange or mortgage of all or substantially all of the property and assets of the Corporation; authorizing the voluntary dissolution of the Corporation or revoking proceedings therefore; adopting a plan for the distribution of the assets of the Corporation; or amending, altering or repealing any resolution of the Board of Directors which by its terms provides that it shall not be amended, altered or repeated by such committee. The designation and appointment of any such committee and the delegation of authority to such committee shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed by law upon the Board of Directors or upon any individual Director.

Other committees not having and exercising the authority of the Board of Directors in the management of the Corporation may be appointed in such manner as may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Except as otherwise provided in such resolution, members of each such committee shall be Directors of the Corporation, and the President of the Corporation shall appoint the members thereof. Any member thereof may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interests of the Corporation shall be served by such removal.

Each member of a committee shall continue as such until the next annual meeting of the Board of Directors and until a successor is appointed, unless the committee shall be sooner terminated, or unless such member be removed from such committee, or unless such member cease to qualify as a member thereof.

One member of each committee shall be appointed chairman by the person or persons authorized to appoint the members thereof.

Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

Each committee may adopt rules for its own government not inconsistent with these Bylaws or with rules adopted by the Board of Directors.

ARTICLE III - OFFICERS

1. NUMBER OF OFFICERS

The officers of a Corporation shall consist of a president and a secretary and may also consist of one or more vice-presidents, a treasurer, and such other officers and assistant officers as may be deemed necessary. New offices may be created and filled at any meeting of the Board of Directors. Any two or more offices may be held by the same person, except the offices of president and secretary. A committee duly designated may perform the functions of any officer and the functions of any two or more officers may be performed by a single committee, including the functions of both president and secretary.

2. ELECTION OF OFFICERS AND TERM OF OFFICE

All officers shall be elected or appointed annually by the Board of Directors at the regular annual meeting of the Board of Directors for such terms not exceeding three (3) years.

3. REMOVAL OF OFFICERS, VACANCIES

Any officer elected or appointed may be removed by the Board of Directors whenever in their judgment the best interests of the Corporation will be served thereby. The removal of an officer shall be without prejudice to the contract rights, if any, of the officer so removed. Election or appointment of an officer or agent shall not of itself create contract rights. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

4. POWERS OF OFFICERS

Each officer shall have, subject to these Bylaws, in addition to the duties and powers specifically set forth herein, such powers and duties as are commonly incident to that office and such duties and powers as the Board of Directors shall from time to time designate. All officers shall perform their duties subject to the directions and under the supervision of the Board of Directors. The President may secure the fidelity of any and all officers by bond or otherwise.

All officers and agents of the Corporation, as between themselves and the Corporation, shall have such authority and perform such duties in the management of the Corporation as may be provided in theses Bylaws, or as may be determined by resolution of the Board of Directors not inconsistent with these Bylaws.

In the discharge of a duty imposed or power conferred on an officer of a Corporation, the officer may in good faith and with ordinary care rely on information, opinions, reports, or statements, including financial statements and other financial data, concerning the Corporation or another person, that were prepared or presented by: (1) one or more other officers or employees of the Corporation, including members of the Board of Directors; or (2) legal counsel, public accountants, or other persons as to matters the officer reasonably believes are within the person's professional or expert competence.

An officer is not relying in good faith within the meaning of this section if the officer has knowledge concerning the matter in question that makes reliance otherwise permitted by this subsection unwarranted.

5. PRESIDENT

The President shall be the chief executive officer of the Corporation and shall preside at all meetings of all directors. Such officer shall see that all orders and resolutions of the board are carried out, subject however, to the right of the directors to delegate specific powers, except such as may be by statute exclusively conferred on the President, to any other officers of the Corporation.

The President or any Vice-President shall execute bonds, mortgages and other instruments requiring a seal, in the name of the Corporation. When authorized by the board, the President or any Vice-President may affix the seal to any instrument requiring the same, and the seal when so affixed shall be attested by the signature of either the Secretary or an Assistant Secretary.

The President shall be ex-officio a member of all standing committees.

The President shall submit a report of the operations of the Corporation for the year to the directors at their meeting next preceding the annual meeting of the Board of Directors.

6. VICE-PRESIDENTS

The Vice-President, or Vice-Presidents in order of their rank as fixed by the Board of Directors, shall, in the absence or disability of the President, perform the duties and exercise the powers of the President, and they shall perform such other duties as the Board of Directors shall prescribe.

7. THE SECRETARY AND ASSISTANT SECRETARIES

The Secretary shall attend all meetings of the Board of Directors and shall record all votes and the minutes of all proceedings and shall perform like duties for the standing committees when required. The Secretary shall give or cause to be given notice of all meetings of the Board of Directors and shall perform such other duties as may be prescribed by the Board of Directors. The Secretary shall keep in safe custody the seal of the Corporation, and when authorized by the Board of Directors, affix the same to any instrument requiring it, and when so affixed, it shall be attested by the Secretary's signature or by the signature of an Assistant Secretary.

The Assistant Secretaries shall in order of their rank as fixed by the Board of Directors, in the absence or disability of the Secretary, perform the duties and exercise the powers of the Secretary, and they shall perform such other duties as the Board of Directors shall prescribe.

In the absence of the Secretary or an Assistant Secretary, the minutes of all meetings of the board shall be recorded by such person as shall be designated by the President or by the Board of Directors.

8. THE TREASURER AND ASSISTANT TREASURERS

The Treasurer shall have the custody of the corporate funds and securities and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Corporation and shall deposit all moneys and other valuable effects in the name and to the credit of the Corporation in such depositories as may be designated by the Board of Directors.

The Treasurer shall disburse the funds of the Corporation as may be ordered by the Board of Directors, taking proper vouchers for such disbursements. The Treasurer shall keep and maintain the Corporation's books of account and shall render to the President and directors an account of all of the Treasurer's transactions and of the financial condition of the Corporation and exhibit the books, records and accounts to the President or directors at any time. The Treasurer shall disburse funds for capital expenditures as authorized by the Board of Directors and in accordance with the orders of the President, and present to the President's attention any requests for disbursing funds if in the judgment of the Treasurer any such request is not properly authorized. The Treasurer shall perform such other duties as may be directed by the Board of Directors or by the President.

If required by the Board of Directors, the Treasurer shall give the Corporation a bond in such sum and with such surety or sureties as shall be satisfactory to the Board of Directors for the faithful performance of the duties of the office and for the restoration to the Corporation, in case of death, resignation, retirement or removal from office, of all books, papers, vouchers, money and other property of whatever kind in the incumbent's possession or under the incumbent's control belonging to the Corporation.

The Assistant Treasurers in the order of their seniority shall, in the absence or disability of the Treasurer, perform the duties and exercise the powers of the Treasurer, and they shall perform such other duties as the Board of Directors shall prescribe.

ARTICLE IV - INDEMNIFICATION AND INSURANCE

1. INDEMNIFICATION

The Corporation shall have the full power to indemnify and advance or reimburse expenses pursuant to the provisions of the Texas Business Organizations Code to any person entitled to indemnification under the provisions of the Texas Business Organizations Code.

2. INSURANCE

The Corporation may purchase and maintain insurance or another arrangement on behalf of any person who is or was a member, director, officer, employee, or agent of the Corporation or who is or was serving at the request of the Corporation as a director, officer, partner, venturer, proprietor, trustee, employee, agent, or similar functionary of another foreign or domestic corporation, employee benefit plan, other enterprise, or other entity, against any liability asserted against him or her and incurred by him or her in such a capacity or arising out of his or her status as such a person, whether or not the Corporation would have the power to indemnify him or her against that liability. Without limiting the power of the Corporation to procure or maintain any kind of insurance or other arrangement, the Corporation may, for the benefit of persons indemnified by the Corporation, (1) create a trust fund; (2) establish any form of self-insurance; (3) secure its indemnity obligation by grant of a security interest or other lien on the assets of the Corporation; or (4) establish a letter of credit, guaranty, or surety arrangement. The insurance or other arrangement may be procured, maintained, or established within the Corporation or with any insurer or other person deemed appropriate by the Board of Directors regardless of whether all or part of the stock or other securities of the insurer or other person are owned in whole or part by the Corporation. In the absence of fraud, the judgment of the Board of Directors as to the terms and conditions of the insurance or other arrangement and the identity of the insurer or other person participating in an arrangement shall be conclusive and the insurance or arrangement shall not be voidable and shall not subject the directors approving the insurance or arrangement to liability, on any ground, regardless of whether directors participating in the approval are beneficiaries of the insurance or arrangement.

ARTICLE V - MISCELLANEOUS

1. WAIVER OF NOTICE

Whenever any notice is required to be given to any member or director of the Corporation under the provisions of the Texas Business Organizations Code, the Certificate of Formation, or these Bylaws, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be equivalent to the giving of such notice.

2. MEETINGS BY TELEPHONE CONFERENCE, ELECTRONIC OR OTHER REMOTE COMMUNICATIONS TECHNOLOGY

Subject to the provisions required or permitted by the Texas Business Organizations Code and these Bylaws for notice of meetings, members of the Board of Directors, or members of any committee may participate in and hold a meeting of such board, or committee by means of: (1) conference telephone or similar communications equipment by which all persons participating in the meeting can communicate with each other; or (2) another suitable electronic communications system, including videoconferencing technology or the Internet, only if: (a) each member entitled to participate in the meeting consents to the meeting being held by means of that system; and (b) the system provides access to the meeting in a manner or using a method by which each member participating in the meeting can communicate concurrently with each other participant. Participation in a meeting pursuant to this section shall constitute presence in person at such meeting, except where a person participates in the meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.

3. SEAL

The Corporation may adopt a corporate seal in such form as the Board of Directors may determine. The Corporation shall not be required to use the corporate seal and the lack of the corporate seal shall not affect an otherwise valid contract or other instrument executed by the Corporation.

4. CONTRACTS

The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

5. CHECKS, DRAFTS, ETC.

All checks, drafts or other instruments for payment of money or notes of the Corporation shall be signed by such officer or officers or such other person or persons as shall be determined from time to time by resolution of the Board of Directors.

6. DEPOSITS

All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

7. GIFTS

The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Corporation.

8. BOOKS AND RECORDS

The Corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of the Board of Directors, and committees and shall keep at the registered office or principal office in this State a record of the names and addresses of its members entitled to vote. A Director of the Corporation, on written demand stating the purpose of the demand, has the right to examine and copy, in person or by agent, accountant, or attorney, at any reasonable time, for any proper purpose, the books and records of the Corporation relevant to that purpose, at the expense of the member.

9. FINANCIAL RECORDS AND ANNUAL REPORTS

The Corporation shall maintain current true and accurate financial records with full and correct entries made with respect to all financial transactions of the Corporation, including all income and expenditures, in accordance with generally accepted accounting practices. All records, books, and annual reports (if required by law) of the financial activity of the Corporation shall be kept at the registered office or principal office of the Corporation in this state for at least three years after the closing of each fiscal year and shall be available to the public for inspection and copying there during normal business hours. The Corporation may charge for the reasonable expense of preparing a copy of a record or report.

10. FISCAL YEAR

The fiscal year of the Corporation shall be as determined by the Board of Directors.

ARTICLE VI – CONSTRUCTION

1. PRONOUNS AND HEADINGS

All personal pronouns used in these Bylaws shall include the other gender whether used in masculine or feminine or neuter gender, and the singular shall include the plural whenever and as often as may be appropriate. All headings herein are for convenience only and neither limit nor amplify the provisions of these Bylaws.

2. INVALID PROVISIONS

If any one or more of the provisions of these Bylaws, or the applicability of any such provision to a specific situation, shall be held invalid or unenforceable, such provision shall be modified to the minimum extent necessary to make it or its application valid and enforceable, and the validity and enforceability of all other provisions of these Bylaws and all other applications of any such provision shall not be affected thereby.

ARTICLE VII - AMENDMENT OF BYLAWS

The Board of Directors may amend or repeal these Bylaws, or adopt new Bylaws, unless the Certificate of Formation or the Texas Business Organizations Code limits such powers.

Adopted by the Board of Directors as of February 6th, 2025.

L Christina B Alexander

L. Christina Benavides Alexander, Secretary

ATTACHMENT 3

MANAGEMENT CERTIFICATE

MANAGEMENT CERTIFICATE
YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC
(Section 209.004, Texas Property Code)

This Management Certificate is prepared and filed by the YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC. (the "Association") in compliance with Texas Property Code Section 209.004.

A. The name of the subdivision is "Yellow Rose Estates" (the "Subdivision")

B. The name of the Property Owners Association is "Yellow Rose Estates Homeowners Association, Inc."

C. The mailing address for the Association is 1116 Calle Del Norte, Laredo, Texas 78041.

D. The plat of the subdivision is recorded November 20, 2023, under Clerk's File Number 23-07031, Official Public Records of Kerr County, Texas.

E. The Declaration of Covenants, Conditions and Restrictions for the Subdivision is recorded February 10 2025 under Clerk's File Number 25-00866, Official Public Records of Kerr County, Texas.

E. The Subdivision is gated and requires entry codes for residents and guests.

F. Security Services are not provided within the Subdivision.

YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC

By: CARLOS Y. BENAVIDES, III
Its: President

Acknowledgment

STATE OF TEXAS §
§
COUNTY OF KERR §

This instrument was acknowledged before me on the 6th day of February, 2025 by CARLOS Y. BENAVIDES, III, as President of YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC.

GREGORY A. RICHARDS
My Notary ID # 10442256
Expires March 18, 2028

Notary Public, State of Texas

FILED AND RECORDED

Document Number: 25-01241

Document Type: PROPERTY OWNERS ASSOCIATION MANAGEMENT CERTIFICATES

Filing and Recording Date: 2/27/2025 3:52:12 PM

Number of Pages: 2

GRANTOR YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION INC

GRANTEE YELLOW ROSE ESTATES

Returned To: Gregory A. Richards, P.C.
280 Thompson Drive
Kerrville, TX 78028

I hereby certify that this instrument was FILED on the date and times stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Kerr County, Texas.

Nadene Alford

Nadene Alford, Clerk
Kerr County, Texas
By: KIM GATLIN DEPUTY CLERK

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the Clerk.

DO NOT DESTROY - This document is part of the Official Public Record.

4026980

ATTACHMENT 4

RECORDS PRODUCTION AND COPYING POLICY

YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC.

Records Production and Copying Policy

Date: March 11th, 2025

Property Owners Association: Yellow Rose Estates Homeowners Association, Inc.

Subdivision: Yellow Rose Estates

Charges: Charges for examining and copying Owners Association information are set out in **Exhibit "A".**

Except for information deemed confidential by law or court order, Yellow Rose Estates Homeowners Association, Inc (the "Association") will make its books and records open to and reasonably available for examination by an owner of property in the Subdivision or a person designated in a writing signed by the owner as the owner's agent, attorney, or certified public accountant, in accordance with Texas Property Code section 209.005. Owners are also entitled to obtain copies of information in the Association's books and records on payment of the Charges for the copies. To the extent the Charges in this policy exceed the charges in section 70.3 of title 1 of the Texas Administrative Code, the amounts in section 70.3 of title 1 of the Texas Administrative Code govern.

Information not subject to inspection by owners includes but is not limited to-

1. any document that constitutes the work product of the Association's attorney or that is privileged as an attorney-client communication;

2. files and records of the Association's attorney relating to the Association, excluding invoices requested by an owner under Texas Property Code section 209.008(d); and

3. except to the extent the information is provided in the meeting minutes or as authorized by Texas Property Code section 209.005(l), (a) information that identifies the dedicatory instrument violation history of an individual owner; (b) an owner's personal financial information, including records of payment or nonpayment of amounts due the Association; (c) an owner's contact information, other than the owner's address; and (d) information related to an employee of the Association, including personnel files.

If a document in the Association's attorney's files and records relating to the Association would be subject to a request by an owner to inspect or copy Association documents, the document will be produced by using the copy from the attorney's files and records if the Association has not maintained a separate copy of the document.

Procedures for Inspecting Information or Obtaining Copies

1. An owner or the owner's agent must submit a written request for access or

information by certified mail, with sufficient detail describing the Association's books and records requested, to the mailing address of the Association or authorized representative as reflected on the most current management certificate filed with the county clerk of Kerr County, Texas.

2. The request must include enough description and detail about the information requested to enable the Association to accurately identify and locate the information requested. Owners must cooperate with the Association's reasonable efforts to clarify the type or amount of information requested.

3. The request must contain an election either to inspect the books and records before obtaining copies or to have the Association forward copies of the requested books and records and-

a. if an inspection is requested, the Association, on or before the tenth business day after the date the Association receives the request, will send written notice of dates during normal business hours that the owner may inspect the requested books and records to the extent those books and records are in the possession, custody, or control of the Association; or

b if copies of identified books and records are requested, the Association will, to the extent those books and records are in the possession, custody, or control of the Association, produce the requested books and records for the requesting party on or before the tenth business day after the date the Association receives the request.

4. If the Association is unable to produce the books or records requested that are in its possession or custody on or before the tenth business day after the date the Association receives the request, the Association must provide to the requestor written notice that-

a. informs the owner that the Association is unable to produce the information on or before the tenth business day after the date the Association received the request; and

b. states a date by which the information will be sent or made available for inspection to the requesting party that is not later than the fifteenth business day after the date notice under this subsection is given.

5. If an inspection is requested or required, the inspection will take place at a mutually agreeable time during normal business hours, and the owner will identify the books and records for the Association to copy and forward to the owner.

6. The Association may produce copies of the requested information in paper copy, electronic, or other format reasonably available to the Association.

7. Before starting work on an owner's request, the Association must provide the owner with a written, itemized statement of estimated Charges for examining and copying records related to the owner's request, using amounts prescribed in this policy when the estimated Charges exceed

$40. Owners may modify the request in response to the itemized statement.

8. Within ten business days of the date the Association sent the estimate of Charges, the owner must respond in writing to the written estimate, or the request is considered automatically withdrawn. The response must state whether the owner (a) accepts the estimate per the request, (b) modifies the request, or (c) withdraws the request.

9. Owners are responsible for Charges related to the compilation, production, and reproduction of the requested information in the amounts stated in this policy. The Association may require advance payment of the estimated Charges of compilation, production, and reproduction of the requested information.

10. If the estimated Charges are less or more than the actual Charges, the Association must submit a final invoice to the owner on or before the thirtieth business day after the date the information is delivered. If the final invoice includes additional amounts due from the owner, the additional amounts, if not reimbursed to the Association before the thirtieth business day after the date the invoice is sent to the owner, may be added to the owner's account as an assessment. If the estimated Charges exceeded the final invoice amount, the owner is entitled to a refund, and the refund will be issued to the owner not later than the thirtieth business day after the date the invoice is sent to the owner.

YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC

C Y Benavides III

By: CARLOS Y. BENAVIDES, III
Its: President

Acknowledgment

STATE OF TEXAS §
§
COUNTY OF Kerr §

This instrument was acknowledged before me on the 11th day of March, 2025, by CARLOS Y. BENAVIDES, III as President of YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC.

Mason Nettleton

Notary Public, State of Texas

MASON SUZANNE NETTLETON
Notary Public, State of Texas
Comm. Expires 09-10-2028
Notary ID 135082933

NOTARY PUBLIC STATE OF TEXAS

YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC.

CERTIFICATION

"I, the undersigned, being the President of Yellow Rose Estates Homeowners Association, Inc., hereby certify that the foregoing Policy was adopted by at least the majority of the Association Board of Directors on March 4th, 2025.

By: CARLOS Y. BENAVIDES, III
Its: President

EXHIBIT "A"

CHARGES FOR EXAMINING AND COPYING ASSOCIATION'S INFORMATION

A. Labor Charge for Computer Programming

If a particular request requires the services of a computer programmer to execute an existing program or to create a new program so that requested information may be accessed and copied, the Association will charge $28.50 an hour for the programmer's time spent on the request.

B. Labor Charge for Locating, Compiling, Manipulating, and Reproducing Data and Information

1. The charge for labor costs incurred in processing an owner's request for Association information is $15.00 an hour. The labor charge will be calculated based on the actual time to locate, compile, manipulate, and reproduce the requested data and information.

2. A labor charge will not be billed in connection with complying with requests that are for fifty or fewer pages of paper records, unless the documents to be copied are located in (a) two or more separate buildings that are not physically connected with each other or (b) a remote storage facility.

3. A labor charge will not be billed for any time spent by an attorney, legal assistant, or any other person who reviews the requested information to determine whether it is confidential or privileged under Texas law.

4. When confidential or privileged information is mixed with public information in the same page, a labor charge may be recovered for time spent to redact, black out, or otherwise obscure the confidential or privileged information in order to comply with the owner's request. The Association will not charge for redacting confidential or privileged information for requests of fifty or fewer pages unless the request also qualifies for a labor charge under section 552.261(a)(1) or 552.261(a)(2) of the Texas Government Code.

C. Overhead Charge

1. Whenever any labor charge is applicable to a request, the Association may include in the Charges direct and indirect costs, in addition to the specific labor charge. This overhead charge would cover such costs as depreciation of capital assets, rent, maintenance and repair, utilities, and administrative overhead. If the Association chooses to recover such costs, the overhead charge will be computed at 20 percent (20.00%) of the charge made to cover any labor costs associated with a particular request.

For example, if one hour of labor is used for a particular request, the formula would be as follows:

a. Labor charge for locating, compiling, and reproducing-$15.00 x .20 = $3.00.

b. Labor charge for computer programming-$28.50 x .20 = $5.70.

If a request requires a charge for one hour of labor for locating, compiling, and reproducing information ($15.00 per hour) and one hour of programming ($28.50 per hour), the combined overhead would be $15.00 + $28.50 = $43.50 x .20 = $8.70.

2. An overhead charge will not be made for requests for copies of fifty or fewer pages of standard paper records.

D. Microfiche and Microfilm Charge

If the Association already has the requested information on microfiche or microfilm, the charge for a copy must not exceed the cost of reproducing the information on microfiche or microfilm or ten cents per page for standard size paper copies of the information on microfiche or microfilm, plus any applicable labor and overhead charge for more than fifty copies.

E. Remote Document Retrieval Charge

To the extent that the retrieval of documents stored on the Association's property results in a charge to comply with a request, the Association will charge the actual cost of the retrieval.

F. Copy Charges

1. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is ten cents per page or part of a page. Each side of a piece of paper on which information is recorded is counted as a single copy. A piece of paper that has information recorded on both sides is counted as two copies. Standard paper copy is a copy of Association information that is a printed impression on one side of a piece of paper that measures up to eight and one-half by fourteen inches.

2. A "nonstandard" copy includes everything but a copy of a piece of paper measuring up to eight and one-half by fourteen inches. Microfiche, microfilm, diskettes, magnetic tapes, and CD-ROM are examples of nonstandard copies. The charges in this subsection are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are-

a. diskette—$1.00;

b. magnetic tape—actual cost;

c. data cartridge—actual cost;

d. tape cartridge—actual cost;

e. rewritable CD (CD-RW)—$1.00;

f. nonrewritable CD (CD-R)—$1.00;

g. digital video disc (DVD)—$3.00;

h. JAZ drive—actual cost;

i. other electronic media—actual cost;

j. VHS video cassette—$2.50;

k. audio cassette—$1.00;

l. oversize paper copy (e.g., larger than eight and one-half by fourteen inches, greenbar, bluebar, not including maps and photographs using specialty paper)—$0.50; and

m. specialty paper (e.g., Mylar, blueprint, blueline, map, photographic)—actual cost.

ATTACHMENT 5

RECORDS RETENTION POLICY

YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC.

RECORDS RETENTION POLICY

STATE OF TEXAS §
§
COUNTY OF Kerr §

WHEREAS, Yellow Rose Estates Homeowners Association, Inc. (the "Association"), is governed by the Board of Directors (the "Board");

WHEREAS, Chapter 209 of the Texas Property Code has been amended and Section 209.005(m) of the Texas Property Code requires the Association to adopt and record a policy regarding retention of Association Books and Records;

NOW THEREFORE, BE IT RESOLVED THAT in order to comply with the requirements of Section 209.005(m) of the Texas Property Code, the Board hereby adopts the following Records Retention Policy;

1. The purpose of this policy is to establish guidelines, policies and procedures for the retention of the Books and Records of the Association.

2. Documents to be retained as follows:

    A. Governing Documents, including Certificate of Formation/Articles of Incorporation, Bylaws, Declarations, covenants and all amendments to those documents: will be retained permanently.

    B. Financial Records, including Financial Books and Records and Association Tax Returns and Audits: will be retained for 7 years.

    C. Current Owners' Account Records: will be retained for 5 years.

    D. Contracts: Contract with a term of one year or more will be retained for 4 years after the expiration of the contract term.

    E. Minutes of meetings of the owners and the Board: will be retained for 7 years.

3. Upon expiration of the retention period listed above, the documents shall no longer be considered Association records and may be destroyed, discarded, deleted, purged or otherwise eliminated.

4. Any document not described above may be retained for the duration deemed to be useful to the purpose of the Association.

5. This policy applies to all hard copy records as well as all electronic records.

6. In the event the Association is served with a subpoena or request for documents, or the Association becomes aware of a governmental investigation or audit concerning the Association or the commencement of any litigation against or concerning the Association, all documents relating or pertaining to such investigation, claim or litigation shall be retained indefinitely, and any further disposal of documents shall be suspended and shall not be reinstated until conclusion of the investigation or lawsuit, or until such time as the Board, with the advice of legal counsel, determines otherwise.

7. The Board is authorized to make changes to their Policy from time to time to ensure it is in compliance with all applicable laws, includes the appropriate document and record categories and serves the purpose of the Association.

8. The policies set forth herein are effective upon recordation and supersede any policies, guidelines, procedures and/or regulations regarding document retention that may have previously been in effect. Except as affected by Section 209.005 of the Texas Property Code and/or by this Policy all other provisions contained in the operative dedicatory instruments of the Association shall remain in full force and effect.

APPROVED AND ADOPTED this 11th day of March, 2025, by the Board of Directors of Yellow Rose Estates Homeowners Association, Inc.

YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC

C. Y. Benavides III

By: CARLOS Y. BENAVIDES, III
Its: President

Acknowledgment

STATE OF TEXAS §
§
COUNTY OF Kerr §

This instrument was acknowledged before me on the 11th day of March, 2025, by Carlos Y. Benavides III, as President of YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC.

MASON SUZANNE NETTLETON
Notary Public, State of Texas
Comm. Expires 09-10-2028
Notary ID 135082933

Mason Nettleton

Notary Public, State of Texas

YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC.

CERTIFICATION

"I, the undersigned, being the President of Yellow Rose Estates Homeowners Association, Inc., hereby certify that the foregoing Resolution was adopted by at least the majority of the Board of Directors of the Association on the 11th day of March 2025."

YELLOW ROSE ESTATES HOMEOWNERS ASSOCIATION, INC

C Y Benavides III

By: CARLOS Y. BENAVIDES, III
Its: President