

SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS  
*for*  
THE SEVENTH HOMEOWNERS' ASSOCIATION, INC.

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THE STATE OF TEXAS       §  
  §  
COUNTY OF BEXAR       §

The undersigned, being the authorized representative of The Seventh Homeowners' Association, Inc. (the "Association"), a property owners' association as defined in Section 202.001 of the Texas Property Code, hereby supplements instruments entitled "Notice of Filing of Dedicatory Instruments for The Seventh Homeowners Association, Inc.," "Notice of Filing of Dedicatory Instruments of The Seventh at Sonterra Association, Inc.," "Supplemental Notice of Dedicatory Instruments for The Seventh Homeowners' Association, Inc." and "Supplemental Notice of Dedicatory Instruments for The Seventh Homeowners' Association, Inc." recorded in the Official Public Records of Real Property of Bexar County, Texas under Clerk's File Nos. 2000-0001683, 20120015053, 20200167389 and 20210190053 (the "Notice") was filed of record for the purpose of complying with Section 202.006 of the Texas Property Code.

Additional Dedicatory Instrument. In addition to the Dedicatory Instruments identified in the Notice, the following documents are Dedicatory Instruments governing the Association.

- **Architectural Review Committee Application Review and Appeals Procedure and Guidelines Policy of the Board of Directors for The Seventh Homeowners' Association, Inc.**
- **Resolution of the Board of Directors of The Seventh Homeowners' Association, Inc. adopting Architectural Review Committee Charter.**
- **Bid Solicitation Policy for The Seventh Homeowners' Association, Inc.**
- **Certificate of Secretary of The Seventh Homeowners' Association, Inc. regarding Board Resolution adopting Common Area Policy.**
- **Display of Religious Items Policy for The Seventh Homeowners' Association, Inc.**
- **Flag Policy for The Seventh Homeowners' Association, Inc.**
- **209 Hearing Policy for The Seventh Homeowners' Association, Inc.**

True and correct copies of such Dedicatory Instruments are attached to this Supplemental Notice.

This Supplemental Notice is being recorded in the Official Public Records of Real Property of Bexar County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Supplemental Notice is true and correct and that the copies of the Dedicatory Instruments attached to this Supplemental Notice are true and correct copies of the originals.

Executed on this 17<sup>th</sup> day of November, 2021.

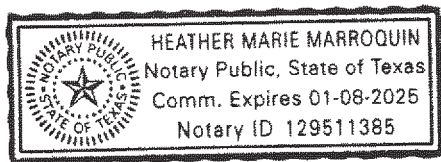
THE SEVENTH HOMEOWNERS'  
ASSOCIATION, INC.

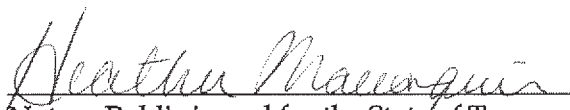
By:

  
Brady E. Ortego, authorized representative

THE STATE OF TEXAS     §  
                                     §  
COUNTY OF BEXAR     §

BEFORE ME, the undersigned notary public, on this 17<sup>th</sup> day of November, 2021 personally appeared Brady E. Ortego, authorized representative of The Seventh Homeowners' Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.



  
Notary Public in and for the State of Texas

**ARCHITECTURAL REVIEW COMMITTEE**  
**APPLICATION REVIEW AND APPEALS PROCEDURE AND GUIDELINES POLICY**  
*of the*  
**BOARD OF DIRECTORS**  
*for*  
**THE SEVENTH HOMEOWNERS' ASSOCIATION, INC.**

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STATE OF TEXAS           §  
  §  
COUNTY OF BEXAR       §

WHEREAS, the property encumbered by this Architectural Review Committee Application Review and Appeals Procedure and Guidelines Policy ("Policy") is that property restricted by the Declaration of Covenants, Conditions and Restrictions for The Seventh, recorded under Volume No. 4695, Page 0100, et seq. in the Official Public Records of Bexar County, Texas, as same has been or may be amended or supplemented from time to time ("Declaration"), and any other property which has been or may be annexed thereto and made subject to the authority of The Seventh Homeowners' Association, Inc. ("Association").

WHEREAS, pursuant to Article Two, Section 2 of the Declaration, no building or improvement ("Improvement") of any kind that will be visible from any other lot or townhouse or from any common area shall be erected, placed or constructed, or the erection, placement or construction thereof begun or change made in the design thereof after original construction, on any portion of the land until the final construction plans and specifications and the final plans showing the location of such Improvement have been submitted to and approved in writing by the Board.

WHEREAS, Article Two, Section of the Declaration provides that the Board shall have the right to delegate its rights and obligations under Article Two, Section 2 of the Declaration to an Architectural Review Committee ("ARC") composed of individuals selected by the Board.

WHEREAS, pursuant to the authority granted by Article Two, Section 2 of the Declaration, the Board approved a Resolution adopting an Architectural Review Committee Charter, in which the Board delegated architectural review authority to an ARC; formally appointed the members of the ARC; and designated a non-voting Board member to serve as a liaison between the ARC and the Board.

WHEREAS, Section 209.00505(d) of the Texas Property Code provides that a decision by the ARC denying an application or request by an Owner for the construction of Improvements in a subdivision may be appealed to the Board.

WHEREAS, the Board adopts this Policy in order to establish the process and procedure for ARC application applicants (the "Applicants") to both submit applications to the ARC and appeal to the Board regarding denials of ARC applications ("Appeal").

WHEREAS, reference is hereby made to the Declaration for all purposes, and any and all capitalized terms used herein shall have the meanings set forth in the Declaration, unless otherwise specified in this Policy.

NOW THEREFORE, IT IS RESOLVED that the following Policy is hereby adopted by the Board, which shall run with the land and be binding on all owners and lots within the subdivision. This Policy replaces any previously recorded or implemented policy that addresses the subjects contained herein.

#### ARTICLE I. ARC REVIEW PROCEDURE

1. Before erection, placement or construction of any Improvement on a lot in the subdivision, or modification to an existing Improvement, final construction plans and specifications ("Plans") showing the location of such Improvement must be submitted in writing (certified mail, hand delivery or electronic delivery) to the ARC by the Owner of the lot upon which Improvement will be located and approved in writing by the ARC.
2. In determining whether such Plans shall be approved, the ARC may take into consideration factors deemed appropriate by the ARC. Such factors may include the following:
  - a. Compliance with the Declaration, Guidelines, or other Dedicatory Instruments of the Association;
  - b. Quality of the building materials;
  - c. Harmony of external design of such Improvement with existing and proposed Improvements;
  - d. Location of such Improvement within the lot on which it will be constructed; and
  - e. The number of square feet to be contained in such Improvement.
3. The ARC shall have forty-five (45) days after receipt of the Plans to issue an approval or denial of said Plans.
4. The ARC notice must be provided to the Owner by certified mail, hand delivery, or electronic delivery.
5. An ARC notice of denial must:
  - a. describe the basis for the denial in reasonable detail and changes, if any, to the Application or Improvements required as a condition to approval; and
  - b. inform the Owner that the Owner may request a hearing on or before the thirtieth (30th) day after the date the notice was mailed to the Owner.
6. In the event of the ARC's denial of Plans, an Applicant may appeal such decision to the Board pursuant to Article II below.



## ARTICLE II. APPEAL PARAMETERS

In the event that an Applicant requests an Appeal of a decision of the ARC in relation to an ARC application for Improvements, the following parameters will govern all such Appeals:

1. Only the Applicant may submit an Appeal of a decision of the ARC to the Board of Directors. No other Owner(s) may submit an Appeal on behalf of or in relation to a decision of the ARC on an application where the Owner(s) are not the Applicant(s).
2. Any such request for Appeal will be made in writing to the Board on or before the 30<sup>th</sup> day after the date the ARC's decision was provided to the Applicant in writing (certified mail, return receipt requested). If requested, the Appeal will be held not later than the 30<sup>th</sup> day after the date the Board receives the Applicant's written request for an Appeal. Notification of the date, time and place of the Appeal will be sent not later than the 10<sup>th</sup> day before such hearing. If a postponement of the hearing on the Appeal is requested by either the Board or an Applicant, it must be granted for a period of not more than ten (10) days. Any additional postponements may be granted by agreement of the parties.
3. The Board may set a time limit for the Appeal, to be determined in the Board's sole discretion, taking into account factors including, but not limited to the complexity of the application and/or Improvements at issue, the number of exhibits, and whether witnesses will be presented as authorized in Section 5 below. The Board may communicate the time limitation in any manner to the Applicant and will make every effort to communicate such time limitation to the Applicant in advance of the date of the Appeal. The time limitation will be strictly adhered to and is intended to strike a balance between (i) allowing the Applicant ample time to present the Appeal and (ii) the Board's finite amount of time available to consider such Appeal.
4. During the Appeal, the Board (or a designated representative of the Association) and the Owner (or the Owner's designated representative) will each be provided the opportunity to verify facts and discuss the resolution of the denial of the Owner's application or request for the construction of Improvements, and the changes, if any, requested by the ARC in the notice provided to the Owner under the Code.
5. The Applicant may present exhibits and/or witnesses, provided, however, the Applicant must provide a written list of all documentary evidence the Owner intends to introduce at the hearing to the Board not later than five (5) days before the Appeal. The Board will not be required to consider any exhibit or witness that was not identified in accordance with this provision. Further, any time limitation set by the Board will control and Applicant shall plan his/her presentation accordingly.
6. While the Board may ask the Applicant and witnesses, if any, questions during the Appeal, the Board is not required to deliberate or reach a determination during the Appeal. Rather, all information gleaned from the Appeal may be taken under advisement by the Board. The Board may affirm, modify, or reverse, in whole or in part, any decision of the ARC as consistent with the Association's Dedicatory

Instruments. The Association’s managing agent will inform the Applicant of the Board’s decision in writing within thirty (30) days of the date of the Appeal. If there is no written communication from the managing agent within this timeframe, the issue will be deemed to be resolved in a manner consistent with the decision of the ARC serving the basis of the Appeal.

This Policy does not apply to property that is owned or maintained by the Association.

**CERTIFICATION**

I hereby certify that, as Secretary of The Seventh Homeowners’ Association, Inc., the foregoing Architectural Review Committee Application Review and Appeals Procedure and Guidelines Policy was approved on the 21st day of September, 2021, at a meeting of the Board of Directors at which a quorum was present.

DATED, this the 11 day of November, 2021.

THE SEVENTH HOMEOWNERS’ ASSOCIATION, INC.  
Kayla A. Faye  
Print Name: KAYLA A. FAYE  
Title: Secretary

STATE OF TEXAS           §  
  §  
COUNTY OF Bexar       §

BEFORE ME, on this day personally appeared Kayla Faye, the Secretary of The Seventh Homeowners’ Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 11th day of November, 2021.



Avery Cheryl Stacy  
Notary Public - State of Texas

**File Information**

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY  
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

**Document Number:** 20210322033  
**Recorded Date:** November 17, 2021  
**Recorded Time:** 4:26 PM  
**Total Pages:** 30  
**Total Fees:** \$138.00

**\*\* THIS PAGE IS PART OF THE DOCUMENT \*\***

**\*\* Do Not Remove \*\***

Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 11/17/2021 4:26 PM



*Lucy Adame-Clark*  
Lucy Adame-Clark  
Bexar County Clerk