

**ADDITIONAL DEDICATORY INSTRUMENT  
for  
CLEAR LAKE CITY COMMUNITY ASSOCIATION**

THE STATE OF TEXAS           §  
   §  
COUNTY OF HARRIS           §

BEFORE ME, the undersigned authority, on this day personally appeared Margaret R. Maddox who, being by me first duly sworn, states on oath the following:

My name is Margaret R. Maddox I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

I am the Attorney/Agent for **CLEAR LAKE CITY COMMUNITY ASSOCIATION** and pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

- 1. GUIDELINES FOR DISPLAY OF CERTAIN RELIGIOUS ITEMS**
- 2. GUIDELINES FOR INSTALLATION AND USE OF CERTAIN RESIDENCE SECURITY MEASURES**
- 3. GUIDELINES FOR BID SOLICITATION AND REVIEW PROCESS**
- 4. POLICY REGARDING DEED RESTRICTION VIOLATION HEARINGS**
- 5. RESOLUTION REGARDING REGULATION OF SOLAR ENERGY DEVICES**

for

**CLEAR LAKE CITY COMMUNITY ASSOCIATION  
A TEXAS NON-PROFIT CORPORATION**

DATED this 28<sup>th</sup> day of September, 2021

**CLEAR LAKE CITY COMMUNITY  
ASSOCIATION**

BY: Margaret R. Maddox  
Margaret R. Maddox, Attorney/Agent  
(Printed Name)

RP-2021-559250

THE STATE OF TEXAS

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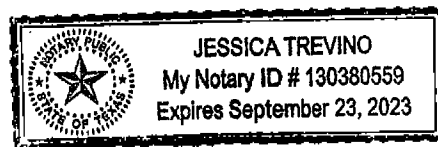
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COUNTY OF HARRIS

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THIS INSTRUMENT was **acknowledged** before me on this the 28<sup>th</sup> day of September, 2021 by the said Margaret R. Maddox, Attorney/Agent for **CLEAR LAKE CITY COMMUNITY ASSOCIATION**, a Texas non-profit corporation, on behalf of said corporation.

Jessica Trevino  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



RP-2021-559250

**CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.  
GUIDELINES FOR BID SOLICITATION AND REVIEW PROCESS**

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

WHEREAS the **CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.** ("Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as "Declarations"); and

WHEREAS Section 209.0052 of the Texas Property Code was amended by the 87<sup>th</sup> Texas Legislature dealing with the regulation of association contracts and the bid process; and

WHEREAS, the Board of Trustees of the Association ("Board") has determined that in connection with maintaining the residential plan, procedures, and harmony of the community, and to provide clear and definitive guidance regarding Association contracts and the bid process, it is appropriate for the Association to adopt guidelines regarding the bid process within the community.

NOW, THEREFORE, the Board has duly adopted the following *Guidelines for Bid Solicitation and Review Process* within the community:

**Guidelines for Bid Solicitation and Review Process**

**I. Bid Process for Service Contracts or Construction Projects over \$50,000.**

- A. In accordance with Texas Property Code Section 209.0052(c), if the Association proposes to contract for services that will cost more than \$50,000, it shall solicit bids or proposals using a bid process established by the association.
- B. The following **bid process** shall be used in such cases where the Association desires to contract for services or construction projects over \$50,000:
  - 1. The Association shall solicit no fewer than two bids for services, **if reasonably available**.
  - 2. The Board of Trustees shall evaluate such bids and make their decision based on what is in the best interest of the Association.
- C. Exceptions:
  - 1. The board may waive the 2<sup>nd</sup> bid requirement in its discretion by a majority affirmative vote of the board in instances where no other contractor may be found or is willing to submit a bid.
  - 2. The board may waive the 2<sup>nd</sup> bid requirement in its discretion by a majority affirmative vote of the board in instances where specialty trades are needed for contracts in which:
    - a. the contractor would be the company maintaining the project after completion (i.e., the pool contractor that replastered the pool and will be maintaining the pool chemicals or the landscape company that installed the plants and will be maintaining them), and
    - b. getting another contractor to do the work would endanger the warranty.

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3. This Section I does not apply if the contract is between the POA and: 1) a board member, 2) his relative or 3) his or his relative's company in which he or his relative has a financial interest in at least 51% of the profits. If that is the case, then the POA must get at least two other bids per Section 209.0052(b)(1) if reasonably available. (Please see Section II below.)

## **II. Bid Process for Contracts with a Current Association Board Member, Relative, or Related Company.**

- A. In accordance with Texas Property Code Section 209.0052(b), the Association may only enter into an enforceable contract with the following parties if the procedure outlined in Section II. B below is followed:
1. a current association board member,
  2. a person related to a current association board member within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code,
  3. a company in which a current association board member has a financial interest in at least 51 percent of profits, or a company in which a person related to a current association board member within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code, has a financial interest in at least 51 percent of profits.
- B. The following **bid process** shall be used in cases where the Association desires to enter into a contract with the parties listed in Section II. A. above:
1. the board member, relative, or company bids on the proposed contract;
  2. the association receives at least two other bids from persons not associated with the board member, relative, or company, if reasonably available, in the community;
  4. the board member:
    - (A) is not given access to the other bids;
    - (B) does not participate in any board discussion regarding the contract; and
    - (C) does not vote on the award of the contract;
  5. the material facts regarding the relationship or interest with respect to the proposed contract are disclosed to or known by the association board;
  6. the board, in good faith and with ordinary care, authorizes the contract by the affirmative vote of a majority of the remaining board members who do not have an interest governed by this subsection; and
  6. the association board certifies that the other requirements of this subsection have been satisfied by a resolution approved by the affirmative vote of a majority of the board members who do not have an interest governed by this subsection.

## **III. Applicability.**

The above Bid Solicitation and Review Process does not apply to a contract entered into by an association during the development period.

The guidelines are effective upon recordation in the Public Records of Harris County and supersede any guidelines for bid solicitation and review which may have previously been in effect. Except as affected by Section 209.0052 and/or by these guidelines, all other provisions contained in the Declarations, or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Board on this 15th day of September, 2021.

**CLEAR LAKE CITY COMMUNITY  
ASSOCIATION, INC.**

BY: \_\_\_\_\_

Signature

TERRY CANUP

Terry Canup, Board President

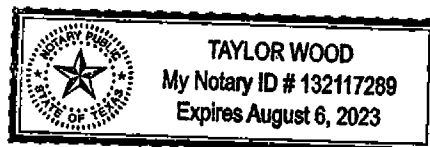
THE STATE OF TEXAS

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COUNTY OF HARRIS

THIS INSTRUMENT was acknowledged before me on this the 15th day of September 2021, by Terry Canup, Board President of **CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.**, a Texas non-profit corporation, on behalf of said corporation.

Taylor Wood  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



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# Pages 6  
09/29/2021 02:04 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
TENESHIA HUDSPETH  
COUNTY CLERK  
Fees \$34.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically  
and any blackouts, additions or changes were present  
at the time the instrument was filed and recorded.

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.  
THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in  
File Number Sequence on the date and at the time stamped  
hereon by me; and was duly RECORDED in the Official  
Public Records of Real Property of Harris County, Texas.



*Teneshia Hudspeth*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

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