



Dyana Limon-Mercado
Dyana Limon-Mercado, County Clerk
Travis County, Texas

Dec 27, 2023 04:25 PM Fee: \$30.00

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Electronically Recorded

STATE OF TEXAS §
COUNTY OF TRAVIS §

**AMENDMENT OF DECLARATION
OF
SUMMERWOOD HOMEOWNERS' ASSOCIATION OF AUSTIN, INC.
Regarding Insurance**

Document reference. Reference is hereby made to that certain Amended Declaration of Covenants, Conditions and Restrictions of Summerwood Homeowners' Association of Austin, Inc., filed as Document No. 2014109714 in the Official Public Records of Travis County, Texas (together with all amendments and supplemental documents thereto, the "**Declaration**").

WHEREAS the Declaration provides that owners of lots subject to the Declaration are automatically made members of Summerwood Homeowners' Association of Austin, Inc. (the "**Association**");

WHEREAS the owners have voted to amend the Declaration, and such vote has passed by a sufficient percentage according to the amendment protocol per the Declaration and state law;

THEREFORE the Declaration is amended as noted herein.

APPROVED by owner vote conducted December, 2023.

SUMMERWOOD HOMEOWNERS' ASSOCIATION OF AUSTIN, INC.
Acting by and through its Board of Directors and Membership
Filed of record in accordance with Ch. 202, Texas Property Code by

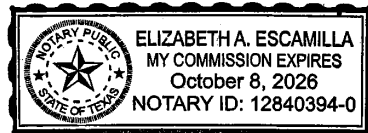
Connie N. Heyer, Niemann & Heyer LLP, attorneys and authorized agents

Exhibit "A": Declaration amendment

Acknowledgement

STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was executed and acknowledged before me on the 27th day of December 2023 by Connie N. Heyer in the capacity stated above.



Elizabeth A. Escamilla
Notary Public, State of Texas

EXHIBIT "A"

Declaration Article VI is amended to ADD Section 6.6 to read as follows:

“To the extent of conflict with any other language in the Declaration, the language of this amendment controls. In the event any insurance required to be maintained by the Association hereunder is not reasonably available¹, as determined by at least a majority of Board members, the Association shall cause notice of that fact to be sent via email, posted to the Association portal, and/or mailed² to all Owners, and the Association shall thereafter have no duty to procure such insurance³. In such event Owners shall be responsible for procuring such insurance at their individual expense. For example should at least a majority of the Board members determine that fire and extended coverage on the Lots is not reasonably available to the Association, and provide notice of such in accordance with this Section 6.6, Owners shall be responsible for procuring fire and extended coverage on their own Lots including all improvements thereon.”

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¹ For example and without limitation, due to excessive cost, absence of underwriters willing to write the policy, or otherwise in the discretion of a majority of Board members.

² Any mailed or emailed notice will be sent to the Owner’s email or mailing address according to the Association’s records.

³ The Board may, but shall have no duty to, cause a notice of unavailability of insurance to be filed of record in the Official Public Records of Travis County, Texas.