

**LAKES OF ROSEHILL HOMEOWNERS' ASSOCIATION, INC.  
NOTICE OF SPECIAL MEETING OF THE MEMBERS**

**Monday, MAY 21, 2018  
7:00 pm**

The Board of Directors urges each owner to review the Proxy/Directed Ballots included within this mailing and to attend the Special Meeting, Monday May 21, 2018 for the purpose of discussion and voting on the following proposed increases:

**Levying a Special Assessment – 2018 - \$700.00**

**Article VII, Section 7.6 of the Declarations of Covenants, Conditions and Restrictions for Lakes of Rosehill (the “Declarations”) provides**

**7.6 Special Assessment for Capital Improvements**

In addition to the annual assessment authorized, the Association may levy, in any assessment year, a Special Assessment applicable to that year only for the purpose of defraying, in whole or part the cost of any purchase, construction, reconstruction, repair or replacement of a capital improvement upon the Common Area, if any, including fixtures and personal property related thereto provided that any such assessment shall have the approval of at least two-thirds (2/3) of the eligible votes of the membership of the Association, voting in person or by proxy at a meeting duly called for this purpose. Written notice of such meeting shall be given to all members at least thirty (30) days in advance, but not more than sixty (60) days, and shall set forth the purpose of the meeting.

**Article VII, Section 7.8 of the Declarations of Covenants, Conditions and Restrictions for Lakes of Rosehill (the “Declarations”) provides**

**7.8 Notice and Quorum for Meeting to Increase Rate of Assessment**

Written notice of any meeting called for the purpose of taking any action to increase the rate of assessment regarding either Annual or Special Assessment hereinabove provided shall be mailed by US Mail, certified, return receipt requested, to all member not less than thirty (30) days not more than sixty (60) days in advance of the meeting. At the first such meeting called, the presence of members or proxies of all classes of membership entitled to cast sixty percent (60%) of all the votes of the membership shall constitute a quorum. If the required quorum is not present at such meeting, the meeting shall be adjourned but another meeting may be called subject to the same notice requirements, however, the required quorum at such subsequent meeting be one-half (1/2) of the required quorum applicable in the case of the proceeding meeting. No such subsequent meeting shall be held more than sixty (60) days following the preceding meeting.

**SECTION 209.0056 (a) of the Texas Property Code**

Section 209.0056(a) of the Texas Property Code provides that “For an election or vote taken at a meeting of the owners, not later than the 10<sup>th</sup> day or earlier than the 60<sup>th</sup> day before the date of the election or vote, a property owners’ association shall give written notice of the election or vote to each owner...” Section 209(b) of the Texas Property Code provides that “This section supersedes any contrary requirement in a dedicatory instrument.” Therefore, the 30/60-day notice requirement in the Declaration is superseded by the 10/60-day notice requirement set forth in the Statute.

**THE BOARD OF DIRECTORS FOR LAKES OF ROSEHILL HOME OWNERS ASSOCIATION, INC. URGES YOU TO ATTEND THE MEETING OR USE YOUR PROXY/DIRECTED BALLOT.**