

*Amberwood Community*  
*Homeowners' Association*

**AMBERWOOD**  
**HOMEOWNERS ASSOCIATION**

Dear New Residents,

**Welcome to Amberwood!** Enclosed are copies of the by-laws and restrictive covenants for your neighborhood. I'm sure you will find these documents helpful.

Severn Trent Services manages your development. Please feel free to contact me at 512-310-5359 or via email at [marym@stes.com](mailto:marym@stes.com) with any questions you may have regarding The Amberwood Community Homeowners' Association. Our office hours are Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding holidays. In case of an emergency, you may contact our switchboard at 512-244-0855, which is monitored 24-hours a day. Feel free to leave us a message and we will get back to you as quickly as possible.

Best wishes in your new home!

Sincerely,



Mary Makitalo  
Association Manager

## ARCHITECTURAL MODIFICATION REQUEST

As stated in the Declaration of Protective Covenants for AMBERWOOD, the Architectural Control Committee must approve any modifications to the exterior of your home. Requests for modifications (including a drawing of the proposed modification) should be submitted to our office and we will forward them to the Architectural Control Committee. Once the committee has reviewed your request, we will send you a letter confirming their approval or denial.

Homeowners Name \_\_\_\_\_ Home # \_\_\_\_\_

Address: \_\_\_\_\_ Work # \_\_\_\_\_

Briefly describe the proposed modification: \_\_\_\_\_  
\_\_\_\_\_

Who will do the actual work? \_\_\_\_\_

### CHECK LOCATION OF MODIFICATION:

_____ Front of House	_____ House Roof
_____ Back of House	_____ Garage
_____ Patio	_____ Side of House

\_\_\_\_\_ Other (Describe) \_\_\_\_\_

\_\_\_\_\_  
Homeowner's Signature

Project Start Date: \_\_\_\_\_

Project Completion Date: \_\_\_\_\_

PLEASE INCLUDE A SKETCH OR A COPY OF THE PROJECT INCLUDING MATERIALS AND COLORS TO BE USED AS WELL AS HOUSE LOCATION, LOT LINE AND EASEMENT LINES (PLOT PLANS).

### RETURN TO:

AMBERWOOD COMMUNITY  
ATTN: WENDI DIANNI  
14046 SUMMIT DRIVE  
AUSTIN, TEXAS 78728

PHONE: 512-310-5298

FAX: 512-310-5300

\*\*\*\*\*DO NOT WRITE BELOW THIS LINE – ACC APROVAL ONLY\*\*\*\*\*

ACCEPTED \_\_\_\_\_ DENIED \_\_\_\_\_ DATE \_\_\_\_\_

COMMENTS \_\_\_\_\_

SIGNATURE \_\_\_\_\_

# ***General Restrictions Infraction Notice***

***Subdivision:*** \_\_\_\_\_

***Date of infraction:*** \_\_\_\_\_

***Address of the Infraction:*** \_\_\_\_\_

***Infraction:*** \_\_\_\_\_

***Detailed description of the infraction:*** \_\_\_\_\_

***Comments:*** \_\_\_\_\_

***Submitted by:*** \_\_\_\_\_

***Name*** \_\_\_\_\_

***Address:*** \_\_\_\_\_

***Daytime phone number:*** \_\_\_\_\_

***Send Completed Form To:***  
***Amberwood Community HOA***

***C/O Severn Trent Services***

***14046 Summit Drive***

***Austin, Texas 78728***

***Fax: 512-310-5300***

***Please do not write below this line.***

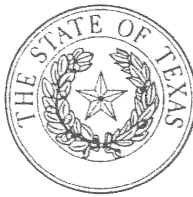
***Date Received:*** \_\_\_\_\_

***Notice #:*** \_\_\_\_\_

***Response received:*** \_\_\_\_\_

***Action:*** \_\_\_\_\_

***Date Closed:*** \_\_\_\_\_



## Office of the Secretary of State

### CERTIFICATE OF INCORPORATION OF

Community of Amberwood Homeowners Association, Inc.  
Filing Number: 800135079

The undersigned, as Secretary of State of Texas, hereby certifies that Articles of Incorporation for the above named corporation have been received in this office and have been found to conform to law.

Accordingly, the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law, hereby issues this Certificate of Incorporation.

Issuance of this Certificate of Incorporation does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 10/21/2002

Effective: 10/21/2002



A handwritten signature in cursive script that reads "Gwyn Shea".

Gwyn Shea  
Secretary of State

**COPY**

FILED  
In the Office of the  
Secretary of State of Texas

OCT 21 2002

Corporations Section

**ARTICLES OF INCORPORATION**  
**OF**  
**COMMUNITY OF AMBERWOOD HOMEOWNERS ASSOCIATION, INC.**

The undersigned natural person of the age of eighteen years or more, acting as sole incorporator of a corporation under the Texas Non-Profit Corporation Act, does hereby adopt the following Article of Incorporation of such corporation:

**ARTICLE I.**

The name of the corporation is **Community of Amberwood Homeowners Association, Inc.**

**ARTICLE II.**

The corporation is a non-profit corporation.

**ARTICLE III.**

The period of its duration is perpetual.

**ARTICLE IV.**

The corporation is organized and shall be operated to act as agent for the property owners of certain real property located in Hays County, Texas, which property is being developed as the subdivision known as "Amberwood Subdivision" (the "Property"). The corporation is specifically organized to provide homeowner association supervision and operation of the Property and to own, maintain, repair and improve any common areas (as defined in any declaration of restrictive covenants affecting the Property from time to time), and to promote health, safety, and welfare of the residents of Amberwood Subdivision. The corporation shall be operated exclusively for such purposes, and no part of the corporation's property, whether income or principal, shall inure to the benefit

of, or be disputable to, its members, directors, officers or employees, or any person having a personal or private interest in the activities of the corporation, nor shall any of said person receive or be entitled to receive any payment from the corporation except reasonable compensation for personal services actually rendered in carrying out the corporation's purposes, as set forth in this Article IV. The corporation is organized for nonprofit purposes. Nothing contained in these Articles shall be construed to authorize the corporation to carry on any activity for the profit of its members.

#### ARTICLE V.

The street address of the initial registered office of the corporation is 12301 Research Blvd., Building 4, Suite 100, Austin, Texas 78759, and the name of its initial registered agent at such address is James Dorney.

#### ARTICLE VI.

The direction and management of the affairs of the corporation and the control and disposition of its properties and funds shall be vested in a Board of Directors composed of such number of persons as the bylaws may fix. Until changed by the bylaws the original number of directors shall be three (3). The directors shall continue to serve until their successors are selected in the manner provided in the bylaws of the corporation. The names and residences of the persons who shall serve as directors of the corporation until their successors are duly elected and qualified are as follows:

<u>Name</u>	<u>Address</u>
James Dorney	12301 Research Blvd., Building 4, Suite 100, Austin, Texas 78759
Adam Boenig	12301 Research Blvd., Building 4, Suite 100, Austin, Texas 78759

Tim Agee

13915 Burnet Road, Suite 201  
Austin, Texas 78728

#### **ARTICLE VII.**

The corporation shall have members. The membership of the corporation shall be determined as provided in the bylaws, and such bylaws shall define the voting rights, powers and privileges of the members.

#### **ARTICLE VIII.**

No member of the corporation shall have the right of cumulative voting at any election of directors or upon any other matter.

#### **ARTICLE IX.**

The initial bylaws of the corporation shall be adopted by its Board of Directors. The power to alter, amend or repeal the bylaws or to adopt new bylaws shall be vested in the members, but such power may be delegated by the members to the Board of Directors.

#### **ARTICLE X.**

Upon the dissolution of the corporation, the Board of Directors shall, after paying or making provision for the payment of all of the liabilities of the corporation, dispose of all of the corporation's assets exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501 (c)(3) of the Code or as described in Section 170 (c)(1) or (2) of the Code or the corresponding provisions of any future United States Internal Revenue Law, as the Board of Directors shall determine.



Any such assets not so disposed of shall be charged with a charitable public trust and shall be thereafter administered and applied to public charitable purposes by a trustee or trustees to be appointed pursuant to law by a court of competent jurisdiction.

#### **ARTICLE XI.**

No director shall be liable to the corporation or its members for monetary damages for an act or omission in the director's capacity as director, except that this Article does not eliminate or limit the liability of a director to the extent the director is found liable for:

- (1) a breach of the director's duty of loyalty to the corporation;
- (2) an act or omission not in good faith that constitutes a breach of duty of the director to the corporation or an act or omission that involves intentional misconduct or a knowing violation of the law;
- (3) a transaction from which the director received an improper benefit, whether or not the benefit resulted from an action taken within the scope of the director's office; or
- (4) an act or omission for which the liability of the director is expressly provided by an applicable statute.

Any repeal or modification of this Article shall be prospective only and shall not adversely affect any limitation on the liability of a director of the corporation existing at the time of such repeal or modification.

ARTICLE XII.

The name and street address of the sole incorporator is:

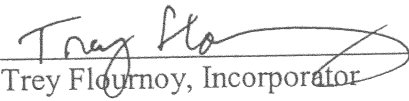
Name

Trey Flournoy

Address

1710 West 6<sup>th</sup> Street  
Austin, Texas 78703

EXECUTED BY THE UNDERSIGNED INCORPORATOR on this 21<sup>st</sup> day of  
October, 2002.

  
Trey Flournoy, Incorporator

RECORDED BY  
NORTH AMERICAN TITLE

Doc	Bk	Vol	Pg
02030647	OPR	2098	834

AMBERWOOD  
DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS