

RESOLUTION OF THE BOARD OF DIRECTORS LAKESIDE AT HEATH HOMEOWNERS ASSOCIATION, INC.

WHEREAS the Board of Directors (the “Board”) of Lakeside at Heath Homeowners Association, Inc., held a duly called open meeting of the Board on the 2nd day of October, 2024 during which the Board approved and/or ratified certain actions taken after at least a majority approval of the Board was obtained; and

WHEREAS the Board is assigned all powers and duties necessary for the proper administration of the Lakeside at Heath Property Owners Association, Inc., (the “Association”) and the Board shall have the right and authority to exercise such powers and duties in good faith and in the best interest of the Association; and

WHEREAS it has come to the attention of the Board of Directors (the “Board”) that a review of certain architectural rules for tree requirements should be performed. The intent of this review was to determine if a variance to the current architectural rules lessening the rule requirements could be considered without any negative, long-term impact to the community; and

WHEREAS after careful consideration, the Board, by majority vote, has determined that a variance to the architectural rules for the required number of trees in front yards of Lots can be done and that no significant impact to the community would thereby result. Furthermore, the Board understands this variance will remain in full force and effect unless at least a majority of the Board of Directors vote to withdraw or amend the variance to the rule as set forth below.

THEREFORE IT IS RESOLVED that the Board of Directors by majority vote hereby approves the following variance to the architectural rules for tree requirements in the front yards of all Residential Lots within the Association:

- **Trees – One (1) tree that will grow to a minimum three inch (3”) caliper or greater at maturity as measured six inches (6”) from the ground shall be required for the front yards of each Lot / Residence.**
- **With the filing of this Resolution, any Owner containing at least one (1) tree in the front yard of the Lot shall be deemed in compliance with the rules and regulations for tree requirements.**
- **Should an Owner desire to remove and replace a front yard tree and it is the only tree existing in the front yard of the Lot, the Owner shall be required to obtain the prior written consent of the Architectural Control Committee in advance of any removal of a tree in an effort to ensure the Owner’s Lot maintains compliance with the one (1) tree minimum for all Lots as well as any restrictions on tree species or type, if applicable. The Association hereby adopts the list for approved trees as shown on Attachment A.**

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RESOLVED FURTHER that the Board of the Association are hereby authorized under Article 6, Section 6.1 of the Covenants, Conditions and Restrictions (the "CCRs") to take such action as may be necessary, appropriate, or advisable to implement this resolution and the actions herein referred. In the event a city or county ordinance should exist or later be adopted that would conflict with this variance, the higher standard shall be adopted and become the new architectural standard to ensure compliance with all such city or county regulations.

We, the undersigned Board of Directors, hereby certify that Lakeside at Heath Homeowners Association is comprised of three (3) Board Members of whom at least a majority, by affirmation of signatures below, did vote to approve this resolution and all actions taken as a result of this resolution to be effective as of the 2nd day of October, 2024.

This document may be signed in multiple counterparts.

DocuSigned by:
Janet Sebile
7DBDC11F1FF442

Date: 10 / 2 / 20 24 10/2/2024

Janet Sebile, President

Signed by:
David Simonton
E14AD404E312488

Date: 10 / 1 / 20 24 10/1/2024

David Simonton, Secretary

Signed by:
Deborah Pargmann
F2070A3FC084400

Date: 10 / 1 / 20 24 10/1/2024

Deborah Pargmann, Treasurer

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ATTACHMENT A

APPROVED TREE SPECIES LIST

Canopy/Shade Trees:

Red Maple – *Acer rubrum*
Caddo Maple – *Acer saccharum* ‘Caddo’
Shantung Maple – *Acer truncatum*
Pecan – *Carya illinoensis*
Eastern Persimmon – *Diospyros virginiana*
Texas Ash – *Fraxinus pennsylvanica*
Black Walnut – *Juglans nigra*
Eastern Red Cedar – *Juniperus virginiana*
Sweetgum – *Liquidambar styraciflua*
Southern Magnolia – *Magnolia grandiflora*
Chinese Pistache – *Pistachia chinensis*
Sycamore – *Platanus occidentalis*
Buckleys Oak – *Quercus buckleyi*
Bur Oak – *Quercus macrocarpa*
Chinquapin Oak – *Quercus muhlenbergii*
Shumard Oak – *Quercus shumardii*
Live Oak – *Quercus virginiana*
American Elm – *Ulmus americana*
Cedar Elm – *Ulmus Crassifolia*
Lacebark Elm – *Ulmus parvifolia*

Ornamental Trees:

Eastern Redbud – *Cercis canadensis*
Texas Redbud – *Cercis canadensis* var. *texensis*
Desert Willow – *Chilopsis linearis*
Chitalpa – *Chitalpa tashkentensis*
Flowering Dogwood – *Cornus florida*
American Smoketree – *Cotinus obovatus*
Arizona Cypress ‘Blue Ice’ – *Cupressus arizonica*
Possumhaw Holly – *Ilex decidua*
Yaupon Holly – *Ilex vomitoria*
Foster Holly – *Ilex x attenuata* ‘Fosteri’
Savannah Holly – *Ilex x attenuata* ‘Savannah’
Crape Myrtle – *Lagerstroemia indica*
‘Little Gem’ Magnolia – *Magnolia grandiflora*
‘Little Gem’
Wax Myrtle – *Myrica cerifera*
Afghan Pine – *Pinus eoldarica*
Mexican Plum – *Prunus mexicana*
Lacey Oak – *Quercus laceyi*
Carolina Buckthorne – *Rhamnus caroliniana*
Flameleaf Sumac – *Rhus lanceolata*
Eve’s Necklace – *Sophora affinis*
Texas Sophora – *sophora segundiflora*
Mexican Buckeye – *Ungnadia speciosa*
Rusty Blackhaw – *Viburnum rufidilum*
Chaste Tree – *Vitex agnus-castus*