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April 23, 2025

Marine Creek Ranch Homeowners Association, Inc. Via Email: michelle@legacyswhoa.com
c/o Legacy Southwest Property Management
8668 John Hickman Parkway #801
Frisco, Texas 75034

RE: Marine Creek Ranch Homeowners Association, Inc. (the “**Association**”).

OPINION LETTER

Dear Board of Directors:

As legal counsel for the Association, you have requested this firm provide an opinion letter regarding the quorum requirement for electing directors to the Association’s Board of Directors.

Based on my review of the governing documents, it is my legal opinion that for an election of directors to the Association’s Board of Directors there must be a quorum equal to one-tenth (1/10) of the votes entitled to be cast (whether in person or by proxy) who must be present for the election to be conducted. Further, quorum for an election of directors does not entitle the Association to conduct other business at the meeting, unless the quorum requirements for the other business transactions are met as well.

Specifically, Exhibit A-4, *First Amendment to the Bylaws of Marine Creek Ranch Homeowners Association, Inc.*, which was recorded at Document No. D218032118 in the Official Public Records of Tarrant County, Texas on February 14, 2018 under the *Certificate and Memorandum of Recording of Dedicatory Instruments for Marine Creek Ranch Homeowners Association, Inc.*, (the “**Amendment**”) amended the quorum for electing directors as stated above. Further pursuant to Section 6.1 of the Amendment, no provisions allowing for waiver of the quorum required for an election to be held exists; therefore, if a quorum is not reached as indicated, then the election cannot be held.

Therefore, based on the information provided by the Board of Directors, and after careful review of the governing documents, it is my opinion that unless a quorum of 1/10 of all votes eligible to be cast are present, the Board cannot hold an election of directors to the Association’s Board of Directors.

Accordingly, the Board of Directors acted appropriately and in accordance with the Bylaws, as amended from time to time. In addition, I understand that there have been no less than three (3) attempts to reach quorum and that the Board of Directors has determined that it will not make any further attempts this year. Based on the circumstances, this appears to be a reasonable decision made for the purpose of conserving the Association's time and resources.

If you have any questions, require any additional information, or if I can be of further assistance, please do not hesitate to contact me.

Sincerely,

CAGLE PUGH

A handwritten signature in blue ink, appearing to read 'Adam Pugh', is written over the printed name.

Adam Pugh