

  
MARY LOUISE NICHOLSON  
COUNTY CLERK

**AFTER RECORDING, PLEASE RETURN TO:**

**Judd A. Austin, Jr.  
Henry Oddo Austin & Fletcher, P.C.  
1717 Main Street  
Suite 4600  
Dallas, Texas 75201**

**FIFTH SUPPLEMENTAL CERTIFICATE AND MEMORANDUM OF  
RECORDING OF DEDICATORY INSTRUMENTS  
FOR  
MARINE CREEK RANCH HOMEOWNERS ASSOCIATION, INC.**

STATE OF TEXAS           §  
  §  
COUNTY OF TARRANT   §

The undersigned, as attorney for Marine Creek Ranch Homeowners Association, Inc., a Texas nonprofit corporation, for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instrument affecting the owners of property described in the Declaration of Covenants, Conditions and Restrictions for Marine Creek Ranch, recorded as Instrument No. D203411174, in the Official Public Records of Tarrant County, Texas, including any amendments and supplements thereto ("*Property*"), hereby states that the dedicatory instrument attached hereto is a true and correct copy of the following:

- ***Resolution of The Board of Directors (Working Capital Fee)***  
**(Exhibit A).**

All persons or entities holding an interest in and to any portion of the Property are subject to the foregoing dedicatory instrument until amended. The attached dedicatory instrument replaces and supersedes all previously recorded dedicatory instruments addressing the same or similar subject matter and shall remain in force and effect until revoked, modified, or amended by the Board of Directors.

**IN WITNESS WHEREOF**, Marine Creek Ranch Homeowners Association, Inc. has caused this Fifth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments to be filed with the office of the Tarrant County Clerk, and to supplement that Fourth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Marine Creek Ranch Homeowners Association, Inc. filed on September 2, 2021, as Instrument No. D221256822; that certain Third Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Marine Creek Ranch Homeowners Association, Inc. filed on April 1, 2021, as Instrument No. D221089153; that certain Second Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Marine Creek Ranch Homeowners Association, Inc. filed on January 23, 2020, as Instrument No. D220016884; that certain First Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Marine Creek Ranch Homeowners Association, Inc. filed on April 1, 2019, as Instrument No. D219065486; and that Certificate and Memorandum of Recording of Dedicatory Instruments for Marine Creek Ranch Homeowners Association, Inc. filed on February 14, 2018, as Instrument No. D218032118 in the Official Public Records of Tarrant County, Texas.

**MARINE CREEK RANCH  
HOMEOWNERS ASSOCIATION, INC.,  
a Texas nonprofit corporation**

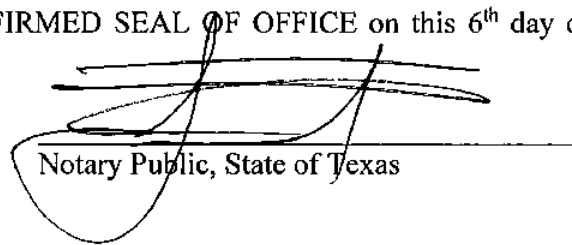


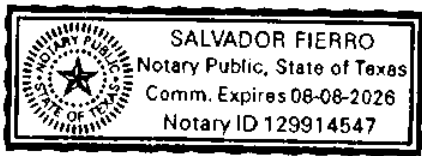
By: \_\_\_\_\_  
Its: Attorney

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Vinay B. Patel, attorney for Marine Creek Ranch Homeowners Association, Inc., a Texas nonprofit corporation, known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 6<sup>th</sup> day of October, 2023.

  
\_\_\_\_\_  
Notary Public, State of Texas



# Exhibit A

STATE OF TEXAS       §  
                                  §  
COUNTY OF TARRANT §

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF  
MARINE CREEK RANCH HOMEOWNER’S ASSOCIATION, INC.**

**WORKING CAPITAL FEE**

**WHEREAS**, the Board of Directors of Marine Creek Ranch Homeowners Association, Inc. (“*Board*”) is the entity responsible for the operation of Marine Creek Ranch Homeowners Association, Inc., a Texas nonprofit corporation (“*Association*”) in accordance with and pursuant to that certain Declaration of Covenants and Restrictions for Marine Creek Ranch (“*Declaration*”) and Bylaws of Marine Creek Ranch Homeowners Association, Inc. (“*Bylaws*”); and

**WHEREAS**, the Declaration establishes mandatory assessments and restrictive covenants for the maintenance, repair, upkeep, and alteration of Common Properties in the Maine Creek Ranch addition, and for the common benefit of Members (Owners) of the Association; and

**WHEREAS**, the Declaration, Bylaws, Texas Business Organizations Code, and applicable Texas law vest in the Board the authority to make and publish reasonable rules and policies for the operation and administration of the Association, including maintenance of Common Properties and the enforcement of the restrictive covenants contained in the Declaration; and

**WHEREAS**, the Board has determined that it is in the best interest of the Association to establish the following resolution for the imposition and collection of a one-time working capital fee at the time a Lot is sold within the Marine Creek Ranch addition; and

**WHEREAS**, the Board at its Board of Directors’ meeting held on the 20<sup>th</sup> day of September, 2023, adopted a working capital fee to be collection from each new Member in the Association and this shall be a one-time fee for said new Member; and

**NOW THEREFORE, BE IT RESOLVED**, that the Board does hereby ratify and formally adopt the following preceding resolution regard the collection of the working capital fee:

1. **Working Capital Fee**. A Working Capital Fee will be collected from each new Member in the Association at the time the new Member purchases a Lot. This shall be a one-time fee for the new Member and will be assessed, at a later date, each time the Lot is sold or conveyed.

2. **Amount of Working Capital Fee**. The amount of the Working Capital Fee shall be seven hundred fifty dollars (\$750.00). The Board shall have the right and authority to revise this amount if, in the Board's sole discretion and judgment, the circumstances make such change necessary or appropriate. The new amount will be applicable only to those purchases of Lots closed after the change and shall not affect transactions previously closed.

3. **Time of Collection of the Working Capital Fee**. The Working Capital Fee will be billed to the purchaser (new Member) and sent to the title company handling the closing contemporaneously with the furnishing of a resale certificate. Should a resale certificate not be requested, or the Association otherwise have no knowledge of the closing, or the title company fails to collect and remit the Working Capital Fee, the managing agent shall assess the new Member for the Working Capital Fee immediately upon learning of the conveyance of title. The fee shall be secured by the assessment lien accorded to the Association under the Declaration.

4. **Purpose of the Working Capital Fee**. The Board shall have the right and authority to use the Working Capital Fee for expenses in maintaining and improving any current or future amenities and common areas owned by the Association.

**IT IS FURTHER RESOLVED THAT THIS Working Capital Fee is effective as of the** 20<sup>th</sup> day of September, 2022, and shall remain in force and effect until revoked, modified, amended, or rescinded by the Board.

**IT IS FURTHER RESOLVED**, that all actions taken by the officers or authorized agents of the Association, from and after this date, consistent with this Resolution, are hereby approved, ratified, and adopted as the act and deed of the Association.

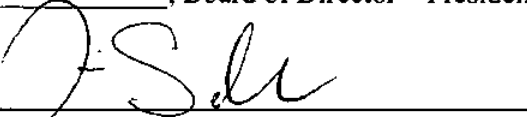
**IT IS FURTHER RESOLVED**, that this Resolution shall forthwith be recorded in the Official Public Records of Tarrant County, Texas, and shall affect the Property and all Members.

**EXECUTED** as of this \_\_\_ day of \_\_\_\_\_, 20\_\_.

**MARINE CREEK RANCH HOMEOWNER'S ASSOCIATION, INC.,  
a Texas non-profit corporation**

  
\_\_\_\_\_  
Signature  
\_\_\_\_\_, Board of Director – President

9/30/23  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature  
\_\_\_\_\_, Board of Director – Treasurer

9-29-23  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature  
\_\_\_\_\_, Board of Director – Secretary

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature  
VP, Board of Director

10/2/2023  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature  
\_\_\_\_\_, Board of Director

\_\_\_\_\_  
Date