

Northwest Regional Airport Property Owners Association

April 25, 2019

Dear [property owner]:

If you would like to run for a position on the airport's governing committee, please let us know **within 10 days** by

- filling out and signing your name on the enclosed **ACC Candidate Notification** and mailing it back to the address shown;
- filling out the information on the **ACC Candidate** page on the www.fly52f.org website;
- emailing your request to AeroValleyAirport@gmail.com; or
- calling (682) 237-9039.

Under the Aero Valley Development Company (“AVDCO”) deed restrictions, an Architectural Control Committee (“ACC”) is required to serve as the airport's governing body.¹ The ACC consists of seven volunteer members elected by a majority of property owners every two years. The ACC's governing duties, among others, include managing the airport, establishing a budget to keep it maintained, and assessing and collecting fees for operation and maintenance purpose.²

You received this letter either because (1) your airport property is governed by the Aero Valley Development Company (“AVDCO”) deed restrictions or (2) although the AVDCO restrictions may not apply to your property, your property nevertheless enjoys the right to access and use the runway and other airport facilities via an easement that attaches to it. In either case, you have the right to participate in the voting process and run for a position on the ACC because the ACC's decisions can affect your rights as an easement holder.³

On April 23, 2016, members of the Northwest Regional Airport Property Owners Association (“Association”) amended their bylaws to transfer the ACC's rights, duties, and governing authority to the Association's Board of Directors.⁴ By doing so, all airport property owners gained the rights and protections available through the provisions of the Texas Business Organizations Code that the ACC, as an unincorporated entity, could not provide.

¹ Vol. 922, p. 478, ¶ 2, Deed Records, Denton County, Texas, (January 13, 1977).

² E.g., Vol. 1002, p. 363; ¶ 10(a); Vol. 1070, p. 529; ¶ 8(a); Deed Records; Denton County, Texas (December 11, 1979).

³ “A provision in a dedicatory instrument that would disqualify a property owner from voting ... on any matter concerning the rights and responsibilities of the owner” or “restricts a property owner's right to run for a position on the board” is void. Tex. Prop. Code §209.0059-.00591. Although these sections apply only to some residential subdivisions, its principles may also apply in this situation.

⁴ Doc. #135441, p. 13; Real Property Records; Denton County, Texas (October 26, 2016).

Once we receive your request, you will be placed on the ballot. **Voting will take place on May 14, 2019.**

Fulfilling the ACC's governing duties is an important job. If you would like to help, please respond by one of the methods above **within 10 days.**

Sincerely,

ACC Election Committee

ACC Candidate Notification

Date: _____, 2019

Dear ACC Election Committee:

My name is (please print) _____. I
own airport property located at _____.

Please include me on the ballot for the upcoming election of ACC members. I understand that this is a volunteer position. I acknowledge that I will make every effort to be available for monthly meetings, any special meetings duly called, an annual meeting generally held in December of each year, and help perform the work required to fulfill the ACC's duties.

Signed: _____

Please return to:

ACC Election Committee
NWRA Property Owners Association
132 Boeing Way
Roanoke, TX 76262