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**BOARD RESOLUTION REGARDING  
SERVICE CHARGE ASSESSMENT  
FOR OLDE OAKS COMMUNITY IMPROVEMENT ASSOCIATION, INC.**

The Board of Directors for the Olde Oaks Community Improvement Association, Inc. (the "Association"), hereby adopts the following resolution by majority vote as certified below.

WHEREAS, the property affected by this Resolution is described as to wit:

Olde Oaks subdivision (a/k/a Olde Oaks, Section One), according to the map or plat thereof filed of record in the Map Records of Harris County, Texas under Clerk's File Number E404768;

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Olde Oaks, Section Two subdivision, according to the map or plat thereof filed of record in the Map Records of Harris County, Texas under Clerk's File Number E994894;

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Olde Oaks, Section Three subdivision, according to the map or plat thereof filed of record in the Map Records of Harris County, Texas under Clerk's File Number G946903;

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Olde Oaks, Section Four subdivision, according to the map or plat thereof filed of record in the Map Records of Harris County, Texas under Clerk's File Number G946904;

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Olde Oaks, Section Five subdivision, according to the map or plat thereof filed of record in the Map Records of Harris County, Texas under Clerk's File Number H496469, and replatted as Waterford Park Section One and Section Two under Clerk's File Numbers S975685 and S348431 respectively;

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Olde Oaks, Section Six subdivision, according to the map or plat thereof filed of record in the Map Records of Harris County, Texas under Clerk's File Number G955670;

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along with any supplements, amendments or additions to any of the above; all of the above subdivision sections referred to cumulatively as the "Subdivisions."

WHEREAS, the maximum annual assessment authorized by the Restrictions for the above referenced sections of Olde Oaks and Waterford Park vary by section; and

WHEREAS, sections three, four and six have capped maximum annual assessments; and

WHEREAS; the budgetary requirements of the Association are such that the capped annual assessment amounts in sections three, four and six are less than the *pro rata* cost per lot (for each lot within the jurisdiction of the Association) to fully fund the annual budget of the Association; and

WHEREAS, the Board of Directors has identified the cost for trash pick up services and neighborhood patrol services as the items that are not fully funded by the regular annual assessment revenue, although the regular annual assessment for all sections in the Subdivisions do currently subsidize a part of such costs; and

WHEREAS, the Board of Directors of the Association wishes to address this shortfall by invoking the authority of Chapter § 204.010(a)(9) of the Texas Property Code to charge owners for services provided to them by the Association;

NOW THEREFORE, It is hereby RESOLVED that:

1. The Association hereby invokes the authority of Chapter § 204.010(a)(9) of the Texas Property Code, to charge owners for services provided to them by the Association.
2. The Association has and will continue to provide to all Lots within the Subdivisions trash pick up services and neighborhood patrol services.
3. To the extent the costs to the Association to provide trash pick up services and neighborhood patrol services are not adequately funded by the revenue received by the regular annual assessments charged to each Lot, there is hereby instituted a service charge assessment, also referred to as an equalization assessment, charged to each Lot for which the regular annual assessment is not sufficient to cover that Lot's "pro rata cost per Lot." This service charge or equalization assessment shall be for the purpose of covering the cost to the Association to provide trash pick up and neighborhood patrol services. Such service charge or equalization assessment shall be in the amount of the difference between the regular annual assessment charged to that Lot, and the regular annual assessment charged to Lots for which the regular annual assessment is sufficient to cover all costs incurred by the Association for trash pick up and neighborhood patrol services.
4. Should the Association ever wish to provide such services at a time when the "pro rata cost per Lot" exceeds the regular annual assessment amount for every Lot subject to the jurisdiction of the Association, the service charge assessment shall be charged to all Lots in the amount of the difference between the regular annual assessment charged to that Lot, and the "pro rata cost per Lot."
5. The "pro rata cost per Lot" shall be determined in the same manner in which the Association determines the amount of the annual assessment (without regard to assessment caps) so that each Lot subject to the jurisdiction of the Association would be assigned the same amount per year.
6. Should the circumstance ever arise where the regular annual assessment for any section no longer provides any amount to subsidize the cost of trash and patrol services, the Association may expand the service charge assessment to include other services for which the cost is currently completely funded by the regular annual assessment.

This resolution shall take effect upon its filing for record in the Real Property Records of Harris County, Texas.

**CERTIFICATION**

"I, the undersigned, certify that the foregoing Resolution was approved by a majority vote of the Board of Directors of the Olde Oaks Community Improvement Association, Inc. at a duly noticed meeting of the board at which a quorum was present."

OLDE OAKS COMMUNITY IMPROVEMENT ASSOCIATION, INC. *lor*

Vincent A. Berra  
Secretary & Director  
Date: 1/11/12

FILED FOR RECORD  
8:00 AM

FEB -7 2012

*Stan Stewart*  
County Clerk, Harris County, Texas

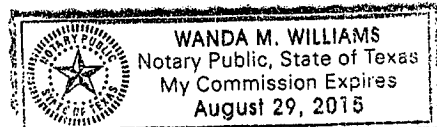
STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS    §

BEFORE ME, the undersigned authority, on the day personally appeared \_\_\_\_\_, Director for the Olde Oaks Community Improvement Association, Inc., and known by me to be the person whose name is subscribed to the foregoing document and being by me first duly sworn, declared that (s)he is the person who signed the foregoing document in his/her representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 11 day of January, 2012.

Wanda M. Williams  
Notary Public, State of Texas

**After recording return to:**  
HOLT & YOUNG, P.C. ✓✓  
11200 Richmond Ave., Suite 450  
Houston, Texas 77082



ANY INSTRUMENT WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.  
THE STATE OF TEXAS  
COUNTY OF HARRIS  
I hereby certify that this instrument was FILED in File Number \_\_\_\_\_ on the date and at the time stamped herein by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas.

FEB -7 2012



*Stan Stewart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS