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**BOARD RESOLUTION REGARDING  
ASSESSMENTS AND VOTING WITH RESPECT TO PARTIAL LOTS  
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;

Lee

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 Restrictions for each section of the Subdivisions uniformly provide that each Lot shall be subject to an annual maintenance charge; and

WHEREAS, there are no provisions in any of the Restrictions or Declarations for the Subdivisions that contemplate fractional Lots or Lots that are owned fractionally by separate unrelated persons or entities; and

WHEREAS, the Association and owners of fractions of lots have by agreement had a practice where each fractional owner would pay a percentage of the assessment for that Lot; and

WHEREAS, Article XIII, Section 2 of the By-laws addresses voting as it applies to multiple ownership of Lots; and

WHEREAS, Article XIII, Section 2 of the By-laws was amended by the vote of the Association membership in 1990 and again by a vote of the Board of Directors in 1994; and

WHEREAS, the Board of Directors for the Association wishes to clarify its interpretation of, and policy regarding assessments and voting as it applies to fractional or partial ownership interests in Lots;

NOW THEREFORE, It is hereby RESOLVED that:

1. There are 1,660 platted Lots within the Subdivisions. Each of the 1,660 Lots shall be charged assessments pursuant to the governing documents and subject to the resolutions below. The total assessments charged to each Lot for which there are divided interests shall equal the assessments charged to each Lot owned in its entirety through an undivided interest. The combining of a portion of a Lot with an adjoining Lot shall not reduce or extinguish the assessment obligation with respect to the portion of a Lot.
2. Consistent with the Restrictions and Declaration for each section of the Subdivisions, the regular annual and service charge assessments will be charged to each Lot for which there is multiple or fractional owners.
3. Consistent with prior practice relating to apportionment of partial Lot assessments which arose from agreements between various owners and the Association, to the extent a Lot is owned fractionally by separate unrelated persons or entities, the Association will assign a fractional multiplier to such owner's interest based upon that owner's fractional interest in such Lot. Each year such fractional owners will be billed all assessment charges in the amount of the total assessment charge multiplied by the assigned fractional multiplier for that owner. Upon completion, a document reflecting all fractional ownership interests of Lots and the assigned multiplier, will be filed of record in the Real Property Records of Harris County, Texas.
4. Despite the Association's policy of charging fractional assessments, the Association expressly reserves the right, as provided in the Restrictions and Declaration for each section in the Subdivisions, to collect the full assessment amount due for any Lot from every person or entity that holds an ownership interest in such Lot. However, it will be the policy of the Association that any effort to collect delinquent assessments will be initiated towards the owner that has failed to pay their assigned fractional portion before any attempt is made to collect from other owners of the fractionally owned Lot.
5. It will be the policy of the Association to follow the 1990 version of Article XIII, Section 2 of the By-laws, as opposed to the 1994 version, due to the fact that it is the opinion of Association, following advice of counsel, that the 1994 amendment was

- not properly enacted due to the fact that the By-laws have always provided that they are to be amended by a majority vote of the members.
- 6. As provided in Article XIII, Section 2 of the By-laws, each of the 1,660 platted Lots within the Subdivisions is entitled to one vote. There will be no fractional voting, but the owners holding fractional interests in a Lot may cast a vote for such fractionally owned Lot if owners holding the majority interest in such Lot agree as to how to vote.
- 7. Consistent with this policy and since current law provides that Association governing documents are to be filed of record in the Real Property Records for each County in which the Subdivisions are located, the Association will file the 1990 version of the By-laws in order to make them the effective and enforceable version.

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. *100*

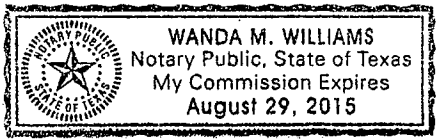
*Vincent A. Burns*  
 \_\_\_\_\_  
 SECRETARY & \_\_\_\_\_, Director  
 Date: *1/11/12*

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



FILED FOR RECORD  
8:00 AM

FEB -7 2012

*Stan Stewart*  
County Clerk, Harris County, Texas

ANY PROVISION HEREIN 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 Sequence on the date and at the time stamped hereon 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