

**RIVER PLANTATION COMMUNITY IMPROVEMENT ASSOCIATION, INC.
POLICY RESOLUTION REGARDING
THE DEFINITION OF "BUILDING SITE" FOR ASSESSMENT PURPOSES**

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

WHEREAS, River Plantation Community Improvement Association, Inc. (the "Association"), a Texas nonprofit corporation, is the governing entity for River Plantation Subdivision, which consists of the Property described in Exhibit "A", attached hereto (the "Property"); and

WHEREAS, the Property is governed in part by the Restrictions recorded in the Real Property Records of Montgomery County as described in Exhibit "B", attached hereto (the "Deed Restrictions"); and

WHEREAS, the Deed Restrictions authorize the Association to levy an "annual maintenance charge" of up to \$60 per year for each "building site" in the Property; and

WHEREAS, the Deed Restrictions define "building site" as "all or a part of any one or more numbered lots" in River Plantation, which could mean any of the following: (a) all of one numbered lot; (b) part of one numbered lot; (c) all of more than one numbered lot; or (d) a part of more than one numbered lot; and

WHEREAS, the Deed Restrictions do not further define or provide additional qualifiers to categorize multiple lots held by one owner as constituting one or more "building sites"; and

WHEREAS, the Association has established a "trash fee" to be paid by each owner that receives trash service in the community in order to reimburse the Association for the provision of such trash service; and

WHEREAS, the Association has established a "quarterly service charge" pursuant to §204.010(a)(9) of the Texas Property Code to cover the costs of providing services to owners within the Property, which are not covered by the annual maintenance charge or the trash fee; and

WHEREAS, due to historically inconsistent application of charges on owner lots, including owners of multiple lots in the Property, and because the definition of "building site" is open to more than one meaning, the Association desires to clarify and advise owners within the Property of how "building site" shall be construed for assessment purposes; and

WHEREAS, the Association desires to establish uniform methods of charging the annual maintenance assessment, the quarterly service charge and the trash fee, to owners within the Property based on the definition of "building site" as contained in the Deed Restrictions; and

WHEREAS, the Association board of directors shall have and may exercise discretionary authority with respect to this dedicatory instrument;

NOW THEREFORE, pursuant to the foregoing and as evidenced by the Certification hereto, the Association hereby adopts and establishes the following policy:

1) Both the annual maintenance charge and the quarterly service charge shall be levied one per each "Building Site"

2) "Building Site" shall mean any of the following:

- (a) A home, including any appurtenant structures or amenities located on one numbered lot;**
- (b) A home, including any appurtenant structures or amenities located on more than one numbered lot;**
- (c) A home including any appurtenant structures or amenities located on one lot and a fraction of another numbered lot;**
- (d) An unimproved numbered lot, with no structures or equipment/amenities on it.**

3) Contiguous unimproved numbered lots, each of which would not otherwise be considered a "building site" individually, but are owned by the same owner and in total can accommodate a home are considered one "Building Site".

4) Owners of an unimproved lot may apply to the Association to have their unimproved lot not be considered a "Building Site", if they provide documented expert proof that a home cannot be built on the lot due to flooding issues, size issues in relation to building setbacks and square footage requirements, or similar issues that prevent a home from being constructed on the unimproved lot.

5) Owners of more than one numbered lot or of an unimproved lot, may meet with the board to present proof as to whether, and how many of, their lots constitute a "Building Site" and discuss how charges will be made to their lot(s).

6) The charges may change as the character/use of a numbered lot changes.

7) Trash fees will be charged on a per-owner basis.

8) "Lot" shall mean any of the numbered lots as reflected on the most recent plat of the subdivision, filed of record in the Map Records of Montgomery County, Texas.

CERTIFICATION

“I, the undersigned, being the President of River Plantation Community Improvement Association, Inc., hereby certify that the foregoing Policy Resolution was approved by at least a majority of the Association Directors, at a duly called meeting of the Board of Directors at which a quorum was present.”

By: *SR Jones*, President

Print Name: SAM R. JONES

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on the day personally appeared the person whose name is subscribed to the foregoing document and being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 12th day of May, 2015.

Pamela D Bailey
Notary Public, State of Texas

After recording return to:
HOLT & YOUNG, P.C.
9821 Katy Freeway, Suite 350
Houston, Texas 77024

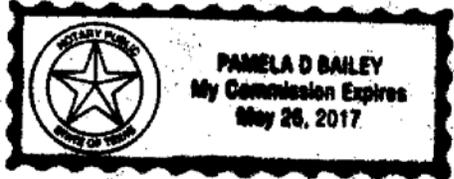


EXHIBIT "A"

River Plantation, Section 1, a subdivision in Montgomery County, Texas, according to the map or plat thereof filed in the Map Records of Montgomery County, Texas, under Volume 6, Page 29, along with any amendments, replats, or supplements thereto

River Plantation, Section 2, a subdivision in Montgomery County, Texas, according to the map or plat thereof filed in the Map Records of Montgomery County, Texas, under Volume 7, Page 409, along with any amendments, replats, or supplements thereto

River Plantation, Section 3, a subdivision in Montgomery County, Texas, according to the map or plat thereof filed in the Map Records of Montgomery County, Texas, under Volume 7, Page 435, along with any amendments, replats, or supplements thereto

River Plantation, Section 4, a subdivision in Montgomery County, Texas, according to the map or plat thereof filed in the Map Records of Montgomery County, Texas, under Volume 8, Page 23, along with any amendments, replats, or supplements thereto

River Plantation, Section 4-A, a subdivision in Montgomery County, Texas, according to the map or plat thereof filed in the Map Records of Montgomery County, Texas, under Volume A, Page 57, along with any amendments, replats, or supplements thereto

River Plantation, Section 5, a subdivision in Montgomery County, Texas, according to the map or plat thereof filed in the Map Records of Montgomery County, Texas, under Volume A, Page 1B, along with any amendments, replats, or supplements thereto

River Plantation, Section 7, a subdivision in Montgomery County, Texas, according to the map or plat thereof filed in the Map Records of Montgomery County, Texas, under Volume A, Page 7, along with any amendments, replats, or supplements thereto

River Plantation, Section 8, a subdivision in Montgomery County, Texas, according to the map or plat thereof filed in the Map Records of Montgomery County, Texas, under Volume A, Page 19, along with any amendments, replats, or supplements thereto

River Plantation, Section 9, a subdivision in Montgomery County, Texas, according to the map or plat thereof filed in the Map Records of Montgomery County, Texas, under Volume A, Page 87B, along with any amendments, replats, or supplements thereto

River Plantation, Section 10, a subdivision in Montgomery County, Texas, according to the map or plat thereof filed in the Map Records of Montgomery County, Texas, under Volume A, Page 26, along with any amendments, replats, or supplements thereto

River Plantation, Section 11, a subdivision in Montgomery County, Texas, according to the map or plat thereof filed in the Map Records of Montgomery County, Texas, under Volume Z, Page 130, along with any amendments, replats, or supplements thereto

River Plantation, Fairway Estates, a subdivision in Montgomery County, Texas, according to the map or plat thereof filed in the Map Records of Montgomery County, Texas, under Volume H, Page 18B-19A, along with any amendments, replats, or supplements thereto.

EXHIBIT "B"

Restrictions, River Plantation, Section 1, under Volume 575, Page 0167;
Restrictions, River Plantation, Section 2, under Volume 639, Page 0267;
Restrictions, River Plantation, Section 3, under Volume 648, Page 0659;
Restrictions, River Plantation, Section 4, under Volume 663, Page 0854;
Restrictions, River Plantation, Section 4-A, under Volume 771, Page 0869;
Restrictions, River Plantation, Section 5, under Volume 689, Page 0868;
Restrictions, River Plantation, Section 7, under Volume 696, Page 0487;
Restrictions, River Plantation, Section 8, under Volume 721, Page 0605
Restrictions, River Plantation, Section 9, under Volume 804, Page 366
Restrictions, River Plantation, Section 10, under Volume 737, Page 0703;
Restrictions, River Plantation, Fairway Estates, under Clerk's File No. 9847629;

E-FILED FOR RECORD
05/14/2015 3:51PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify this instrument was e-FILED in
file number sequence on the date and at the time
stamped herein by me and was duly e-RECORDED in
the Official Public Records of Montgomery County, Texas.

05/14/2015



County Clerk
Montgomery County, Texas