PHEASANT CREEK Homeowner's Association C/O Consolidated Management Services 2204 Timberloch Place, Suite 245 The Woodlands, Texas 77380 Tel. No. 281.296.9775 / Fax 281.297.9788 Email: conmgsvc@swbell.net

# ASSOCIATION'S COLLECTION POLICY

- I. The name of the Subdivision is Pheasant Creek Homeowner's Association.
- II. The name of the Association is Pheasant creek Homeowner's Association.
- III. The recording data (i.e., Map or Plat reference) for each Section of the Subdivision, and the recording data for the Declaration (i.e., Deed Restrictions) for each Section of the Subdivision is as follows:

#### Map(s) or Plat(s) Records of Fort Bend County, Texas:

- (i) PHEASANT CREEK, SECTION ONE (1) Volume 22, Page 32 of the Plat Records of Fort Bend County, Texas
- (ii) PHEASANT CREEK, SECTION TWO (2) Volume 31, Page 2; Volume 31, Page 12; and Volume 33, Page 8 of the Plat Records of Fort Bend County, Texas.

## Deed Restrictions (Deed Records of Fort Bend County, Texas):

- (i) Declaration of Covenants, Conditions and Restrictions for Pheasant Creek, Section One Fort Bend County Clerk' File No. 92546.
- (ii) Declaration of Covenants, Conditions and Restrictions for Pheasant Creek, Section Two Fort Bend County Clerk' File No. 48544.
- IV. <u>COLLECTION POLICY</u>: The Association provides a number of services for the Concord Colony Homeowner's Association. While the vast majority of property owners ("Owners") do timely pay, there is generally a small percentage of owners who do not. The obligation to pay annual assessments/maintenance charges ("assessments") is mandatory for all property owners. The Association's current Collection Policies and Procedures are as follows:
- 1. The Association mails out invoices at least thirty (30) days before the due date.
- 2. Payment in full is due annually in advance on January 1 of each year. However, there is no penalty or interest charged so long as the full payment is received by the Association on or before January 31 of each year.

- 3. Should an Owner fail to pay the full amount of the assessment currently due on or before January 31 of any year, the Association will apply the following schedule:
  - a) At any time after January 31, the Association may authorize the preparation and recording of an Affidavit or Notice of Lien (e.g., identifying the delinquent property by address and legal description, identifying the Owner(s), and evidencing the amount of the current delinquency).
  - b) A delinquent statement including penalty and interest, and any other additional fees will be mailed in February.
  - c) A second delinquent statement including penalty and interest, and any other additional charges will be mailed in March and access to the association facilities will be terminated.
  - d) A management company administrative fee of \$50.00 will be applied to each delinquent account in March of each year.
  - e) A delinquency letter offering a payment plan and a copy of the Association's payment plan policy will be mailed in April with the response by the delinquent party due by May 15th.
  - f) For all sums not addressed by the delinquent party by May 31<sup>st</sup>, all past due and delinquent sums will be filed and recorded in the County property records as a lien on the property.
  - g) All items that remain delinquent with no payment arrangements, or with defaulted payment arrangements, for one year and which are still outstanding as of February 1<sup>st</sup> of the following year will be referred to the Association's attorney for legal action.
  - h) <u>ALL ITEMS PLACED WITH THE ASSOCIATION'S ATTORNEY WILL</u> <u>REMAIN WITH THE ATTORNEY'S OFFICE UNTIL PAID IN FULL.</u>

#### CERTIFICATION

"I, the undersigned, being the President of Pheasant Creek Homeowner's Association, hereby certify that the foregoing Collection Policy Resolution was adopted by at least a majority of the Association's Board of Directors, and such Collection Policy Resolution has never been modified or repealed, and is now in full force and effect."

Pheasant Creek Homeowner's Association

By: President,
Printed name: John T. Godse

Date:

### **ACKNOWLEDGMENT**

THE STATE OF TEXAS COUNTY OF FORT BEND 8

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared John T Godbee, President of Pheasant Creek Homeowner's Association, a Texas Non-Profit Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he executed same in the capacity and for the consideration therein expressed, and as the act and deed of such Corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 06 day of March, 2012.

Allio knneth Malund NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Notary Public, State of Texas My Commission Expires S Association Concenting oney

Pheasant creek Homeowner

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

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DP \$24.00

Dianne Wilson COUNTY CLERK

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