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**PROPERTY OWNERS' ASSOCIATION 3rd AMENDMENT TO THE MANAGEMENT CERTIFICATE FOR DUCK CREEK ESTATES HOMEOWNERS ASSOCIATION, INC.**

This Management Certificate is recorded pursuant to Section 209.004 of the Texas Property Code.  
This amends all prior Management Certificates filed for this association:

State of Texas §

County of Dallas §

1. Name of Subdivision: Duck Creek Estates
2. Subdivision Location: Garland, TX
3. Name of Homeowners Association: Duck Creek Estates Homeowners Association, Inc.
4. Recording Data for Association: Plat is filed at Dallas County in Cabinet 180, pg 02087.
5. Recording Data for Declaration: Declaration of Covenants, Conditions and Restrictions filed 10/10/2000 under Doc# 200020302220, Cabinet 180, Pg. 02087 in Dallas County.
6. Bylaws: Bylaws signed on 9/26/2000 are attached to and filed with Doc#201300351637

Articles of Incorporation and Certificate of Incorporation: Filed with the Secretary of State of Texas on 10/5/2000

Certificate of Dissolution: Filed with the Secretary of state of Texas on 8/1/2005

**Assessment Collection Policy for Duck Creek Estates Homeowners Association signed 1/14/2015 is attached to and filed with this Certificate.**

Resolution adopted by the Board of Directors to Revoke Unauthorized Articles of Incorporation and Revocation of Duplicate Certificate of Incorporation signed 5/2/2005 is attached to and filed with Doc# 201300351637

Resolutions/Policies:

All policies are filed under Doc# 201200007035

Administrative Resolution No. 2006001

Collection Policy signed 7/11/2006

Administrative Resolution No. 2008001

Collection Policy signed 11/10/2008

Record Retention Policy

Records Inspection Policy

Payment Plan Policy

Email Registration Policy

Membership Voting Policy

Architectural Guidelines for:

Solar Panels, Flag and Flag Poles, Roof Shingles, Rain Barrels and Religious Symbol Displays

Fine Policy signed 1/16/2006 filed at Dallas County under Doc# 20070185218

**Resolutions/Policies/Guidelines: All policies are attached to and filed with Doc# 201300251637**

Collection Policy  
Violation Policy  
Record Retention Policy  
Records Inspection Policy  
Payment Plan Policy  
Email Registration Policy  
Membership Voting Policy  
Guidelines for Drought Resistant Landscaping and Natural Turf  
Conflict of Interest Policy  
Guidelines for Flag Display  
Religious Items Display Guidelines  
Solar Energy Device Guidelines  
Roofing Material Guidelines  
Rainwater Collection Guidelines  
Application of Payments Policy

7. Mailing Address and Contact Information for the Association and the Managing Agent:  
Spectrum Association Management, LP  
555 Republic Drive  
Plano, TX 75074  
972-992-3444 Fax: 372-992-3440  
contact@spectrumam.com
  
8. Other information the Association considered appropriate for the governing, administration or operation of the subdivision and homeowners association:

Prospective purchasers are advised to independently examine the Declaration, Bylaws, and all other governing documents of Association, together with obtaining an official Resale Certificate and performing a comprehensive physical inspection of the lot/home and common areas, prior to purchase.

THE PURPOSE OF THIS CERTIFICATE IS TO PROVIDE INFORMATION SUFFICIENT FOR A TITLE COMPANY TO CORRECTLY IDENTIFY THE SUBDIVISION AND TO CONTACT ITS GOVERNING ASSOCIATION. THIS CERTIFICATE DOES NOT PURPORT TO IDENTIFY EVERY PUBLICLY RECORDED DOCUMENT AFFECTING THE SUBDIVISION, OR TO REPORT EVERY PIECE OF INFORMATION PERTINENT TO THE SUBDIVISION. NO PERSON SHOULD RELY ON THIS CERTIFICATE FOR ANYTHING OTHER THAN INSTRUCTIONS FOR CONTACTING THE ASSOCIATION IN CONNECTION WITH THE TRANSFER OF TITLE TO A HOME IN THE SUBDIVISION. THE REGISTERED AGENT FOR THE ASSOCIATION IS ON FILE WITH THE TEXAS SECRETARY OF STATE.

Signed this 14 day of January, 2015

Duck Creek Estates Homeowners Association, Inc.

By: Kathleen S. Able  
Kathleen S. Able (of Spectrum Association Management) Managing Agent

State of Texas §

County of Dallas §

This Instrument was acknowledged and signed before me on 14 January, 2015 by Kathleen S. Able, representative of Spectrum Association Management, LP, the Managing Agent for Duck Creek Estates Association, Inc. on behalf of said Association.

After Recording Return To:  
Spectrum Association Management, LP  
Attn: K Able  
17319 San Pedro, #318  
San Antonio, TX 78232

Jennifer Nutt  
Jennifer Nutt Notary Public, State of Texas



**Duck Creek Estates Homeowners Association, Inc.  
Schedule of Collection Procedures / Collection Policy**

Collection Action *	Late Charge	Administrative Fee	Other Fees
1 <sup>st</sup> Notice: Courtesy Notice	Per governing documents	\$20	N/A
2 <sup>nd</sup> Notice: Notice of intent to perform a title search	Per governing documents	\$20	N/A
3 <sup>rd</sup> Notice: Notice to evaluate property's debt security (sent by certified mail)	Per governing documents	\$20	\$50 Title Search Fee charged to owner's account
4 <sup>th</sup> Notice: Notice to Turnover to Collection Agent/Attorney (sent by certified mail)	Per governing documents	\$20	\$150 Escalated Property Processing fee charged to owner's account.
Board Approval needed to send to attorney 209 Notice: 30 day cure notice is sent to prior to account being sent to attorney	Texas Property Code 209	\$20	\$30 Statutory Notice fee charged to owner's account.
Sent to attorney	Per governing documents	\$20	\$90 fee to process file to third party debt collector. Owner is responsible for all attorneys' fees/court costs paid by and/or charged to the Association.

\* **Collection Action:** The first notice is sent after the late date per the governing documents. The second and subsequent notices are sent roughly thirty days apart from each other each requiring a payment due date before the next step in the collection process takes place. If a homeowner pays in full before the payment due date then collection action will cease on that homeowners account.

**Priority of Payments:** Interest shall bear on a late account per the governing documents of the Association. Payment on a delinquent account shall be applied first to delinquent assessment, current assessments, attorney's fees, fines and last to other amounts owed such as collection fee, late fees and interest.

**General Policy:** All fees/charges paid by the Association in connection with the collection of a homeowner's account shall be reimbursed by the homeowner. "Non sufficient funds" (NSF) and/or "stop payment" checks shall be assessed a charge of \$25.00 paid to Spectrum and reimbursed by the homeowner.

The monthly (\$20) collection fee is charged to the homeowners account each month the account remains delinquent and is paid to Spectrum when the homeowner pays. The (\$50) title search fee (if applicable) and the (\$150) notice of lien fee (if applicable) are paid to Spectrum when the service is rendered and charged to the homeowners account for reimbursement of charges incurred.

**Payment Plans:** Payment plans shall be approved by management for extenuating circumstances and/or at management's discretion. Homeowners shall be required to sign an agreement and abide by it. If a homeowner does not abide by the agreement, then the homeowner shall be immediately turned over the Association's attorney for collection unless management decides to waive this provision because of extenuating circumstances.

**Collection of Account by HOA Attorney:** Once an account is turned over to the association's attorney all methods of collection shall be pursued. If the homeowner does not respond to the attorney's demand letter a lawsuit shall be filed and a judgment obtained. If the homeowner fails to respond to the aforementioned action by making payment in full or by signing an approved payment plan then the home shall be foreclosed in accordance with the governing documents and the current state law. Once the home is foreclosed the Association shall move to evict the residents, collect payment for rent, and/or sell the home in accordance with state law.

**Other:** This policy may be amended and/or adjusted by the Board of Directors from time to time without notice. Homeowners are advised that they should contact the management company to request the most recent version of this policy if they have a question and/or need assistance in making payment arrangements.

**Assessment Collection Policy for the  
Duck Creek Estates Homeowners Association, Inc.**

STATE OF TEXAS

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COUNTY OF DALLAS

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Pursuant to the Bylaws of the Duck Creek Estates Homeowners Association, Inc. referenced above (referred to as "Association") and the Declaration of Protective Covenants, the Directors of the Duck Creek Estates Homeowners Association Inc., a Texas non-profit corporation, consent to the adoption of the following resolution:

RE: Assessment Collections Policy

WHEREAS:

1. Pursuant to Chapter 209 of the Texas Property Code, the Board of Directors of the Association hereby adopts this policy for the purposes of establishing a uniform and systematic procedure to collect assessments and other charges of the Association; and
2. The Association's economic well-being relies on the timely payment of assessments and other allowable charges.
3. It is the Board's duty to use its best efforts to collect funds owed to the Association.

BE RESOLVED THAT:

1. Amounts payable to the Association include, but are not limited to, regular assessments, special assessments, rules enforcement fees, repairs to the common areas that are an owner's responsibility, the cost of collection including but not limited to late fees, administrative fees, legal fees and other costs associated with collection of funds on behalf of the Association.
2. The procedures in the Assessment Collection Schedule (attached) shall be the assessment collection policy of the Association and shall be enforced.

EFFECTIVE DATE: January 30, 2015

Authorized Board Member Signature:

*Kathleen Stedman-Smith* Date: 1/14/15

Filed and Recorded  
Official Public Records  
John F. Warren, County Clerk  
Dallas County, TEXAS  
01/20/2015 11:27:40 AM  
\$42.00



*[Handwritten signature]*

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