AFTER RECORDING RETURN TO:
SunEagle Bay Owners Association, Inc.
550 County Road 1977, A-1
Yantis, Texas 75497

STATE OF TEXAS §

COUNTY OF WOOD §

RESOLUTION NO. 2026-02

LIEN AND FORECLOSURE POLICY RESOLUTION

SUNEAGLE BAY OWNERS ASSOCIATION, INC.

BE IT KNOWN that the Board of Directors of SunEagle Bay Owners Association, Inc (the "Association"), a Texas nonprofit property owners association, acting pursuant to the authority granted in its Declaration, Bylaws, and under Texas Property Code Chapter 209, including §§209.0058 and 209.009, hereby adopts the following Lien and Foreclosure Policy:

I. PURPOSE AND AUTHORITY

This Resolution establishes the Association's policy for the filing of assessment liens and the initiation of foreclosure proceedings for delinquent accounts.

The Association is authorized by its governing documents and Texas Property Code Chapter 209 to secure unpaid assessments by lien and to enforce such lien rights as permitted by law.

II. CREATION AND RECORDING OF LIEN

A. Any assessment, late fee, administrative fee, attorney's fee, or other charge authorized by the governing documents or adopted resolutions that remains unpaid shall constitute a continuing lien against the subject property.

B. The Association may file a Notice of Assessment Lien in the Official Public Records of Wood County, Texas, to evidence and secure the delinquent debt.

C. The lien shall secure all amounts due, including future costs of collection, attorney's fees, court costs, filing fees, and related expenses as permitted by law.

III. NOTICE AND STATUTORY COMPLIANCE

Prior to filing a lien or initiating foreclosure, the Association shall provide all notices required under Texas Property Code Chapter 209, including but not limited to:

- Notice of delinquency
- Opportunity to cure
- Notice of payment plan rights
- Any additional statutory notices required at the time of enforcement

The Association shall strictly comply with all statutory timelines and procedural requirements.

IV. FORECLOSURE AUTHORITY AND BOARD APPROVAL REQUIREMENT

A. The Association may initiate foreclosure proceedings only in compliance with Texas Property Code §209.009 and other applicable law.

B. **Foreclosure action shall require the affirmative vote of a majority of the entire Board of Directors at a duly called meeting.** The vote authorizing foreclosure shall be recorded in the official meeting minutes.

C. No officer, director, agent, or attorney of the Association may initiate foreclosure proceedings without prior majority Board approval.

D. The Association may pursue judicial foreclosure or other lawful remedies as permitted by statute and the governing documents.

V. ATTORNEY FEES AND COLLECTION COSTS

Pursuant to Texas Property Code §209.0058 and the governing documents, the Association shall be entitled to recover all reasonable attorney's fees, court costs, title costs, filing fees, and other reasonable expenses incurred in the collection and enforcement process.

Such amounts shall become part of the secured assessment debt.

VI. PAYMENT APPLICATION

All payments received on delinquent accounts shall be applied in accordance with Texas Property Code Chapter 209 and the Association's adopted fee schedule resolution.

VII. BOARD DISCRETION

The Board retains discretion to:

- Authorize payment arrangements consistent with separately adopted policy
- Delay enforcement where appropriate
- Determine when lien filing or foreclosure is in the best interest of the Association

Nothing herein obligates the Association to foreclose in every instance of delinquency.

VIII. HOMESTEAD COMPLIANCE AND JUDICIAL FORECLOSURE REQUIREMENT

A. The Association acknowledges that certain properties within SunEagle Bay may qualify as a residential homestead under Texas law.

B. In the event the subject property constitutes a residential homestead, the Association shall strictly comply with all applicable provisions of Texas law, including but not limited to Texas Property Code §209.009 and related statutory requirements governing foreclosure of homestead property.

C. The Association shall not conduct non-judicial foreclosure of a property that qualifies as a residential homestead. Any foreclosure of homestead property shall proceed only through judicial foreclosure in a court of competent jurisdiction.

D. Prior to initiating foreclosure of homestead property, the Association shall ensure:

- All statutory notices have been provided
- All cure opportunities have expired

- All payment plan rights have been honored
- Majority Board approval has been obtained as required by this Resolution

E. Nothing in this section shall be construed as a waiver of the Association's lien rights or collection remedies. This section is intended solely to ensure compliance with Texas homestead protections and to preserve the enforceability of the Association's secured assessment lien.

IX. SUPERSEDING PRIOR POLICIES

This Resolution supersedes and replaces any prior lien or foreclosure policy previously adopted by the Association.

X. EFFECTIVE DATE

This Resolution shall become effective upon adoption and shall apply beginning **February 21, 2026**, and thereafter unless amended or repealed.

ADOPTED by majority vote of the Board of Directors of SunEagle Bay Owners Association, Inc on this **21st day of February, 2026**.

SUN EAGLE BAY OWNERS ASSOCIATION

By: Stephanie Murphy
Stephanie Murphy, President

Sharon J Autry

ACKNOWLEDGMENT

STATE OF TEXAS §
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This instrument was acknowledged before me on the **21st day of February, 2026**, by Sharon Autrry, Secretary of SunEagle Bay Owners Association, Inc, a Texas nonprofit corporation, on behalf of said corporation.

Notary Public, State of Texas

My Commission Expires: September 21, 2026

NOTARY PUBLIC STATE OF TEXAS
SHARON J AUTRY
Notary ID #131733230
My Commission Expires
September 21, 2026