

SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS
for
1829 BERING DRIVE COMMUNITY ASSOCIATION

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The undersigned, being the authorized representative of 1829 Bering Drive Community Association (the "Association"), a property owners' association as defined in Section 202.001 of the Texas Property Code, hereby supplements instruments entitled "Notice of Dedicatory Instruments for 1829 Bering Drive Community Association", "Supplemental Notice of Dedicatory Instruments for 1829 Bering Drive Community Association", "Supplemental Notice of Dedicatory Instruments for 1829 Bering Drive Community Association" and "Supplemental Notice of Dedicatory Instruments for 1829 Bering Drive Community Association" recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk's File Nos. RP-2019-172552, RP-2019-314637, RP-2020-37437 and RP-2020-143359 (the "Notice") was filed of record for the purpose of complying with Section 202.006 of the Texas Property Code.

Additional Dedicatory Instrument. In addition to the Dedicatory Instruments identified in the Notice, the following document is a Dedicatory Instrument governing the Association.

- **Certificate of Secretary of 1829 Bering Drive Community Association adopting a Fining Policy.**

A true and correct copy of such Dedicatory Instrument is attached to this Supplemental Notice.

This Supplemental Notice is being recorded in the Official Public Records of Real Property of Harris County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Supplemental Notice is true and correct and that the copy of the Dedicatory Instrument attached to this Supplemental Notice is a true and correct copy of the original.

Executed on this 26th day of June, 2020.

**1829 BERING DRIVE
COMMUNITY ASSOCIATION**



By: _____
Cliff Davis, authorized representative

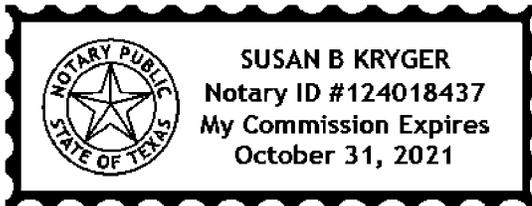
RP-2020-278731

THE STATE OF TEXAS §
 §
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BEFORE ME, the undersigned notary public, on this 26th day of June, 2020 personally appeared Cliff Davis, authorized representative of 1829 Bering Drive Community Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.



Notary Public in and for the State of Texas



RP-2020-278731

CERTIFICATE OF SECRETARY
of
1829 BERING DRIVE COMMUNITY ASSOCIATION
adopting a
FINING POLICY

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, PIERRE HERSZDORFER Secretary of 1829 Bering Drive Community Association, a Texas non-profit corporation ("Association"), do hereby certify that, in the open session of a properly noticed meeting of the Association's Board of Trustees ("Board"), duly called and held on the 18 day of JUNE, 2020, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Fining Policy was approved by the Board:

WHEREAS, Texas Property Code Section 204.010(a)(b) states that the Association, acting through the Board, may regulate the use, maintenance, repair, replacement, modification and appearance of the subdivision; and

WHEREAS, Article III, Section 19(f) of the Association's Bylaws provides that the Board is authorized to:

Adopt and establish a fine schedule for any infraction of the Association's Dedicatory Instruments [as that term is defined by Texas Property Code Section 202.001(1)]:

NOW, THEREFORE, BE IT RESOLVED the below Fining Policy is hereby adopted as follows:

1829 BERING DRIVE COMMUNITY ASSOCIATION
FINING POLICY

1. This Fining Policy ("Policy") replaces and supersedes any previous fining policy or similarly named document adopted by the 1829 Bering Drive Community Association ("Association").
2. Each townhouse owner is responsible for assuring that the owner and the owner's tenant(s), occupant(s), guest(s) and invitees comply with the provisions of the Association's Dedicatory Instruments [as that term is defined by Section 209.002(4) of the Texas Property Code or its successor statute] that are applicable to the properties under the jurisdiction of the Association.

RP-2020-278731

In the event that an owner, tenant, occupant, guest or invitee of an owner violates any of the provisions of the Dedicatory Instruments, the Association's Board of Trustees ("Board") shall have the authority to impose a fine as described below upon the owner and/or occupant of a townhouse under the jurisdiction of the Association.

3. The Association will, before a fine is imposed, send the owner of the townhouse the notice required by law, if any. The Board may, in its sole and absolute discretion, also provide the notice required by law, if any, to the occupant(s) of the townhouse.
4. If the violation continues from day to day without intervening activity (a "Curable Violation") as determined at the sole and absolute discretion of the Board, the Fine Schedule will be as follows:

\$100.00 per day until corrected

4.1 Curable Violations – By way of example and not in limitation, the following are examples of Curable Violations:

- a. An ongoing parking violation;
- b. A maintenance violation;
- c. An ongoing noise violation.

5. If the violation consists of single occurrence (an "Uncurable Violation") or separate occurrences (i.e., repeat instances of an Uncurable Violation) as determined at the sole and absolute discretion of the Board, the Fine Schedule will be as follows:

First Violation: \$100.00 per occurrence

Each Additional Similar or Substantially Similar Violation: \$200.00 per occurrence

5.1 Uncurable Violation – A violation that has occurred but is not a continuous action or a condition capable of being remedied by affirmative action. By way of example and not in limitation, the following are examples of Uncurable Violations:

- a. An act constituting a threat to health or safety;
- b. A one-time or non-ongoing parking violation;
- c. A one-time noise violation that is not ongoing;
- d. Holding a garage sale or other event prohibited by the Association's Dedicatory Instruments.

6. Notwithstanding any language to the contrary in this Policy, the Fine Schedule for a violation of any term or provision of section II (Architectural Control) of the Declaration will be as follows:

\$200.00 per day until corrected

RP-2020-278731

- 7. The Board is hereby authorized at its sole and absolute discretion to impose a lesser fine or no fine at all for a violation of the Dedicatory Instruments. Any adjustment to the Fine Schedule by the Board shall not be construed as a waiver of the Fine Schedule or the Dedicatory Instruments.
- 8. This Policy is in addition to any other remedy the Association may have to pursue a violation of the Association's Dedicatory Instruments and in no way limits or estops the Association from pursuing any other remedy to enforce the Association's Dedicatory Instruments.

I hereby certify that I am the Secretary of the Association and that the foregoing Fining Policy was approved as set forth above and now appears in the books and records of the Association.

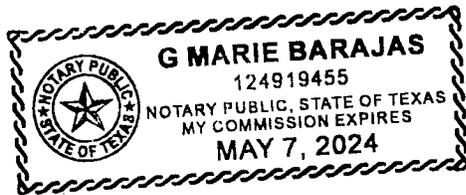
1829 BERING DRIVE COMMUNITY ASSOCIATION

By: *[Signature]*
 As Secretary of the Association

THE STATE OF TEXAS §
 §
 COUNTY OF HARRIS §

This instrument was acknowledged before me on the 18th day of June, 2020, by Pierre Herzdorter, as Secretary of 1829 Bering Drive Community Association, for the consideration and in the capacities stated herein.

[Signature]
 Notary Public in and for the State of Texas



RP-2020-278731

RP-2020-278731
Pages 6
06/26/2020 11:37 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
CHRIS HOLLINS
COUNTY CLERK
Fees \$34.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.



COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2020-278731