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Notice

INSTRUMENT TO RECORD DEDICATORY INSTRUMENTS

This Instrument is being recorded by **Olde Oaks Community Improvement Association, Inc.**, a Texas nonprofit corporation (the "Association") pursuant to Section 202.006 of the Texas Property Code.

20120017259
01/13/2012 RP1 \$132.00

Section 202.006 of the Texas Property Code requires a property owners' association to record each dedicatory instrument in the real property records of the County in which the property to which the dedicatory instrument relates is located, if such instrument has not previously been recorded; and

Restrictive covenants and other matters concerning the Subdivision are set forth in Declaration previously recorded as follows:

- Olde Oaks Section 1 Film code No. 147-05-0431
 - Olde Oaks Section 2 Film code No. 111-91-1450
 - Olde Oaks Section 3 Film code No. 001-84-0990
 - Olde Oaks Section 4 Film code No. 001-84-0990
 - Olde Oaks Section 6 Film code No. 197-82-0346
 - Waterford Park Sections 1 and 2 Film code No. 512-39-1777
- 722

The Association is currently subject to the following dedicatory instruments which have not previously been recorded, to-wit:

Maintenance Assessment Delinquency Program
Deed Restriction Enforcement Program

Pursuant to Section 202.006 of the Texas Property Code, the Association does hereby record such dedicatory instruments, copies of which are attached hereto in the order set forth hereinabove.

Executed on the 5 day of December, 2011.

**Olde Oaks Community Improvement Association,
Inc.**, a Texas non-profit corporation

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By: Vincent Perna
Vincent Perna, Secretary

FILED FOR RECORD
8:00 AM

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JAN 13 2012

Stan Stewart
County Clerk, Harris County, Texas

RESOLUTION ADOPTING MAINTENANCE ASSESSMENT DELINQUENCY PROGRAM

The Maintenance Assessment Delinquency program was approved by the board of Directors of Olde Oaks Community Improvement Association, Inc on the 8th day of November, 2011.

- The Maintenance Assessment Delinquency Program is initiated following approval of an operating budget for the upcoming year by the Association Board of directors. The approved budget will determine the annual or monthly assessment required from each property. This process follows the process defined in the association Declaration of Covenants, Conditions and Restrictions (restrictions).
- The following procedures have been approved by the Board, and will be implemented by the management company under the direction of the Board. The intent of the program is to encourage owners to pay the assessment on time without having to proceed to legal collection. Therefore, several steps with associated notices are included in the program. One or more of these steps will be used in the collection process and implementation may vary depending on the balance due and circumstances for each account.

- **Payment Plan:** A payment plan is available for members who may not be able to make payment prior to the delinquency date. Details are provided in the association payment plan resolution and may be implemented through discussions with the management company.
- **Payment Options:** The management company offers several different options for payment of the assessment (check, bank issued check, credit card, etc.).
- **Annual Maintenance Assessment Statement:** The annual assessment invoice will be mailed to each property owner once the budget is approved. This invoice will include the current year assessment plus any balance that remains unpaid on the account. The invoice will provide owners with the opportunity to pay the assessment through multiple payments without a processing fee or other charge so long as the payments are made prior to the original assessment due date. A formal payment plan agreement is not required for the owner to implement this option.
- **Past Due Reminder:** The past due reminder is mailed to each property owner that has not paid their account balance in full prior to the due date established in the restrictions.
- **Delinquency Notice:** The delinquency notice will be mailed to each property owner that has not paid their account balance in full by the delinquency date established in the restrictions. This invoice will include the amount due shown in the original invoice plus interest and an administrative "late" fee charged by the association plus the administrative "collection" fee charged by the management company.
- **Lien Assessment Notice:** The lien assessment invoice notifies the owner a lien will be assessed if payment is not made by the due date or a payment plan is not established. The notice will be sent via certified and regular mail. This invoice will include the amount due shown in the last prior invoice plus interest and an administrative "late" fee charged by the association plus the administrative "collection" fee charged by the management company. A certified letter fee that includes the cost of postage and preparation for mailing will be added for the certified notice.
- **Lien Assessment:** A lien will be established if the account balance is not paid in full by the due date from the last prior notice or a payment plan entered into. The property owner will be notified that a lien is being established. The related invoice will include the amount due shown in the last prior invoice plus interest and an administrative "late" fee charged by the association plus the administrative "collection" fee charged by the management company and the cost for establishing and recording the lien and releasing and recording the lien release.
- **Final Notice before Legal Action:** The final notice before legal action invoice will be mailed to owners via certified and regular mail. It provides notification that the account balance must be paid in full with 30 days or the account will be sent to an attorney. . The notice will be sent via certified and regular mail. This invoice will include the amount due shown in the last prior invoice plus interest and an administrative "late" fee charged by the association plus the administrative "collection" fee charged by the management company. A certified letter fee that includes the cost of postage and preparation for mailing will be added for the certified notice.

- **Transfer to Attorney:** An account will be transferred to the Association attorney with board approval, after a waiting period of 30 days for payment or implementation of a payment plan by the owner. All costs related to legal action will be for the account of the property owner.
- **Interest:** Interest will be added to the account balance each month utilizing the interest rate established in the restrictions.
- **Late Fee:** An administrative late fee is invoiced to the account each month for which the balance due exceeds \$25.00.
- **Lien Release:** The lien will be released by association when payment in full is received from the property owner. A copy of the recorded lien form will be mailed to the property owner following receipt from the County Clerk.
- **Account balance:** can include the current assessment, prior year assessments, interest, collection fees, fines, legal fees or other similar charges made to the account.

CERTIFICATION

"I, the undersigned, being the Secretary of the Olde Oaks Community Improvement Association, Inc., hereby certify that the foregoing Resolution was adopted by at least a majority of the Olde Oaks Community Improvement Association, Inc. Board of Directors."

By: Vincent Perna
Vincent Perna, Secretary

Date: 12/5/11

RR 000-61-140

RESOLUTION ADOPTING A DEED RESTRICTION ENFORCEMENT PROGRAM

The following Deed Restriction Enforcement Program was approved by the board of Directors of Olde Oaks Community Improvement Association, Inc on the 8th day of November, 2011.

- The following procedures have been approved by the Board, and will be implemented by the management company under the direction of the Board. The intent of the program is to encourage owners to properly maintain their property to the general betterment of the community. Guidelines for the program will be derived from the Association restrictions and related resolutions.
- **The association management company will conduct a monthly Deed Restriction survey for properties in the subdivision to identify deed exceptions.** Documentation of exceptions and all follow-up activity will be entered into the Subdivision database and reported to the board in a monthly report. Digital photographs will be taken of more significant violations.
- **The management company will implement one or all of the following steps following the monthly survey.**
 - **Minor Infraction:** Reminder notice sent to owners where a minor violation was noted. No follow-up will be taken for these issues unless they recur.
 - **First Notice:** Sent to owner as soon as practical following initial recognition of a significant violation or when a minor violation continues over several survey periods.
 - **Second Notice:** Letter sent to owner if a violation that has received a first notice in the prior month has not been resolved in the current inspection.
 - **Delinquency Notice (Certified Mail):** Letter sent to owner if a violation has not been cleared within the notice period required in prior notices. This notice is sent via certified mail followed by regular mail in 5-7 days. The letter is constructed to establish a basis for legal action should Board decide to turn the case over to the Attorney. The owner is assessed a Delinquency fee and certified letter fee in conjunction with this notice.
 - **Legal Action:** May be authorized by board if property owner does not resolve the outstanding issue within the 30 day delinquency notice period. All related legal fees will be assessed to the property owner.
 - **Force Mow (Certified Mail):** If the violation is lawn maintenance the Board may chose to place the property on the mow list and have the landscape contractor maintain the property. Costs for the mowing will be added to the owners account.
 - **Lien:** If the infraction is significant Board may chose to execute a lien against the property in conjunction with other actions.

CERTIFICATION

"I, the undersigned, being the Secretary of the Olde Oaks Community Improvement Association, Inc., hereby certify that the foregoing Resolution was adopted by at least a majority of the Olde Oaks Community Improvement Association, Inc. Board of Directors."

By: _____

Vincent Perna, Secretary

Date: _____

12/5/11

NOTICE OF DEDICATORY INSTRUMENTS
for
OLDE OAKS COMMUNITY IMPROVEMENT ASSOCIATION, INC.

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The undersigned, being the Managing Agent for Olde Oaks Community Improvement Association, Inc. ("Association"), a property owners' association as defined in Section 202.001 of the Texas Property Code hereby certifies as follows:

1. Property: The Property to which the Notice applies is described as follows:
 - (a) Olde Oaks, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 224, Page 125 of the Map Records of Harris County, Texas and all amendments to or replats of said maps or plats, if any.
 - (b) Olde Oaks, Section Two (2), a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 244, Page 15 of the Map Records of Harris County, Texas and all amendments to or replats of said maps or plats, if any.
 - (c) Olde Oaks, Section Three (3), a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 301, Page 119 of the Map Records of Harris County, Texas and all amendments to or replats of said maps or plats, if any.
 - (d) Olde Oaks, Section Four (4), a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 301, Page 129 of the Map Records of Harris County, Texas and all amendments to or replats of said maps or plats, if any.
 - (e) Waterford Park, Section One (1), a subdivision in Harris County, Texas according to the map or plat thereof, recorded in Volume 400, Page 128 of the Map Records of Harris County, Texas being a partial replat of Olde Oaks, Section Five (5), a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 308, Page 101 of the Map Records of Harris County, Texas and all amendments to or replats of said maps or plats, if any.
 - (f) Waterford Park, Section Two (2), a subdivision in Harris County, Texas according to the map or plat thereof, recorded in Volume 385, Page 95 of the Map Records of Harris County, Texas being a partial replat of Olde Oaks, Section Five (5), a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 308, Page 101 of the Map Records of Harris County, Texas and all amendments to or replats of said maps or plats, if any.
 - (g) Olde Oaks, Section Six (6), a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 302, Page

11 of the Map Records of Harris County, Texas and all amendments to or replats of said maps or plats, if any.

2. Restrictive Covenants: The description of the documents imposing restrictive covenants on the Property, the amendments to such documents, and the recording information for such documents are as follows:

a. Documents:

- (1) Restrictions.
- (2) Protective Covenants Establishing Architectural Control.
- (3) Restrictions Olde Oaks, Section Two.
- (4) Olde Oaks, Sections 3 and 4 Restrictions.
- (5) Olde Oaks, Sections 3 and 4 Amendment to Restrictions.
- (6) Amendment to Restrictions Olde Oaks, Sections 3 and 4.
- (7) Olde Oaks, Section 6 Restrictions.
- (8) Olde Oaks, Section 6 Amendment to Restrictions.
- (9) Declaration of Covenants and Restrictions for Waterford Park.

b. Recording Information:

- (1) Harris County Clerk's File No. E861034.
- (2) Harris County Clerk's File No. H143882.
- (3) Harris County Clerk's File No. F841824.
- (4) Harris County Clerk's File No. H237475.
- (5) Harris County Clerk's File No. H376446.
- (6) Harris County Clerk's File No. J675267.
- (7) Harris County Clerk's File No. H170579.
- (8) Harris County Clerk's File No. H376445.
- (9) Harris County Clerk's File No. S381693.

3. Other Dedicatory Instruments: In addition to the Restrictive Covenants identified in Paragraph 2 above, the following documents are Dedicatory Instruments governing the Association which were previously recorded in the Official Public Records of Real Property of Harris County, Texas:

a. Document:

- (1) Notice of Filing of Restrictive Covenants, Bylaws, Articles of Incorporation and Association Documents for Olde Oaks, Sections One, Two, Three, Four and Six and Waterford Park, Sections One and Two.
- (2) Architectural Standards and Guidelines for Structures and Improvements in Olde Oaks, Sections One, Two, Three, Four and Six and Waterford Park, Sections One and Two.
- (3) First Amendment to the Architectural Standards and Guidelines for Structures and Improvements in Olde Oaks, Sections One, Two, Three, Four and Six and Waterford Park, Sections One and Two.

b. Recording Information:

- (1) Harris County Clerk's File No. U220745.
- (2) Harris County Clerk's File No. U220746.

