

AFFIDAVIT FOR FILING DEDICATORY INSTRUMENTS

STATE OF TEXAS)
)
COUNTY OF BRAZORIA)

KNOW ALL BY THESE PRESENTS:

WHEREAS section 202.006 of the Texas Property Code requires that a property owners' association file its dedicatory instruments in the real property records of the county in which the property is located, and

WHEREAS the Palm Crest Homeowners Association is a property owners' association as the term is defined in the Texas Property Code and has property located in Brazoria County, Texas,

NOW THEREFORE, true copies of the following dedicatory instruments of the Palm Crest Homeowners Association which have not been previously filed in the public records of Brazoria County are attached hereto, including:

Policy for Enforcement of Deed Restriction Violations and Implementation of Fines Approved by the Board of Directors on February 25, 2015 Effective on March 25, 2015

FURTHER, other dedicatory instruments of the Palm Crest Homeowners Association have already been filed in the public records of Brazoria County and these documents supplement the previously filed documents.

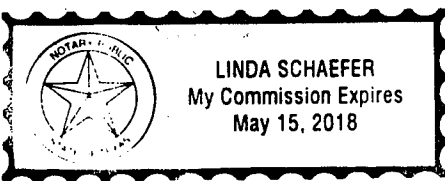
SIGNED on this 2nd day of March, 2015.

Signature: *Susan Gonzales*
By: Susan Gonzales
Title: CKM Property Management, Managing Agent for Palm Crest Homeowners Association

STATE OF TEXAS)
)
COUNTY OF BRAZORIA)

This instrument was acknowledged before me on this 2nd day of March, 2015 by Susan Gonzales.

Signature: *Linda Schaefer*
By: Linda Schaefer
Title: Notary in and for the State of Texas
My commission expires on 05/15/18



Return to: C.K.M. Property Management, Inc.
P.O. Box 160
Tomball, TX 77377-0160

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon, or photo-copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

PALM CREST HOMEOWNERS ASSOCIATION

POLICY for Enforcement of Deed Restriction Violations and Implementation of Fines

Approved by the Board of Directors on February 25, 2015

Effective on March 25, 2015

WHEREAS, according to the Covenants, Conditions and Restrictions. Section 8.10. Power to Adopt Rules and Regulations. The Association may adopt, amend, repeal and enforce rules and regulations, fines, levies and enforcement provisions as may be deemed necessary or desirable with respect to the interpretation and implementation of this Declaration.

WHEREAS, according to the Covenants, Conditions and Restrictions. Section 8.11. Power to Enforce Restrictions and Rules and Regulations. The Association shall have the power to enforce the provisions of this Declaration and the Rules and Regulations and shall take such action, as the Board of Directors deems necessary or desirable to cause such compliance by each Member and each related User.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors for the Palm Crest Homeowners Association, at their meeting on February 25, 2015, approved and adopted the following Policy for the enforcement of the restrictions and implementation of fines. These Rules and Regulations are applicable to all owners, families and guests. All owners are responsible for the instruction and compliance of their families, tenants, and/or guests as to the provisions of all the Declarations of Covenants, Conditions and Restrictions, By-Laws and these Rules and Regulations. Owners must provide a copy of these documents to their tenant(s).

Policy for Enforcement of Deed Restriction Violation and Implementation of Fines

Step 1. Each Owner is responsible for assuring that Owner's tenant(s), occupant(s), guest(s) and invitees comply with the provisions of the Declarations of Covenants, Conditions and Restrictions, and By-Laws. In the event an Owner, tenant, occupant, guest or invitee of an Owner violates any of the provision of the Declarations of Covenants, Conditions and Restrictions, and By-Laws (a "violation"), the Association, acting through the Board, shall have the authority to impose a fine as described below upon the Owner.

Step 2. First Offense, the Owner will receive a warning letter upon inspection of a violation requesting that the violation be corrected by the deadline stated in the letter

Step 3. Second Offense, of the same violation, will result in a letter mailed via U.S. Mail and Certified Mail. The second letter will advise Owner that the violation is not corrected and to correct the violation by the date specified in the letter, or communicate with CKM Property Management to negotiate alternate arrangements if extenuating circumstances exist. The letter will comply with notice requirements set forth under Texas Law including, but not limited to, the Texas Residential Property Owners Protection Act, and will advise the Owner that the Owner has the right to request a hearing before the Board of Directors. The request for a hearing must be received in writing within 30 days

from the date of the receipt of the letter. If the violation is not corrected within specified deadline date in the letter or a hearing date has not been established, the Owner will be sent Final Offense Letter.

Step 4. Final Offense, of the same violation will result in a final letter mailed via U.S. Mail and Certified Mail if the violation is not corrected by the specified date provided in the second letter. A third letter will advise Owner that a violation is reoccurring and a fine totaling \$50.00 will be imposed on the Owner's account should the owner fail to correct the violation by the date specified in the third and final letter. The request for a hearing must be received in writing within 30 days from the date of the receipt of the letter.

In the event a violation threatens the health, safety or welfare of other residents or guests (or immediate action is otherwise needed as determined by the Board with advice of legal counsel), the matter may be turned over to the Association's Attorney without sending a warning. If the matter is referred to legal counsel, legal fees will be incurred and charged to the violator.

Step 5. If the violation still occurs after the Third and Final Letter, the Association will refer the matter to legal counsel until the violation is corrected. All fees, including all attorneys' fee incurred by the Association in enforcing the Covenants, Conditions and Restrictions and By-Laws in enforcing the governing documents and Rules will be charged to the Owner from which the violation occurred and will be added to the Owner's account.

These fines would be due and payable to Palm Crest Homeowners Association no later than one month from the date of the assessment of the fine.

Step 6. The Association, acting through the Board, is hereby authorized at its sole discretion to impose a lesser fine or no fine at all for a violation of the Covenants, Conditions and Restrictions. Any adjustment to the Fine by the Board shall not be construed as a waiver of this Fine Policy or the Covenants, Conditions and Restrictions.

Step 7. This Fine Policy is in addition to any remedy the Association may have to pursue a violation of Covenants, Conditions and Restrictions and in no way limits or prevents the Association from pursuing any other remedy to enforce the Covenants, Conditions and Restrictions including dispensing with the Notice and Hearing provisions set forth in the Texas Property Code under situations where same do not apply as set forth in Section 209.006 of the Texas Property Code including, but not limited to, situations involving a deed restriction violation which is initially cured, but arises again within six (6) months of the initial cure of the same or similar violation. In this situation, the Association may, because it has already complied with the Notice requirements set forth in the Texas Residential Property Owners Protection Act, impose additional fines upon the owner of the residence that is, again within six (6) months of the initial compliance notice, in violation of the same or similar deed restriction.

Fine Schedule:

First individual offense will result in a warning letter with specified deadline to correct violation.

Second individual offense will result in a 2nd letter mailed via U.S. Mail and Certified Mail with specified deadline to correct violation. Owner will be charged back the cost associated with certified mail.

Third individual offense will result in a Final Notice mailed via U.S. Mail and Certified Mail with specified deadline to correct violation. The Owner may be assessed a \$50.00 fine if violation is not correct by specified deadline. Owner will be charged back the cost associated with certified mail.

Repeat individual offenses will be referred to Association's Attorney. All fees, including all attorneys' fee incurred by the Association in enforcing the Covenants, Conditions and Restrictions and By-Laws in enforcing the governing documents and Rules will be charged to the Owner from which the violation occurred and will be added to the Owner's account.

The fine policy conditions are as follows:

1. No one will be fined without the Association first sending a warning notice with specified date to correct the violation to the owner.
2. All warning notices shall describe the violation and provide the required date of compliance.
3. Anyone who is fined will be given a reasonable opportunity to respond to the charge.
4. To dispute a fine, the Owner must request in writing a meeting with the Board postmarked no later than thirty (30) days from the date of the letter imposing the fine, setting forth the specific nature of the Owner's dispute.
5. Notification will be sent to the writer of the letter informing him or her of the date of the Board meeting when the dispute will be discussed.
6. The owner filing the dispute will be placed on the Board Meeting agenda and the Owner will be allowed reasonable period of time to present his or her reasons why the fine should not be imposed or should be abated.
7. The Board's decision after the hearing is final and affirmed or non-appealed fines will be payable on the first of the next month after notification.
8. Should any offense reoccur within six (6) months after the first offense of a similar violation, no letter will be given, and the appropriate fine will be immediately imposed.
9. Any owner who has more than two (2) violations within sixty (60) days will be required to provide written proof of notices and action taken against any tenant(s) committing violations against the Association. The Association may request a meeting with the Owner, or take legal action to enforce the Covenants, Conditions and Restrictions, Bylaws or these rules.

The Hearing Policy conditions are as follows;

1. Appeal requests must be in writing, and must be delivered via email, fax, regular U.S. mail, or hand delivery to the Management Company (CKM Property Management) within thirty (30) days of any warning notice .
2. All fines will be held in abeyance pending an appeal hearing before the Board of Directors.
3. Written notice of appeal hearings shall be sent to the owner at their last known mailing address.
4. An Owner failure to appear at an appeal hearing shall be considered a waiver of appeal rights and all fines shall be immediately reinstated.
5. All appeal hearings shall be decided by majority vote of the Board.

Hearing Process

The following process shall be used for Palm Crest Homeowners Association in connection with any hearing before the Board of Directors requested by an owner relating to a violation. Any request for a hearing that does not comply with the process detailed below will be treated as if no request for hearing had been made by the owner receiving the notice of violation.

Step 1. A written request for a hearing shall be submitted by owner to the Palm Crest Homeowners at the following address:

Palm Crest Homeowners Association
c/o CKM Property Management
701 Clarence St. Tomball, TX 77375
PO Box 160 Tomball, TX 77377
Phone 281-255-3055 Fax 281-255-3056
Email: ckm1@ckm1.com

Step 2. The written hearing request must be received within the time deadline set forth in the notice.

Step 3. The written hearing request must include pertinent backup information, if any, that will support the existence of any extenuating circumstances or otherwise help to explain why the violation does not exist and/or is not enforceable as cited.

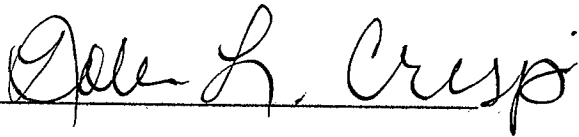
Step 4. The Board shall deliver notice of the hearing time and date by regular mail to the last known record address given by the Owner to the Association. If the Owner indicates an alternate method of notice for the hearing within the original request (e.g. email), then the Association shall oblige to the extent that such alternate delivery methods can be affected without causing undue burden or administrative difficulty upon the Association.

Step 5. Executive Session of the Board. At the hearing, the Board shall review all information and listen to an Owner's presentation. Thereafter, the Board will meet privately and render a decision based on a majority vote of the quorum of Board Members present. In the event a majority decision is not reached, a continuance hearing shall be scheduled within thirty (30) days. All decisions of the Board are final and are non-appealable. Owner will be notified of Board's decision in writing.


Step 6. All fines imposed may be collected as permitted by law.

PLEASE NOTE: The payment of fine does not grant a variance of a violation, or does it enable an owner to allow the violation to remain unabated. All violations must be corrected in a manner satisfactory to the Association.

The above Policy for Enforcement of Deed Restriction Violations and Implementation of Fines was approved by the Board of Directors of the Palm Crest Homeowners Association at a duly noticed meeting of the board on February 25, 2015, by a vote of 5 in favor, and 0 against.



Robin Crisp, President



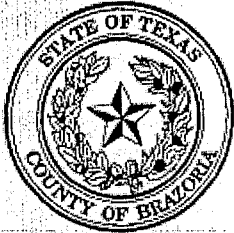
Bob Lobaugh, Vice President

FILED and RECORDED

Instrument Number: 2015009623

Filing and Recording Date: 03/06/2015 01:21:46 PM Pages: 7 Recording Fee: \$46.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in cursive script, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-amanda