



ADDITIONAL DEDICATORY INSTRUMENT
for
GREATWOOD COMMUNITY ASSOCIATION, INC.

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared Margaret R. Maddox who, being by me first duly sworn, states on oath the following:

My name is Margaret R. Maddox I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

I am the Attorney/Agent for **GREATWOOD COMMUNITY ASSOCIATION, INC.** Pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

POLICY REGARDING ASSESSMENT OF FINES FOR VIOLATIONS OF RESTRICTIVE COVENANTS AND/OR RULES AND REGULATIONS

for

GREATWOOD COMMUNITY ASSOCIATION, INC.
A TEXAS NON-PROFIT CORPORATION

DATED this 27th day of February, 2024.

GREATWOOD COMMUNITY ASSOCIATION, INC.

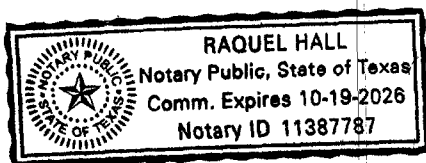
Margaret R. Maddox

BY:

Margaret R. Maddox, Attorney/Agent
(Printed Name)

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS INSTRUMENT was acknowledged before me on this the 27th day of February, 2024 by the said Margaret R. Maddox, Attorney/Agent for **GREATWOOD COMMUNITY ASSOCIATION, INC.**, a Texas non-profit corporation, on behalf of said corporation.



Raquel Hall
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

**GREATWOOD COMMUNITY ASSOCIATION, INC.
POLICY REGARDING ASSESSMENT OF FINES FOR VIOLATIONS OF
RESTRICTIVE COVENANTS AND/OR RULES AND REGULATIONS**

WHEREAS, the Community Declaration of Covenants, Conditions, and Restrictions and Supplemental Declaration for **GREATWOOD COMMUNITY ASSOCIATION, INC.** (“the Association”) is recorded in the Real Property Records of Fort Bend County, Texas under Clerk’s File Numbers 2147377/8940912 and 1999048154, respectively, along with any supplements, annexations and amendments related thereto (hereinafter referred to as the “Declaration”);

WHEREAS, Article IX, Section 3 of the Declaration authorizes the Association to impose monetary fines for violations of the Declaration or any rules and regulations or architectural guidelines adopted by the Association and specifically provides that, “[t]he Association, through its Board of Directors, may make and enforce reasonable rules and regulations governing the use of the Properties.... Sanctions for violations of this Declaration, the By-Laws, or such rules and regulations may include reasonable monetary fines;” and

NOW THEREFORE, BE IT RESOLVED THAT: the following Policy Regarding Assessment of Fines for Violations of Restrictive Covenants and/or Rules and Regulations, is intended to be imposed in compliance with Tex. Prop. Code §209.0061, is hereby adopted:

POLICY REGARDING ASSESSMENT OF FINES

The Association may, but is not obligated to, assess monetary fines for violations of the Declaration and/or any recorded dedicatory instrument of the Association including, but not limited to the following categories of violations:

- **Unapproved construction and/or exterior alterations**
- **Failure to submit a completed ACC Application**

- **Fine Schedule for All Violations:**
 - First Fine Notice: \$500.00 per violation
 - Second Fine Notice: \$1,000.00 per violation

Each of the above-listed categories of violations may be assessed fines as follows:

1. **Courtesy Notice:** Owners shall be provided with at least one written courtesy notice of violation, giving the owner 30 days to correct the violation. The Board may also direct that a reminder notice be sent giving the owner additional time to correct prior to further action.

2. **Certified Mail Notice:** Owner shall be provided with written notice of a violation by certified mail, return receipt requested, which complies with Section 209.006 of the Texas Property Code, and which gives the owner opportunity to correct the violation within 30 days to avoid the fine. Owner shall have 30 days from the date of mailing of the Certified Mail Notice to submit a written request for a hearing under Section 209.006

of the Texas Property Code; however, the Association shall not be obligated to halt further action pending the outcome of the hearing.

3. **1st Fine Notice (\$500.00 Fine):** After the expiration of 30 days from the Certified Mail Notice, notice may be sent to the owner advising that a fine of \$500.00 has been assessed and giving the owner an additional 10 days to correct in order to avoid further fines.
4. **2nd Fine Notice (\$1,000.00 Fine):** If the violation has still not been corrected, notice may be sent to the owner advising that a second fine of \$1,000.00 has been assessed. If the owner does not respond to this notice and correct the violation within 10 days, the matter will be turned over to the Association's attorney for legal action.

The Board of Directors of the Association hereby reserves the authority to levy fines which may vary on a case-by-case basis.

Information Regarding Hearings per Texas Property Code Section 209.007

1. If an owner is entitled to an opportunity to cure the violation, the owner has the right to submit a written request for a hearing to discuss and verify facts and resolve the matter in issue before the board.¹
2. The Association shall hold a hearing under this section not later than the 30th day after the date the board receives the owner's request for a hearing and shall notify the owner of the date, time, and place of the hearing no later than the 10th day before the date of the hearing. The board or the owner may request a postponement, and, if requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties. The owner or the association may make an audio recording of the meeting.
3. An owner or the Association may use alternative dispute resolution services.
4. Not later than 10 days before the Association holds a hearing under this section, the Association shall provide to an owner a packet containing all documents, photographs, and communications relating to the matter the Association intends to introduce at the hearing.
5. If the Association does not provide a packet within the period described by Subsection (f), an owner is entitled to an automatic 15-day postponement of the hearing.
6. During a hearing, a member of the board or the Association's designated representative shall first present the Association's case against the owner. An owner or the owner's designated representative is entitled to present the owner's information and issues relevant to the appeal or dispute.

¹ Note: The notice and hearing provisions of Section 209.006 and 209.007 do NOT apply if the Association is filing a lawsuit seeking a temporary restraining order, temporary injunctive relief, or foreclosure as a cause of action. They also do not apply to a temporary suspension of a person's right to use common areas if the temporary suspension is the result of a violation that occurred in a common area and involved a significant and immediate risk of harm to others in the subdivision. The temporary suspension is effective until the board makes a final determination on the suspension action after following the procedures prescribed by this section.

CERTIFICATION

I, Delise Jung, President of **GREATWOOD COMMUNITY ASSOCIATION, INC.** do hereby certify that in the open session of a properly noticed meeting of the Board of Directors of the Association, duly called and held on the 25th day of January, 2024, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, this **POLICY REGARDING ASSESSMENT OF FINES FOR VIOLATIONS OF RESTRICTIVE COVENANTS AND/OR RULES AND REGULATIONS** was duly approved by at least a majority vote of the members of the Board present at said meeting.

Subsequent to recording, a copy of this Policy shall be provided to all owners of record by posting a copy on the internet website maintained by the Association and shall be made available on any publicly accessible internet website maintained by the Association or an agent acting on behalf of the Association pursuant to Tex. Prop. Code §209.0061(d).

This Policy supersedes any previously adopted resolution regarding assessment of fines for violation of restrictive covenants.

This Policy was approved by the Board of Directors of **GREATWOOD COMMUNITY ASSOCIATION, INC.** on the 25th day of January, 2024.



Board Member Signature
Delise A Jung

Print Name