

**COUNTRYPLACE MASTER COMMUNITY ASSOCIATION  
GUIDELINES FOR AGE RESTRICTION ENFORCEMENT AND  
VERIFICATION**

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZORIA   §

WHEREAS CountryPlace Master Community Association, Inc., (hereinafter the “Association”) is a Texas nonprofit corporation and the governing entity for CountryPlace, Sections 1-13, and CountryGrove, Sections 1-5, and CountryPlace .26706 acres, additions in Brazoria County, Texas, according to the maps or plats thereof, recorded in the Map Records of Brazoria County, Texas, under Clerk’s File Nos. 1981-038322, 1989-005475, 1991-021175, 1992-011546, 1993-024365, 1993-024364, 1995-008055, 1994-031022, 1994-031023, 1995-025796, 1996-029983, 1996-000789, 2001-020032, 1982-014750, 1982-014751, 1984-041499, 1990-033461, 1992-011547, and, Volume 301 Page 686, respectively, along with any amendments, replats and supplements thereto, and any other property under the jurisdiction of the Association (hereinafter the “Subdivision”); and,

WHEREAS the Association and the Subdivision are governed by the Amended and Restated Master Declaration of Covenants, Conditions and Restrictions for CountryPlace and CountryGrove, recorded in the Real Property Records of Brazoria County, Texas, under Document No. 2001020032 (hereinafter the “Declaration”); and,

WHEREAS Article I, Section 1.06 of the Declaration defines “Qualified Occupant” as meaning “a permanent resident of [the Subdivision] who is fifty-five (55) years of age or older;” and,

WHEREAS Article II, Section 2.03 of the Declaration provides that it is intended that CountryPlace provide housing for persons who are fifty-five (55) years of age or older in accordance with The Housing for Older Persons Act of 1995 (the “Act”), and that the requirements of Sections 2.02 and 2.03 are imposed in compliance with the Act; and,

WHEREAS Article II, Section 2.03 A. provides that each of the occupied Lots in CountryPlace shall be occupied by at least one Qualified Occupant, and in the event a Lot loses its Qualified Occupant(s) the Owner of the Lot shall, within six (6) months of the date of such loss, bring the Lot into compliance with this paragraph; and,

WHEREAS Article II, Section 2.03 C. provides that “no resident shall be under the age of eighteen (18)years, provided, however, that a member of the family of the Qualified Occupant under the age of eighteen (18) years may reside in the residence for periods of time not to exceed thirty (30) days per calendar year”; and,

WHEREAS Article II, Section 2.03 D. of the Declaration provides “at the request

of the CPMCA [the Association] the occupants and intended occupants of the Lots shall provide proof that at least one (1) is a Qualified Occupant”; and,

WHEREAS the laws of the State of Texas and the United States, including the Act, require the Association to document and demonstrate its status as an age-restricted community; and,

WHEREAS if the Association fails to compile documentation as to the age of the Subdivision’s occupants to demonstrate that it is in compliance with the requirements of the Act and the Declaration, the Association could lose its status as an age-restricted community and be denied the benefits afforded to it under the Act and the laws of the State of Texas and the United States; and,

WHEREAS there is a need to adopt policies and procedures by which the Association can assure compliance with the age-restrictions set forth in the Declaration and compliance with the Act and, therefore, may require Owner to demonstrate that the Lot is in compliance with the age-restrictions; and,

WHEREAS this Dedicatory Instrument consists of Restrictive Covenants as defined by Texas Property Code §202.001, et. seq, and the Association shall have and may exercise discretionary authority with respect to these Restrictive Covenants.

NOW THEREFORE, pursuant to the foregoing, and as evidenced by the certification attached hereto, the Association’s board of directors hereby adopts and imposes on the Subdivision the following Guidelines for Age Restriction Enforcement and Verification:

**GUIDELINES FOR AGE RESTRICTION ENFORCEMENT AND VERIFICATION**

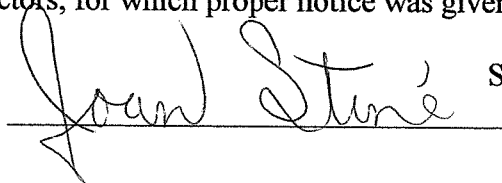
- The Association shall, from time to time as determined by the Association’s board of directors and consistent with state and federal reporting/verification requirements, propound to each Owner who has not provided the Association within the preceding twelve (12) months the ages of all persons residing on Owner’s Lot, a written questionnaire (a “Survey”) requesting information as to the age of the person or persons residing on said Owner’s Lot.
  - In the event the Association propounds a Survey upon an Owner, the Association shall mail the Survey to said Owner at the Owner’s address of record as listed in the Association’s records.
- All Owners receiving a Survey must respond to the Survey, in the form and through the means indicated thereon, within the response time described on the Survey, which in no event shall be fewer than fourteen (14) days from the date the Association propounds the Survey.

- Any Owner who fails to respond to a Survey, fully, completely, and in accordance with the instructions detailed on the Survey, shall be in violation of these Guidelines and may be subject to fines and other penalties, as outlined herein.
  - Except as provided for herein, before any fine is imposed for failing to respond to the Survey, the Association shall first provide the violating Owner a letter by certified mail, demanding that said Owner return a fully completed Survey within thirty (30) days, and said letter shall include a copy of the Survey and instructions for completing and submitting same. Such letter shall further provide any and all notice(s) required by Section 209.006 of the Texas Property Code, or its successor statute, and the letter shall inform the Owner of, and the Association shall allow the Owner the opportunity to exercise, all rights, remedies, and opportunities, made available to the Owner under Section 209.006 of the Texas Property Code, or its successor statute, or other applicable law.
  - Any Owner who fails to return a complete Survey to the Association within thirty (30) days of the date of the above-referenced certified letter shall be fined three hundred dollars (\$300.00). If, after that thirtieth (30th) day from the date above-referenced, the Owner shall continue to fail to return a complete Survey to the Association then such Owner shall be fined an additional ten dollars (\$10.00) every day until the Owner returns a complete Survey to the Association.
- Any Owner who allows any person to reside on Owner's Lot in violation of the Declaration is subject to fine(s) as outlined herein.
  - Except as provided for herein, before any fine is imposed on an Owner for violating Section 2.03 of the Declaration, or otherwise in any manner in violation of the Declaration, the Association shall first provide the violating Owner a letter by certified mail, demanding that said Owner cure the violation and said letter shall further provide any and all notice(s) required by Section 209.006 of the Texas Property Code, or its successor statute, and the letter shall inform the Owner of, and the Association shall allow the Owner the opportunity to exercise, all rights, remedies, and opportunities, made available to the Owner under Section 209.006 of the Texas Property Code, or its successor statute, or other applicable law. If the violation in question is a violation of Section 2.03.A of the Declaration, the aforementioned letter shall provide the Owner notice that the violation must be cured within six (6) months of the date of the mailing of said notice, as required by the Declaration; all other notices pertaining to any other age-restricted violations shall provide that the violation in question must be cured within thirty (30) days of the mailing of said notice, unless otherwise required by the Declaration.

- Any Owner who allows Owner's Lot to be occupied in a manner that violates Section 2.03 of the Declaration, or occupied in a manner that otherwise violates the Declaration, shall, upon lapse of any applicable cure period provided in a notice described in the preceding Section 4.a., be fined five hundred dollars (\$500.00), and shall be fined an additional five hundred dollars (\$500.00) every thirty (30) days until such a time as Owner's Lot is not occupied in a manner that violates Section 2.03 of the Declaration or otherwise occupied in a manner that violates the Declaration.
- Any Owner who fails to cure any violation of the Declaration and these Guidelines within the time provided pursuant to the notice sent to the Owner pursuant to Section 4.a. above, may be suspended from any and all use of the Association's amenities and common area until such a time as the violation is cured.
- Any and all fines levied pursuant to these Guidelines shall be charged to the violating Owner's CountryPlace Master Community Association, Inc., account, and may be collected by any legal means available to the Association under the Declaration and the laws of the State of Texas.
- In the event any Owner violates, and continues to violate, the Declaration and these Guidelines subsequent to the Association levying fine(s) on Owner's account, the Association may take any additional action, and avail itself of any and all remedies available to it, under the laws of the State of Texas.
- In the event any provision of these Guidelines is held to be illegal, invalid, or unenforceable, such provision is fully severable, and these Guidelines must and shall be construed and enforced as if such illegal, invalid, or unenforceable provision never comprised a part of these Guidelines; and the remaining provisions of these Guidelines shall remain in full force and effect and may not be affected by the illegal, invalid, or unenforceable provision or its severance.

**CERTIFICATION**

"I, the undersigned, being a director of CountryPlace Master Community Association, Inc., hereby certify that the foregoing was adopted by at least a majority of CountryPlace Master Community Association, Inc.'s board of directors, at an open meeting of the board of directors, for which proper notice was given."



Signature:

Printed  
Joan Stine

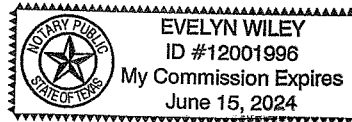
Name:

STATE OF TEXAS §  
  §  
COUNTY OF BRAZORIA §

BEFORE ME, the undersigned authority, on this day personally appeared Joan Stine, a director of CountryPlace Master Community Association, Inc., and known by me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that they are the person who signed the foregoing document, in their representative capacity, and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 18 day of January, 2022.

Evelyn Wiley  
Notary Public, State of Texas

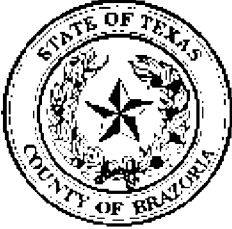


# FILED and RECORDED

Instrument Number: 2022005562

Filing and Recording Date: 01/28/2022 09:49:52 AM Pages: 6 Recording Fee: \$47.00

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 black ink, appearing to read "Joyce Hudman".

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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-juanita