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Notice
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CERTIFICATION

STATE OF TEXAS §

COUNTY OF HARRIS §

I, the undersigned, pursuant to §202.006 of the Texas Property Code, do hereby certify, as follows:

- (1) I am an Agent for Southdown Village Community Association, Inc. a Texas non-profit corporation;
- (2) The following instruments are attached hereto as Exhibits "A," "B," "C" & "D":
 - i) Payment Plan Policy (Exhibit "A")
 - ii) Records Retention Policy (Exhibit "B")
 - iii) Books and Records Production Policy (Exhibit "C")
 - iv) Regulation of Solar Panels, Roof Shingles, Flags, Flag Poles, Religious Items and Rain Barrels (Exhibit "D")

(3) The property affected by the above referenced documents is described in Exhibit "E" attached hereto; and

(4) The attached documents are true and correct copies of the originals.

IN WITNESS WHEREOF, I have hereunto subscribed my name on this the 8 day of November, 2011.

Steve S. Hatcher, President
Southdown Village Community Association, Inc. *br*

STATE OF TEXAS §

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on the day personally appeared Steve S. Hatcher, President for the Southdown Village 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 he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 8 day of November, 2011.

Melinda Rodriguez
NOTARY PUBLIC, STATE OF TEXAS

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After recording return to:
HOLT & YOUNG, P.C.
11200 Richmond Ave., Suite 450
Houston, Texas 77082



RP 080-16-1322

Exhibit "A"

SOUTHDOWN VILLAGE COMMUNITY ASSOCIATION
PAYMENT PLAN POLICY

This payment plan policy was approved by the board of Directors for Southdown Village Community Association, on the 21st day of September, 2011.

- 1) Owners are entitled to one approved payment plan to pay their annual assessments.
- 2) All payment plans require a down payment and monthly payments.
- 3) Upon Request, an Owner may obtain approval for a payment plan consisting of a down payment of 25% down, with the balance paid off in 3 monthly installments. If an owner makes a request he or she will be allowed a payment plan.
- 4) If an owner defaults on the payment plan, the payment plan is automatically terminated and the Association is not obligated to make another payment plan with the owner for the next two years.
- 5) Alternative payment plan proposals must be submitted to and approved by the Association. The Association is not obligated to approve alternative payment plan proposals.
- 6) The Association cannot charge late fees during the course of a payment plan, but can charge interest at the rate it is entitled to under its Governing Documents, 6%, and can charge reasonable costs of administering the payment plan.

SOUTHDOWN VILLAGE COMMUNITY ASSOCIATION

CERTIFICATION

"I, the undersigned, being the President of Southdown Village Community Association, hereby certify that the foregoing Resolution was adopted by at least a majority of the Association Board of Directors."

By: Steve Hatcher, President

Print name: Steve Hatcher

Exhibit "B"

SOUTHDOWN VILLAGE COMMUNITY ASSOCIATION
RECORDS RETENTION POLICY

This Record Retention Policy was approved by the board of Directors for Southdown Village Community Association, on the 21 day of September, 2011.

The Association shall maintain its records as follows:

<u>RECORD</u>	<u>RETENTION PERIOD</u>
Certificate of Formation/Articles of Incorporation, Bylaws, Declarations and all amendments to those documents.	PERMANENT
Association Tax Returns and Tax Audits	SEVEN (7) YEARS
Financial Books and Records	SEVEN (7) YEARS
Account Records of Current Owners	FIVE (5) YEARS
Contracts with a term of more than one year	FOUR (4) YEARS AFTER CONTRACT EXPIRES
Minutes of Member Meetings and Board Meetings	SEVEN (7) YEARS

Records not listed above are not subject to mandatory retention, but may be retained at the Association's discretion.

SOUTHDOWN VILLAGE COMMUNITY ASSOCIATION

CERTIFICATION

"I, the undersigned, being the President of Southdown Village Community Association, hereby certify that the foregoing Resolution was adopted by at least a majority of the Association Board of Directors."

By: Steve Hatcher, President

Print name: Steve Hatcher

Exhibit "C"

SOUTHDOWN VILLAGE COMMUNITY ASSOCIATION
RECORDS PRODUCTION POLICY

This Record Production Policy was approved by the board of Directors for Southdown Village Community Association, on the 21 day of September, 2011.

I. Copies of Association records will be available to all Owners upon their proper request and at their own expense.

- a. Request must be sent certified mail to the Association's address as reflected in its most recent management certificate;
- b. Request must be from an Owner, or the Owner's agent, attorney, or certified public accountant; and
- c. Request must contain sufficient detail to identify the records being requested.

II. Owners may request to inspect the books and records or may request copies of specific records.

- If the owner makes a request to inspect the books and records, then the Association will respond within **10 business days** of the request, providing the dates and times the records will be made available and the location of the records. The Association and the owner shall arrange for a mutually agreeable time to conduct the inspection. The Association shall provide the owner with copies of specific documents upon the owner paying the Association the cost thereof.
- If the owner makes a request for copies of specific records, the Association shall send a response letter advising on the date that the records will be made available. (within **15 business days**) and the cost the owner must pay before the records will be provided. Upon paying the cost to provide the records, the Association shall provide the records to the owner.

III. The Association hereby adopts the following schedule of costs:

<u>COPIES</u>	10 cents per page, for a regular 8.5" x 11" page
	50 cents per page, for pages 11" x 17" or greater
	Actual cost, for specialty paper (color, photograph, map, etc...)

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Exhibit "C"

LABOR \$15.00 per hour for actual time to locate, compile and reproduce the records.
(can only charge if request is greater than 50 pages in length)

OVERHEAD 20% of the total labor charge
(can only charge if request is greater than 50 pages in length)

MATERIALS actual costs of labels, boxes, folders, and other supplies used in producing the records, along with postage for mailing the records

IV. The Association hereby adopts the following form of response to Owners who request to inspect the Association's Books and Records:

SOUTHDOWN VILLAGE COMMUNITY ASSOCIATION
RESPONSE TO REQUEST FOR ASSOCIATION RECORDS

September 21, 2011

Dear Homeowner,

On September 21, 2011, the Association received your request to inspect the books and records of the Association. The books and records of the Association are available for you to inspect on regular business days, between the hours of 9a.m. and 5 p.m. Monday -Thursday, at the office of Graham Management, 12000 Westheimer, Suite 390, Houston, Texas 77077.

Please contact the Association manager at 281-497-4320 to arrange for a mutually agreeable time for you to come and inspect the books and records. Please be advised that if you desire copies of specific records during or after the inspection, you must first pay the associated costs before the copies will be provided to you. A schedule of costs is included with this response.

Very Truly Yours,
Southdown Village Community Association

V. The Association hereby adopts the following form of response to Owners who request copies of specific records:

Exhibit "C"

**SOUTHDOWN VILLAGE COMMUNITY ASSOCIATION
RESPONSE TO REQUEST FOR ASSOCIATION RECORDS**

September 21, 2011

Dear Homeowner:

On September 21, 2011, the Association received your request for copies of specific Association records. We are unable to provide you with the requested records within 10 business days of your request. However, the requested records will be available to you no later than 15 business days after the date of this response.

In order to obtain the records you must first pay the Association the cost of providing the records to you. The estimated cost to obtain the records you requested is \$ _____. Upon receiving payment, the Association will mail the requested documents to you. You may also make payment and pick up the documents in person at the office of Graham Management, 12000 Westheimer, Suite 390, Houston, Texas 77077.

Very Truly Yours,
Southdown Village Community Association

- RF 080-16-1327
- VI. If the estimated cost provided to the Owner is more or less than the actual cost of producing the documents, the Association shall, within 30 days after providing the records, submit to the owner either an invoice for additional amounts owed or a refund of the overages paid by the Owner.**
- VII. Unless authorized in writing or by court order, the Association will not provide copies of any records that contain the personal information of an owner, including restriction violations, delinquent assessments, financial information, and contact information to any owner. All owners may obtain their own records.**

SOUTHDOWN VILLAGE COMMUNITY ASSOCIATION

CERTIFICATION

"I, the undersigned, being the President of Southdown Village Community Association, hereby certify that the foregoing Resolution was adopted by at least a majority of the Association Board of Directors."

By: Steve Hatcher, President

Print name: Steve Hatcher

Exhibit "D"

**SOUTHDOWN VILLAGE COMMUNITY ASSOCIATION
REGULATION OF SOLAR PANELS, ROOF SHINGLES,
FLAGS, FLAG POLES, RELIGIOUS ITEMS AND RAIN BARRELS**

These Regulations were approved by the board of Directors for Southdown Village Community Association on the 8 day of November, 2011, to be effective January 1, 2012.

I. Solar panels are permitted to the extent required by 202.010 of the Texas Property Code, subject to the following regulations:

- 1) The owner shall first apply to and receive written approval from the ACC prior to installation of any solar panels or other solar items (collectively "Solar Panels") permitted by 202.010.
- 2) Solar Panels shall be located in a fenced-in yard or patio, OR on the roof of the house or other approved structure, not visible from the front of the structure, and in a location approved by the ACC (subject to any limitation imposed by 202.010).
- 3) Solar Panels shall be located entirely on the property of the owner erecting the Solar Panels and shall not be located on any other lot, property or common area.
- 4) When mounted on a structure, no Solar Panel may be higher or wider than the roofline of the structure it is mounted on.
- 5) When mounted on a structure, the top edge of all Solar Panels shall be parallel with the roofline and shall conform to the slope of the roofline.
- 6) If located in a fenced-in yard or patio, the Solar Panels shall be lower than the fence line of the yard or patio.
- 7) Solar Panel frames, brackets, wires and pipes shall be a shade of silver, bronze or black.
- 8) An Owner wishing to obtain approval of the installation of a solar panel or device that does not comply with any single criteria above must demonstrate that an alternative location will enable the panel or device to generate more than 10% greater production in the alternative location.

II. To the extent required by 202.011 of the Texas Property Code, Owners are entitled to install roof shingles designed primarily to be wind and/or hail resistant; shingles that provide heating and cooling efficiencies greater than those provided by customary composite shingles; and shingles that provide solar generation

Exhibit "D"

capabilities (collectively referred to as "Alternative Shingles"), subject to the following regulations:

An Owner must obtain prior written authorization of the Architectural Control Committee ("ACC"), to place or install any type of shingle or roofing material on the exterior of any improvement located on a Lot within the Subdivision. Roof Shingles will be approved upon the submission of a proper application to the ACC proposing an installation of roof shingles that is within the parameters set forth in Chapter 202.011 of the Texas Property Code and any other permissible criteria required by the ACC.

Roof shingles that satisfy all of the criteria of each subparagraph one through four below will be approved for installation.

1. shingles are either designed primarily to
 - a) be wind and hail resistant;
 - b) provide heating and cooling efficiencies greater than those provided by customary composite shingles; or
 - c) provide solar generation capabilities.
2. the shingles resemble the shingles used on property in the subdivision.
3. the shingles are more durable than and are of equal or greater quality to the shingles used on property in the subdivision.
4. the shingles match the aesthetics of the property surrounding the owner's property.

III. To the extent required by 202.012 of the Texas Property Code, Owners are entitled to display a United States Flag, a Texas State Flag, or a replica flag of any branch of the United States Armed Forces ("Permitted Flags"), and to install a flag pole on their property for the purpose of displaying the Permitted Flags; subject to the following regulations:

- 1) The Owner shall first apply to and receive written approval from the ACC prior to installation of any flag pole.
- 2) United States Flags must be displayed in accordance with 4 U.S.C. Sections 5-10.
- 3) The Texas Flag must be displayed in accordance with Chapter 3100 of the Texas Government Code.
- 4) Only Permitted Flags may be displayed within the Association.
- 5) Permitted Flags shall be displayed from a pole attached to a structure OR from a free-standing pole. Permitted Flags may not be draped over or directly attached to structures. For example, a Permitted Flag may not be laid across a fence or stapled to a garage or entry door.

Exhibit "D"

- 6) A flag pole attached to a structure shall be limited to one per lot, shall be no more than 6 feet long and shall be securely attached by a bracket with an angle of 30 to 45 degrees down from vertical. The flag pole shall be attached in such a manner as to not damage the structure. One attached flag pole is allowed on the front portion of a structure facing the street in a location approved by the ACC. Brackets which accommodate multiple flag poles are prohibited.
- 7) A flag pole, whether attached to a dwelling or freestanding, shall be constructed of permanent, long-lasting materials with a finish appropriate to the materials used in the construction of the flag pole and harmonious with the dwelling. Flag poles shall be commercially produced and not home-made, they shall not be constructed of wood or plastic.
- 8) Only one Permitted Flag may be displayed on a flag pole attached to a structure; up to two Permitted Flags may be displayed on an approved free-standing flag pole that is at least 14 feet tall.
- 9) The flag display and flag pole shall conform to all setbacks, easements, and zoning ordinances.
- 10) Flags and flag poles must be maintained in good condition; flags and poles that are deteriorating or represent an unsafe condition shall be repaired, replaced or removed.
- 11) Free-standing flag poles, are limited to one per lot, in a location approved by the ACC in writing, and shall not exceed 20 feet in height (including any ornamental cap) and 9 inches in diameter. Free-standing flag poles shall be permanently installed in the ground according to the manufacturer's instructions.
- 12) Permitted Flags are limited in size to 3 feet tall by 5 feet wide.
- 13) Lighting may be installed to illuminate Permitted Flags if they will be displayed at night and if existing ambient lighting does not provide proper illumination. Flag lighting shall be:
 - a) approved in writing by the ACC prior to installation, and
 - b) shall be ground mounted in the vicinity of the flag, and
 - c) shall utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover, and
 - d) shall point towards the center of the flag and face the main structure on the property or to the center of the property if there is no structure, and

Exhibit "D"

Exhibit "D"

- e) shall not provide illumination exceeding the equivalent of a 60 watt incandescent bulb.
- 14) Flag poles shall not generate unreasonable noise levels which would disturb the surrounding residents. In order to minimize noise all flag poles shall utilize vinyl or plastic snap hooks, shall utilize snap hook covers and may secure a rope around the flag pole with a flag pole clasp, or do whatever else is necessary to comply.
- 15) An owner can only place a flag pole or flag on his own property and no other lot, property or common area.
- 16) Flag poles are permitted solely for the purpose of displaying Permitted Flags. If a flag pole is not longer used on a daily basis it shall be removed by the Owner.

IV. Religious Items related to any faith that is motivated by an Owner's sincere religious belief or tradition, may be displayed, as required by 202.018 of the Texas Property Code, subject to the following regulations:

- 1) The religious item cannot threaten public health or safety.
- 2) The religious item cannot violate any law.
- 3) The religious item cannot contain language, graphics or other display that is patently offensive to a passerby.
- 4) The religious item must be located on the entry door or entry door frame and cannot extend past the outer edge of the door frame of the dwelling.
- 5) The maximum space allotted to a religious item or combination of religious items shall be no more than 25 square inches.
- 6) The Association may remove any item that does not conform to these regulations.

V. Rainwater Recovery Barrels or Systems ("Barrels/System") shall be permitted to the extent required by 202.007(d), subject to the following regulations:

- 1) The Owner shall first apply to and receive written approval from the ACC prior to installation of any Barrels/System.
- 2) The Barrels/System must be of a color that is consistent with the color scheme of the owner's home.

Exhibit "D"

- 3) The Barrels/System cannot be located between the front of the owner's home and an adjoining or adjacent street. (the front yard)
- 4) The Barrels/System must not display any language or other content that is not typically included on the item when it is manufactured.
- 5) The Association may regulate the size, type, materials and manner of screening for Barrels/System that are visible from the street, another lot, or common area.
- 6) There must be sufficient area on the owner's property to install the Barrels/System, no Barrels/ System shall be located on or extend onto any property other than the owner's lot.
- 7) Other than gutters and downspouts conventionally attached to a dwelling or appurtenant structure, all components of the Barrels/ System, such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes and hoses, must be substantially screened from public view from any street or common are.
- 8) Screening may be accomplished by an approved solid fence, structure or vegetation; by burying the tanks/barrels; or by placing the equipment in an outbuilding approved by the ACC.
- 9) A rain barrel may be placed in a location visible from public view from any street or common area only if the configuration of the guttering system on the structure precludes screening as described above, so long as:
 - a) the barrel does not exceed 55 gallons, and
 - b) the barrel is installed in close proximity to the structure on a level base with the guttering downspout leading directly to the barrel inlet at a substantially vertical angle, and
 - c) the barrel is fully painted in a single color to blend with the adjacent home or vegetation, and
 - d) any hoses attached to the barrel discharge must be neatly coiled and stored behind or beside the rain barrel in the least visible location when not in use.
- 17) Overflow lines from a System must not be directed onto or adversely affect adjacent properties or common areas.
- 18) Inlets, ports, vents and other openings must be sealed or protected with mesh to prevent children, animals and debris from entering the barrels, tanks or other storage devices. Open top storage containers are prohibited, however,

Exhibit "D"

Exhibit "D"

where space allows and where appropriate as determined by the Association, ACC approved ponds may be used for water storage.

- 19) Harvested water must be used and is not allowed to become stagnant or a threat to health.
- 20) All systems shall be maintained in good repair. Unused systems should be drained and disconnected from the gutters. Any unused Systems in public view must be removed from public view of any street or common area.

The Association, through its Board of Directors, shall have and may exercise discretionary authority concerning the restrictive covenants contained herein.

SOUTHDOWN VILLAGE COMMUNITY ASSOCIATION

CERTIFICATION

"I, the undersigned, being the President of Southdown Village Community Association, hereby certify that the foregoing Resolution was adopted by at least a majority of the Association Board of Directors."

By: Steve Hatcher, President

Print name: Steve Hatcher

Exhibit "E"

The property affected by the Payment Plan Policy, Records Retention Policy, Books and Records Production Policy and Regulation of Solar Panels, Roof Shingles, Flags, Flag Poles, Religious Items and Rain Barrels for the Southdown Village Community Association, Inc. is described as, to wit:

Copperfield Southdown Village, Section 1, an addition in Harris County, Texas, according to the map or plat thereof recorded under Volume 288, Page 84, of the Map Records of Harris County, Texas;

(8)
hell

Copperfield Southdown Village, Section 2, an addition in Harris County, Texas, according to the map or plat thereof recorded under Volume 315, Page 133 of the Map Records of Harris County, Texas;

hell

Copperfield Southdown Village, Section 3, an addition in Harris County, Texas, according to the map or plat thereof recorded under Volume 320, Page 20 of the Map Records of Harris County, Texas;

hell

Copperfield Southdown Village, Section 4, an addition in Harris County, Texas, according to the map or plat thereof recorded under Volume 320, Page 142 of the Map Records of Harris County, Texas;

hell

Copperfield Southdown Village, Section 5, an addition in Harris County, Texas, according to the map or plat thereof recorded under Volume 338, Page 122 of the Map Records of Harris County, Texas;

hell

Copperfield Southdown Village, Section 6, an addition in Harris County, Texas, according to the map or plat thereof recorded under Volume 341, Page 59 of the Map Records of Harris County, Texas;

hell

Copperfield Southdown Village, Section 7, an addition in Harris County, Texas, according to the map or plat thereof recorded under Volume 342, Page 98 of the Map Records of Harris County, Texas;

hell

Copperfield Southdown Village, Section 8, an addition in Harris County, Texas, according to the map or plat thereof recorded under Volume 344, Page 84 of the Map Records of Harris County, Texas;

hell

Exhibit "E"

SOUTHDOWN VILLAGE COLLECTION POLICY

ADMINISTRATIVE RESOLUTION: Delinquent Assessments

WHEREAS, Article IV, Section 3, of the Declaration of Covenants, Conditions, and Restrictions for Southdown Village Community Association, Inc., provides that the due date for the assessments shall be January 1 of each year;

AND WHEREAS, Article IV, Section 7, of the Declaration of Covenants, Conditions, and Restrictions provides that assessments which are not paid within 30 days after the due date shall be delinquent;

AND WHEREAS, there is a need to establish orderly procedures for the collection of assessments which remain unpaid past their due date;

AND WHEREAS, it is the intent of the Board to establish steps for the collection of delinquent assessments be as follows:

1. The annual assessment shall be due and payable on the first day of January of each year.
2. Any assessments which are not paid by January 31st shall be delinquent.
3. Delinquent assessments shall be assessed a late fee in the amount of \$50.00
4. Delinquent assessments shall bear interest at the rate of 6% per annum until paid.
5. On approximately February 15th, a notice of delinquency shall be mailed to owners who are still delinquent. The notice shall specify the amount of the delinquent payments and the interest accrued as of that date and include a notice informing the owner that they are entitled to pay their delinquency by entering into an installment repayment agreement as provided in the Association's Payment Plan Policy.
6. If the assessment is not paid by March 15th, a notice of delinquency shall be mailed regular and certified mail and shall include a demand for payment of the full amount owing which includes the assessment plus late fees, certified letter fees and all other costs to date within thirty (30) days. This letter will also provide notice to the owner that if the delinquency is not resolved within the deadline in the letter, the matter will be referred to the attorney and all legal fees incurred will be charged to the owner's assessment account.

7. If timely response to the demand for payment is not received, the Association's attorney will issue a legal demand letter for payment of the full amount owing including the assessment, interest accrued as of that date, and legal fees incurred on that account as of that date. The letter will also state that all Southdown Village Recreation Privileges are suspended and all future legal fees incurred will be added to the account.

8. In the event the delinquent account remains unpaid, the Board will review the accounts with the Managing Agent and shall elect a remedy of law.

This resolution is in addition to and shall in no way whatsoever detract from the rights of the Association as specified in the Southdown Village Declarations.

SOUTHDOWN VILLAGE COMMUNITY ASSOCIATION

CERTIFICATION

"I, the undersigned, being the President of Southdown Village Community Association, hereby certify that the foregoing Resolution was adopted by at least a majority of the Association Board of Directors."

By: Steve Hatchel, President

Print name: Steve Hatchel

STATE OF Texas, COUNTY OF Harris

This instrument was acknowledged before me on the 8 day of November, 2011 by

Steve Hatchel, President of Southdown Village Community Association

Melinda Rodriguez

Notary Public in and for The State of Texas



**FILED FOR RECORD
8:00 AM**

DEC 12 2011

Stan Stewart
County Clerk, Harris County, Texas

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

DEC 12 2011



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

RECORDER'S MEMORANDUM:
At the time of recording, this instrument was found to be in poor condition 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.