



Texana Plantation Homeowners Association, Inc.

RESOLUTION & FINE SCHEDULE:

(Adopted this 17th day of May, 2011): The Board of Directors of Texana Plantation Homeowners' Association, Inc. (the "Association"), does hereby make the following resolutions. It is hereby

Resolved: To adopt the following Fine Schedule for violations of the Declaration of Covenants, Conditions and Restrictions specifically related to the Architectural Review Committee and non-compliance with the approval process related to new construction and modifications to existing structures which will be applicable to every section of Texana Plantation recorded in the Official Public Records of Real Property of Fort Bend County, Texas.

- A. An initial fine of two hundred dollars (\$200.00) for commencing construction prior to submitting plans or prior to obtaining approval of any plans submitted to the ARC (new construction or modifications to existing home sites).
- B. An additional fine of one hundred dollars (\$100.00) per month until the plans are either submitted and approved or, if previously submitted, approved.
- C. Additionally, a fine of one hundred dollars (\$100.00) per month for non-compliance with approved plans which will continue until compliance is achieved.

The owner shall be notified in writing of the violation (violation letter) and resulting fine and be given instructions on how to achieve compliance. The violation letter shall be sent by certified mail, return receipt requested, to the last known mailing address of the owner according to the records of the Association. The violation letter shall describe the violation, provide a reasonable period to cure the violation and avoid the fine (unless the owner was given notice and a reasonable opportunity to cure a similar violation within the preceding 6 months), and notify the owner of the right to request a hearing on or before the 30th day after the date the owner receives the notice. A reasonable period to cure a violation which involves the commencement of construction prior to submitting plans for approval shall be five (5) days so long as plans are submitted within the 5-day period and construction ceases upon the receipt of the violation letter. A violation which involves the commencement of construction prior to obtaining approval of submitted plans must be cured upon the receipt of the violation letter by ceasing construction until the plans previously submitted are approved; only if the owner ceases construction upon the receipt of the violation letter until such time that the plans are approved may the owner avoid a fine.

Fines may be taken from any deposit held for construction on the property in question.


Fines may be levied for violations in addition to, not in lieu of, other remedies available to the Association. The Board shall at any time have the right to undertake any action authorized by the Declarations, including but not limited to, remedying the violation or initiating legal action, the costs of which actions shall be billed to the owner and collected in the same manner as assessments.

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Failure to pay all fines shall subject the owner to the same potential penalties as failure to pay any assessments, including the loss of right to vote as provided in the Declarations.

Resolved: The following items shall constitute the Appeal Process:

- A. A request for a hearing must be in writing and mailed to the Board of Directors in care of the management company.
- B. A request for a hearing must be received within thirty (30) days of the date of the owner's receipt of the violation letter.
- C. In the event a timely request for a hearing is submitted, any fine previously levied shall be stayed pending the outcome of the hearing. If, at the hearing, the violation is confirmed, the applicable fine(s) shall be reinstated.
- D. If a hearing is properly requested by an owner, the hearing shall be held before a panel of at least four (4) Directors, one of whom shall be a member of the Architectural Review Committee (ARC). The time, date and location of the hearing shall be selected by the panel member who is a member of the ARC, who shall also serve as chairman of the panel; provided that, the hearing shall be scheduled within thirty (30) days of the date of receipt of the owner's request for a hearing. Not less than ten (10) days written notice of the time, date and location of the hearing shall be given to the owner. The notice shall also state that the owner has the right to appeal the panel's decision to the entire Board of Directors of the Association.
- E. The owner is charged with the responsibility of presenting all relevant information that the owners wants the panel to consider.
- F. The decision of the panel shall be based upon a majority vote of a quorum of the panel. The owner may appeal the decision of the panel to the entire Board of Directors. Notice of appeal shall be submitted to the management company within five (5) days of the date of receipt of notice of the decision of the panel. The Board of Directors shall select the time, date and location of the appeal hearing. Not less than ten (10) days written notice of the time, date and location of the hearing shall be given to the owner. The panel shall provide a report on its decision to the Board of Directors, together with its recommendation(s).
- G. The owner is charged with the responsibility of presenting all relevant information that the owner wants the Board to consider. The decision of the Board of Directors shall be based upon a majority vote of a quorum of the Board of Directors. The decision of the Board of Directors shall be final.

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H. The fine(s) referenced herein shall be collected in the same fashion as any other assessment pursuant to the governing documents of Texana Plantation Homeowners Association, Inc. and Texas statutes.

I. An appeal to the Board which is not timely submitted shall not be heard by the Board of Directors and shall be deemed to be denied.

Unanimously adopted and approved the date and year first above written.

Gregory Paul Coco
President - Gregory Paul Coco

James Jacks
Secretary - James Jacks

Craig Johnson
Director - Craig Johnson

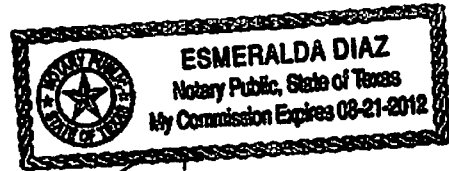
Joe Cartwright
Vice President - Joe Cartwright

Gerald S. Brown
Treasurer - Gerald S. Brown

State of Texas

County of Ft Bend

(Personalized Seal)



This instrument was acknowledged before me

on May 20, 2011 (date) by

Gregory Paul Coco

James Jacks

Craig Johnson

Joe Cartwright

Gerald S. Brown

(name or names of persons or persons acknowledging).

[Signature]

Notary Public Signature

RETURNED AT COUNTER TO:

Ann Heil
2827 GARCITAS CREEK
Richmond, Tx 77406

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

2011 Jun 10 12:04 PM

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DP \$19.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS