

SECRETARY'S CERTIFICATE OF ADOPTION OF
RESOLUTION BY BOARD OF DIRECTORS OF
GLENCLUSTER HOMEOWNERS ASSOCIATION, INC.

I, Lynnette Hammitt, certify that:

I am the duly qualified and acting Secretary of Glencluster Homeowners Association, Inc., a duly organized and existing non-profit Texas corporation.

The following is a true copy of a resolution duly adopted by the Board of Directors of Glencluster Homeowners Association, Inc. at a meeting that was legally held on September 13, 2011, and entered in the Minutes of the Meeting which are contained in the Minute Book of the Corporation.

RESOLVED that the Board of Directors of Glencluster Homeowners Association, Inc. adopt the Resolution Implementing Fines For Deed Restriction Violations for the purpose of fining homeowners who are in violation of the Glencluster Homeowners Association, Inc. Deed Restrictions.

The above resolution is in conformity with the Articles of Incorporation and Bylaws of the Corporation, and has never been modified or repealed, and is in full force and effect.

Dated: 10-11-2011


Lynnette Hammitt, Secretary

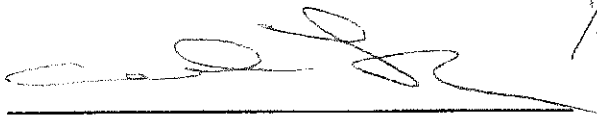
THE STATE OF TEXAS §

§

COUNTY OF HARRIS §

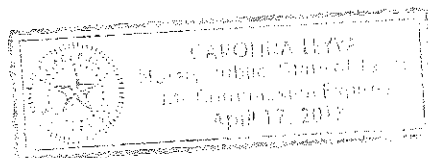
This instrument was acknowledged before me on the 11th day of October, 2011 by Lynnette Hammitt, Secretary of Glencluster Homeowners Association, Inc., a non-profit Texas corporation, on behalf of said corporation.

10K
Yes



Notary Public in and for The State of Texas

Att: Randall Management
Attn. Miguel Trevino ✓
6200 Savoy, Suite 420
Houston, TX 77036



GLENCLUSTER HOMEOWNERS ASSOCIATION, INC.

c/o Randall Management

6200 Savoy Dr, Suite 420

Houston, Texas 77036

RESOLUTION IMPLEMENTING FINES FOR DEED RESTRICTION VIOLATIONS

WHEREAS, the Board of Directors of the Glencluster Homeowners Association, Inc. (the "Association"), held a Board of Directors meeting on September 13, 2011; and

WHEREAS, the Board of Directors determined that the litigation of deed restriction violations, including, but not limited to, the construction of improvements within the subdivision which have not been approved by the Architectural Review Committee, can be a time consuming and expensive process for both the Association and the individual members concerned; and

WHEREAS, the Board of Directors determined that non-complying members might respond more readily to Association requests to effect compliance following the imposition of a fine rather than the Association immediately turning the matter over to legal counsel; and

WHEREAS, the Board of Directors determined that adoption of such a policy would be appropriate and in accordance with, among other things, Tex. Prop. Code Ann. §204.010 (11) (21), as well as Tex. Non-Profit Corporations Act. Art. 1396-2.02 (15); and

WHEREAS, a deed restriction fine policy attached hereto as Exhibit "A" was presented to the Board for its approval; and

WHEREAS, during the course of business, a vote of the Board of Directors was taken to approve adoption of the proposed policy pursuant to the Association's Bylaws; and

WHEREAS, upon review of the votes cast for the above proposal, it was determined that the attached policy of imposing fines for deed restriction violations was passed by a vote of the Board of Directors; NOW, THEREFORE,

BE IT RESOLVED, that the Association, acting by and through its Board of Directors, shall prepare and implement a written policy outlining the imposition of fines for the violation of its restrictive covenants as well as the rules and regulations promulgated therefrom.

BE IT ALSO RESOLVED, that this policy be published to the membership.

The resolution was adopted by the Board of Directors on September 13, 2011.

IN WITNESS WHEREOF, the undersigned have executed this Resolution the 13th day of September, 2011.

Horatio Brooks
Horatio Brooks, Director

Donna Willis
Donna Willis, Director

Gail Sparks
Gail Sparks, Director

Lynette Hammitt
Lynette, Hammitt, Director

Virginia Barker
Virginia Barker, Director

Cynthia Miles
Cynthia Miles, Director

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.

OCT 19 2011



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

FILED
2011 OCT 19 AM 8:16
Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

Procedures for Deed Restriction Violation Notice and Implementation of Fines

An owner of property within the Glencluster Homeowners Association, Inc. whose lot or residence is in violation of dedicatory instruments governing the Glencluster Homeowners Association, including all statutory laws supplementing same, shall be provided notice of the violation in the following manner:

Step	Action
1.	Each lot owner ("Owner") is responsible for assuring that Owner's tenant(s), occupant(s), guest(s) and invitees comply with the provisions of the Dedicatory Instruments. In the event an Owner, tenant, occupant, guest or invitee of an Owner violates any of the provisions of the Dedicatory Instruments (a "violation"), the Association, acting through the Board, shall have the authority to impose a fine as described below upon the Owner.
2.	The Owner will be sent a First Notice courtesy letter upon inspection of a violation requesting immediate cure of same. If the violation is not cured within 10 days from the date of the letter, the Owner will be sent a Second Notice.
3.	The Second Notice will advise the Owner that a violation fine totaling \$75.00 will be imposed on the Owner's account should the owner fail to cure the violation. This 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. Said request for a hearing must be received in writing within 30 days from the date of the receipt of the letter. If said violation is not cured within 30 days from the date of the receipt of the letter or a hearing date has not been established, the Owner will be sent a Third Notice
4.	The Third Notice will impose an additional violation fine totaling \$75.00. This letter will also advise the Owner that the Owner has the right to request a hearing before the Board of Directors. Said request for a hearing must be received in writing within 15 days from the date of the letter. If said violation is not cured within 15 days from the date of the letter or a hearing date has not been established, the Owner's file will be sent to the Board of Directors for attorney referral and review of each violation.
5.	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 Dedicatory Instruments. Any adjustment to the Fine by the Board shall not be construed as a waiver of this Fine Policy or the Dedicatory Instruments.
6.	This Fine Policy is in addition to any other remedy the Association may have to pursue a violation of the Dedicatory Instruments and in no way limits or stops the Association from pursuing any other remedy to enforce the Dedicatory Instruments 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.
7.	The process to be used by the Association in connection with any hearing before the Board requested by a homeowner relating to a deed restriction violation is attached to this resolution as Exhibit "A" and is incorporated herein for all purposes.

Hearing Process

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

Step	Action
1.	A written request for a hearing shall be submitted to the Glencluster Homeowners Association Board at the following address: Glencluster Homeowners Association, Inc. c/o Randall Management 6200 Savoy, Suite 420 Houston, TX 77036
2.	The written hearing request must be received within the time deadline set forth in the notice.
3.	The written hearing request must include pertinent backup information, if any, that will support the existence of the extenuating circumstances or help to explain why the violation does not exist.
4.	At the hearing, the Board shall review all information, listen to an Owner's presentation, and render a decision in Executive Session 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 may not be further appealed.
5.	All fines imposed may be collected as permitted by law.

The payment of fine does not grant a variance for a violation, nor does it enable a homeowner to allow the violation to remain unabated. All violations must be corrected in a manner satisfactory to the Association.

20110439488

Please find enclosed your instrument as recorded in the Office of the County Clerk. It has been a pleasure to serve you.

Stan Stanart

Stan Stanart
County Clerk
Harris County, Texas

RANDALL MANAGEMENT
MIGUEL TREVINO
6200 SAVOY #420
HOUSTON, TX 77036

20110439488