

WEST AIRPORT HOMEOWNERS ASSOCIATION, INC.

c/o Randall Management

9000 West Bellfort Ave., Suite 311

Houston, Texas 77031

RESOLUTION IMPLEMENTING FINES FOR DEED RESTRICTION VIOLATIONS

WHEREAS, the Board of Directors of the West Airport Homeowners Association, Inc. (the "Association"), held a Board of Directors meeting on October 22, 2009; 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 October 22 2009.

IN WITNESS WHEREOF, the undersigned have executed this Resolution the 8 day of

February, 2010.

Donald Scott

Director

Angela Bone

Director

A. Desai

Director

Director

Genesi Alan

Director

Director

Mario Lopez

Director

Procedures for Deed Restriction Violation Notice and Implementation of Fines

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An owner of property within the West Airport Subdivision whose lot or residence is in violation of dedicatory instruments governing the West Airport Subdivision, 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 West Airport 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 West Airport Board at the following address: <p style="text-align: center;">West Airport Homeowners Association, Inc. c/o Randall Management 9000 West Bellfort Ave., Suite 311 Houston, TX 77031</p>
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.

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 on

FEB 22 2010



Beverly L. Kayman
COUNTY CLERK
HARRIS COUNTY, TEXAS

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Notar
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20100222
02/22/2010 RP2 \$32.00

AFFIDAVIT TO AUTHENTICATE

RESOLUTION IMPLEMENTING FINES FOR DEED RESTRICTION VIOLATIONS

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared William G. Gammon, Attorney and Agent-in-Fact for the West Airport Homeowners Association, Inc., known to me and who being by me duly sworn, upon oath, deposes and states:

"My name is William G. Gammon. I am above the age of eighteen years and am fully competent to make this Affidavit. I am the attorney and agent-in-fact for West Airport Homeowners Association, Inc., a Texas non-profit corporation, operating in Harris County, Texas. I have personal knowledge of all the facts stated herein and am fully authorized to make this Affidavit in behalf of West Airport Homeowners Association, Inc. (the "Association").

In my capacity as attorney and agent-in-fact for the Association, I am responsible for maintaining the Association's business records. I have reviewed the Association's business records and the statements below are within my personal knowledge true and correct.

I am the custodian of the records of the Association. Attached to this Affidavit are a number of pages of records from the Association. The attached records are kept by the Association in the regular course of business, and it was the regular course of business of Association for an employee or representative of the Association, with knowledge of the act, event, condition or opinion, to make the record or transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The records attached hereto are the original or exact duplicates of the original. A list of these records is as follows:

- 1) Resolution Implementing Fines For Deed Restriction Violations

FILED FOR RECORD
8:00 AM

FEB 22 2010

FURTHER AFFIANT SAYETH NOT.

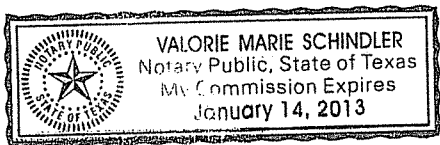
[Signature]

[Signature]
County Clerk, Harris County, Texas

William G. Gammon
Attorney and Agent-in-Fact
West Airport Homeowners Association, Inc.

[Handwritten mark]

SIGNED AND SWORN TO BEFORE ME, on this 17th day of February, 2010.



[Signature]
Notary Public in and for the State of TEXAS

Ret: William G. Gammon Assoc
1 Greenway Plaza # 1005
Houston, TX. 77046