

**POLICY REQUIRING WAIVERS FOR THE USE
OF THE COMMON AREAS AND AMENITIES**
for
FALL CREEK HOMEOWNERS ASSOCIATION, INC.

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, Matthew Carpenter, Secretary of Fall Creek Homeowners Association, Inc. (the "Association"), certify that at a meeting of the Board of Directors of the Association duly called and held on the 14 day of November 2017, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Policy Requiring Waivers for the Use of the Common Areas and Amenities was approved by not less than a majority of the Board members in attendance.

RECITALS:

1. Article II, Section 1 of the Declaration of Covenants, Conditions and Restrictions for Fall Creek Single Family Residential Areas (the "Declaration") recorded in the Official Public Records of Real Property of Harris County, Texas on October 3, 2001 under Clerk's File No. V338181, grants to the Association the power and authority to enforce all covenants, conditions and restrictions set forth in the Declaration.
2. Article II, Section 5 of the Declaration grants the Association the power to adopt and enforce rules and regulations with respect to the use and enjoyment of the Common Areas and any other property, facilities or improvements owned or operated by the Association ("Amenities").
3. The Board of Directors desires to adopt a policy requiring waivers for the use of the Common Areas and Amenities.

WITNESSETH:

1. All Owners and Occupants have the right to use and enjoy the Association's swimming pools, fitness center, tennis court, parks, and other recreational facilities in or on the Association's Common Areas ("Common Areas and Amenities").
2. The Association has the authority to adopt rules and regulations regarding the use and enjoyment of the Common Areas and Amenities.
3. Owners and Occupants are required to obtain Amenity Badges, Gate Remotes, or other amenity/key devices ("Access Devices") to obtain access to the Common Areas and Amenities.

4. Before an Access Device is issued to an Owner or Occupant for the use of the Common Areas and Amenities, a Waiver must be completed and executed by the Owner or Occupant.
5. No Access Device will be issued without a completed and executed Waiver.
6. The failure to execute a Waiver in order to obtain an Access Device for the use of the Common Areas and Amenities will be considered a violation of the Dedicatory Instruments governing the subdivision and the Association will have the authority to suspend an Owner's and Occupant's right to use and enjoy the Common Areas and Amenities.

I hereby certify that I am the duly elected and acting Secretary of the Association and that the foregoing Requiring Waivers for the Use of the Common Areas and Amenities was approved by a majority vote of the Board of Directors as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Real Property of Harris County, Texas.

TO CERTIFY which witness my hand this 14 day of November, 2017.

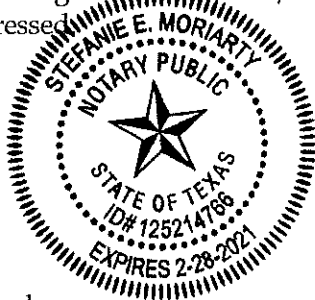
FALL CREEK HOMEOWNERS ASSOCIATION, INC.,
a Texas non-profit corporation

By: Matthew Carpenter

Print Name: Matthew Carpenter, ^{President} Secretary

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 14th day of November, 2017 personally appeared Matthew Carpenter Secretary of Fall Creek Homeowners Association, Inc., known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity herein expressed.



Stephanie E. Moriarty
Notary Public in and for the State of Texas

Return to:
Sipra S. Boyd
ROBERTS MARKEL WEINBERG BUTLER HAILEY PC
2800 Post Oak Blvd., Suite 5777
Houston, Texas 77056