

AFFIDAVIT FOR FILING DEDICATORY INSTRUMENTS

STATE OF TEXAS §
COUNTY OF HARRIS §

KNOW ALL BY THESE PRESENT:

WHEREAS section 202.006 of the Texas Property Code requires that a property owners' association file its dedicatory instruments in the real property records of the county in which the property is located, and

WHEREAS the Fall Creek Homeowners Association, Inc. is a property owners' association as the term is defined in the Texas Property Code and has property located in Harris County, Texas,

NOW THEREFORE, true copies of the following dedicatory instruments of the Fall Creek Homeowners Association, Inc. which have not been previously filed in the public records of Harris County are attached hereto, including:

- **Violation Enforcement Procedure**
- **Uncurable Violation Enforcement Procedure**

FURTHER, other dedicatory instruments of the Fall Creek Homeowners Association, Inc. have already been filed in the public records of Harris County as these documents supplement the previously filed documents.

SIGNED on this the 14th day of September, 2023.

Fall Creek Homeowners Association, Inc.

By: Spectrum Association Management, L.P.

By: *Shelby Welch*
Shelby Welch
Spectrum Association Management, L.P.
Managing Agent

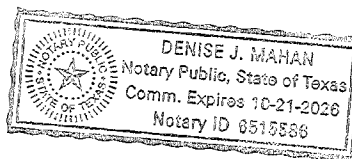
State of Texas §

County of Bexar §

This Instrument was acknowledged and signed before me on 14th of September, 2023 by Shelby Welch, representative of Spectrum Association Management, the Managing Agent for Fall Creek Homeowners Association, Inc. on behalf of said association.

Denise J. Mahan
Notary Public, State of Texas

After Recording Return To:
Spectrum Association Management
Attn: Transitions
17319 San Pedro, #318
San Antonio, TX 78232



RP-2023-353100

**Violation Enforcement Resolution for
Fall Creek Homeowners Association, Inc.**

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Pursuant to the Bylaws of the Fall Creek Homeowners Association, Inc. and the Declaration of Protective Covenants, the Directors of Fall Creek Homeowners Association, Inc. , a Texas non-profit corporation (referred to as "Association"), adopt the following resolution:

RE: Violation Enforcement Resolution

WHEREAS:

1. The Board of Directors is empowered to enforce the covenants, conditions and restrictions of the Covenants, Bylaws and any rules and regulations of the Association.
2. It is the Board's duty to use its best efforts to assure that said enforcement occurs.
3. The Board desires to provide a current, comprehensive list of restrictions, rules, regulations, and architectural control guidelines that apply to all owners in the Association.
4. The Board of Directors may promulgate, modify, or delete use restrictions and rules and regulations applicable to all units and lots.
5. The Board desires to record a summary of restrictions, rules, regulations, and architectural control guidelines in county record for access by all current and future owners.

BE RESOLVED THAT:

1. The Board of Directors hereby adopts this Violation Enforcement Policy to establish equitable policies for the Association in compliance with the Chapter 209 of the Texas Property Code, titled the "Texas Residential Property Owners Protection Act," as it may be amended (the "Act"). To the extent any provision within this policy is in conflict the Act or any other applicable law, such provision shall be modified to comply with the applicable law.
2. All rules of the Association shall be enforced.
3. The Violation Schedule (attached) shall be the Association's policy of enforcement for the following violation categories: Property Maintenance, Clutter, Trashcans, Vehicle Prohibited, Vehicle Parking, Unapproved Improvements, Short Term Leasing, Nuisance Violations and all other curable violations as listed in the Governing Documents of the Association.

EFFECTIVE: September 1, 2023

Samuel Siller, PRESIDENT 9/12/23

Authorized Board Member Signature and Date

RP-2023-353100

**Violation Enforcement Procedure for
Fall Creek Homeowners Association, Inc.**

Status	Violation Procedure	Action Required
1st Sighting or Report of Violation	(WN) Send Notice of intent to fine 25 (twenty-five) dollars if the violation is not resolved within 10 days from the notice (sent certified mail).	10 days to correct violation
2nd Sighting / Not Repaired / No application for extension	(\$25 fine) Send Notice of applied fine of \$25 (twenty-five) dollars and intent to continue to fine per the fine schedule if not resolved within 10 days from the notice (sent certified mail).	10 days to correct violation
3rd Sighting / Not Repaired / No application for extension	(\$50 fine) Send Notice of applied fine of 50 (fifty) dollars and intent to continue to fine per the fine schedule if not resolved within 10 days from the notice (sent certified mail).	10 days to correct violation
Recurring / Final Notice	<p style="text-align: center;">(\$100 fine/recurring) Send Recurring Notice of applied fine of 100 (one-hundred) dollars with intent to continue to fine every 10 days if not resolved (sent certified mail).</p> <p>The Board may also escalate the matter to the Association's attorney by sending a final notice that the file will be forwarded to the attorney to correct the violation through the court system in thirty (30) days if the violation is not resolved (sent certified mail).</p>	10/ 30 days to correct violation

EFFECTIVE: September 1, 2023

Seungho Seo PRESIDENT 9/12/23

 Authorized Board Member Signature and Date

RP-2023-353100

General Policy

If a homeowner contacts management with the intent to correct a violation and asks for an extension, The Board may grant such extension if it deems the extension reasonable. The decision to grant an extension may be based on violation severity, prior violation history, or other factors that may influence the Board's decision. If the homeowner does not cure the violation after the extension period, the homeowner will be immediately referred to the attorney, or the process will be resumed at the last level of the process.

**Section 209.006, Texas Property Code provides that an owner is not entitled to prior notice and opportunity to cure if the owner has received any notice and not cured the same or similar violation in the preceding six months. The Association at this time can exercise any rights related to the violation under this policy of which the owner has previously been given notice for.*

***Section 209.007, Texas Property Code provides that each owner may submit a written request for a hearing to the Association to discuss and verify facts on a violation and resolve the matter in issue before the Board of Directors.*

Attorney Procedure

It is the option of the Board of Directors to decide when and if an account goes to the attorney. The decision to escalate an account to the attorney may be based on violation severity, prior violation history, or other factors that may influence the Board's decision. Once an account is turned over to the attorney's office, the attorney will send the homeowner a letter of representation and a demand for compliance with the Association's governing documents. If the homeowner does not respond, the attorney will pursue all available action to cure the violation through the court/legal system. If allowable by law and the Association's Declaration of Covenants, all attorneys' fees/court costs shall be the homeowner's responsibility and shall be charged to the homeowners account and the money due shall be subject to the collection policy.

Other

This policy may be amended and/or adjusted by the Board of Directors from time to time without notice. Homeowners are advised that they should contact the management company to request the most recent version of this policy if they have a question and/or need assistance in making payment arrangements.

EFFECTIVE: September 1, 2023

Seung Gil Lee, PRESIDENT 9/12/23

Authorized Board Member Signature and Date

RP-2023-353100

**Uncurable Violation Enforcement Resolution for
Fall Creek Homeowners Association, Inc.**

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Pursuant to the Bylaws of the Fall Creek Homeowners Association, Inc. and the Declaration of Protective Covenants, the Directors of the Fall Creek Homeowners Association, Inc., a Texas non-profit corporation (referred to as "Association"), adopt the following resolution:

RE: Uncurable Violation Enforcement Resolution

WHEREAS:

1. The Board of Directors is empowered to enforce the covenants, conditions and restrictions of the Covenants, Bylaws and any rules and regulations of the Association.
2. It is the Board's duty to use its best efforts to assure that said enforcement occurs. Uncurable violation is defined as: A violation that has occurred but is not a continuous action or a condition capable of being remedied by affirmative action. The non-repetition of a one-time violation or other violation that is not ongoing is not considered to be an adequate remedy.

BE RESOLVED THAT:

1. The Board of Directors hereby adopts this Uncurable Violation Enforcement Policy to establish equitable policies for the Association in compliance with the Chapter 209 of the Texas Property Code.
2. All rules of the Association shall be enforced.
3. The Violation Schedule (attached) shall be the Association's policy of enforcement of Uncurable Violations.
4. All other violations will be governed by the current Violation Enforcement Resolution and are not impacted by this policy.

EFFECTIVE: September 1, 2023

 PRESIDENT 9/12/23

Authorized Board Member Signature and Date

RP-2023-353100

Uncurable Violation Enforcement Procedure

Status	Violation Procedure	Action Required
Report / Sighting: Fine of fifty (50) dollars assessed and a fine notice sent (sent certified mail).	Notice of applied fine of fifty (50) and the intent to assess additional fine for any future occurrences.	Owner must not repeat action or condition.

General Policy

If a homeowner is in violation of an uncurable violation as defined in this policy, the above table will govern action taken. All other violations will follow the Association Violation Enforcement Resolution. Uncurable violation examples include, but are not limited to, an act constituting a threat to health or safety, a noise violation that is not ongoing, property damage (including the removal or alteration of landscape) and holding a garage sale or other event prohibited by the dedicatory instruments.

Attorney Procedure

The Board, in its best discretion may decide when and if an account is escalated to an attorney or other third party for enforcement. The decision to escalate an account to the attorney may be based on violation severity, prior violation history or other factors that may influence the Board of Director's decision. If allowable by law or the Association's Declaration of Covenants, all attorneys' fees/court costs shall be the homeowner's responsibility and shall be charged to the homeowners account and the money due shall be subject to the Association's ordinary collection procedure or as permissible by law.

Other

This policy may be amended and/or adjusted by the Board of Directors from time to time without notice. Homeowners are advised that they should contact the management company to request the most recent version of this policy if they have a question and/or need assistance in making payment arrangements.

EFFECTIVE: September 1, 2023

 PRESIDENT 9/12/23

Authorized Board Member Signature and Date

RP-2023-353100

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Pages 7
09/14/2023 10:02 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$38.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2023-353100