

RESOLUTION  
COLLECTION OF ASSESSMENTS

**AUTHORITY:** WHEREAS Article II, Section 1(b) of the Declaration of Covenants, Conditions and Restrictions states that "The right of the Association to suspend the voting rights and right to use of the recreational facilities by an owner for any period during which any assessment against his Lot remains unpaid; and for a period not to exceed 60 days for any infraction of it's published rules and regulations:, and

WHEREAS Article IV, Section 1 of the Declaration of Covenants, Conditions and Restrictions states that "The annual and special assessments, together with interest, costs, and reasonable attorney's fees, shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. Each assessment, together with interest, costs and reasonable attorney's fees, shall also be the personal obligation of the person who was the Owner of such property at the time when the assessment fell due", and

WHEREAS Article IV, Section 6 of the Declaration of Covenants, Conditions and Restrictions states that "The due dates shall be established by the Board of Directors", and

WHEREAS Article IV, Section 8 of the Declaration of Covenants, Conditions and Restrictions states that "Any assessments not paid within thirty (30) days after the due date, shall bear interest from the due date at the rate of 7 1/2 percent per annum. The Association may bring an action at law against the Owner personally obligated to pay the same or foreclose the lien against the property, and interest, costs, and reasonable attorney's fees of any such action shall be added to the amount of the assessment. Each Owner, by his acceptance of a deed to a Lot, hereby expressly vests in the COUNTRYSIDE HOMEOWNER ASSOCIATION, INC. or it's agents the right an power to bring all actions against such Owner personally for the collection of such charges as a debt and to enforce the aforesaid lien by all methods available for the enforcement of such liens, including foreclosure by an action brought in the name of the Association in a like manner as a mortgage or deed of trust lien on real property, and such Owner expressly grants to the Association a power of sale in connection with said lien. The lien provided for in this section shall be in favor of the Association and shall be for the benefit of all other Lot owners. The Association acting on behalf of the Lot Owners shall have the power to bid in an interest foreclosed at foreclosure sale and

to acquire and hold, lease, mortgage and convey the same; and to subrogate so much of it's right to such liens as may be necessary or expedient to an insurance company continuing to give total coverage notwithstanding nonpayment of such defaulting Owner's portion of the premium. No Owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Common Area or abandonment of his Lot." and

**PURPOSE:** WHEREAS there is a need for a policy to be established concerning the collection of assessments for the COUNTRYSIDE HOMEOWNER ASSOCIATION, INC.

**SPECIFICATION:** NOW THEREFORE BE IT RESOLVED THAT THE FOLLOWING PROCEDURE BE ADOPTED:

1. All homeowners must make their assessment payment between the 1st and 10th of every month either directly to the Association or to their mortgage company.
2. Homeowners who pay the Association directly will be sent an invoice\coupon book at least 15 days prior to the new assessment year. Notification will be given that payment of assessments on a monthly basis will be allowed equal to 1/12th of the annual assessment rate. Assessments will be considered delinquent if not paid by the 10th of the month.
3. Mortgage companies will be billed according to their respective schedules. Assessments will be considered delinquent if not paid by January 10th of the new assessment year. If assessment payment is not received by the above mentioned date, a notice will be sent to the mortgage company and the individual homeowner notifying them of delinquency.
4. On or about the 15th of each month owners and mortgage companies who are delinquent will be sent a notice giving them 10 days to make payment without interest being imposed.
5. The above procedure will be followed on all accounts that remain delinquent for the following month. On or about the 15th day of the third month that an account remains delinquent a letter will be sent by regular and certified mail showing the delinquent amount, the interest due, and the cost of the certified letter. The homeowner will also be notified that his Association rights and privileges including voting rights and amenity privileges will be suspended until assessments are paid. Another 10 days will be allowed for payment. This letter will

also state that a lien will be placed on the property at the end of the 10 days if payment is not made.

6. Liens will be filed if assessments remain unpaid for a period of three months. The lien will include all assessment amounts due, interest due, cost of mail, and cost of filing the lien and a copy of the recorded lien sent to the homeowner.
7. Liens will be updated quarterly without further notice to the homeowners.
8. A lien will be released when monies are received for the total amount of the lien. A copy of the release will be sent to the homeowner.
9. Should the delinquency continue and reach an amount equal to six months' assessments (including interest due, cost of mailing and filing fees) the owner shall be considered in default for that year and the entire current year's assessments shall become due. The Board of Directors will authorized the delinquent account turned over to the Association attorney for collection/court action. All attorney fees incurred for collection/court action on delinquent account will be charged to the homeowner's account.

NOW THEREFORE BE IT FURTHER RESOLVED THAT this policy be put into effect on February 6, 1992.

APPROVED: In witness whereof, the Board of Directors of the COUNTRYSIDE HOMEOWNER ASSOCIATION, INC. did execute this resolution on the 6th day of February, 1992<sup>nd</sup> and said resolution was recorded in the minutes of the Association.



Kimleah D. Dargen  
Secretary

COUNTRYSIDE HOMEOWNER ASSOCIATION INC.

RESOLUTION

TO RETAIN LEGAL COUNCIL FOR COUNTRYSIDE HOMEOWNER ASSN., INC

AUTHORITY: WHEREAS ARTICLE IV OF THE ARTICLES OF INCORPORATION GIVES THE BOARD OF DIRECTORS OF THE ASSOCIATION THE POWER " TO DO AND PERFORM ANY AND ALL LAWFUL THINGS AND ACTS WHICH IN ITS DISCRETION ARE NECESSARY OR DESIRABLE IN CARRYING OUT ANY OR ALL OF THE PURPOSES FOR WHICH THE ASSOCIATION IS FORMED, AND PAY COSTS AND/OR EXPENSES IN CONNECTION THEREWITH..." AND

WHEREAS ARTICLE IV, SECTION (E) OF THE ARTICLES OF INCORPORATION GIVES THE BOARD OF DIRECTORS OF THE ASSOCIATION THE POWER "TO ENGAGE THE SERVICES OF AGENTS, INDEPENDENT CONTRACTORS OR EMPLOYEES, OPERATE OR PERFORM ALL OR ANY PART OF THE AFFAIRS AND BUSINESS OF THE ASSOCIATION ". AND

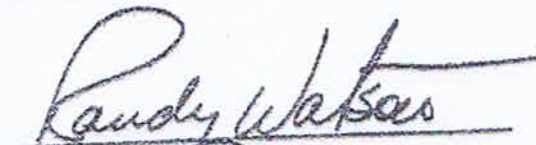
WHEREAS ARTICLE IV, SECTION (F) OF THE ARTICLES OF INCORPORATION GIVES THE BOARD OF DIRECTORS OF THE ASSOCIATION THE POWER "TO DO AND PERFORM ANY ALL LAWFUL THINGS AND ACTS WHICH IN IT'S DISCRETION ARE NECESSARY OR DESIRABLE IN CARRYING OUT ANY OR ALL OF THE PURPOSES FOR WHICH THE ASSOCIATION IS FORMED, ANY PAY THE COSTS AND/OR EXPENSES IN CONNECTION THEREWITH..."

PURPOSE: WHEREAS THERE IS A NEED TO RETAIN LEGAL COUNCIL FOR REPRESENTATION OF THE ASSOCIATION FOR, BUT NOT LIMITED TO, THE COLLECTION OF DELINQUENT ACCOUNTS AND DEED RESTRICTION VIOLATION ENFORCEMENT.

SPECIFICATION: NOW THEREFORE, BE IT RESOLVES THAT:

MRS. MARILYN MIESZKUC, ATTORNEY AT LAW, 17044 EL CAMINO REAL, HOUSTON, TX 77058, BE RETAINED AS THE LEGAL COUNCIL FOR COUNTRYSIDE HOMEOWNER ASSN., INC. FOR THE COLLECTION OF DELINQUENT ACCOUNTS AND REPRESENTATION IN COURT CASES OF DEED RESTRICTION VIOLATIONS. MRS. MIESZKUC WILL BE COMPENSATED AT A RATE OF \$125.00 PER HOUR, OR PER THE FEE SCHEDULE FORWARDED TO THE COUNTRYSIDE HOMEOWNER ASSOCIATION ON SEPTEMBER 21, 1992, ON ALL CASES WE REFER TO HER FOR REPRESENTATION.

APPROVED: IN WITNESS WHEREOF, THE BOARD OF DIRECTORS OF THE COUNTRYSIDE HOMEOWNER ASSOCIATION DID EXECUTE THIS RESOLUTION ON THE /~~20~~ DAY OF OCTOBER 1992 AND SAID SAME RESOLUTION WAS RECORDED IN THE MINUTES OF THE ASSOCIATION.

  
PRESIDENT