

EAGLE SPRINGS COMMUNITY ASSOCIATION, INC.

ASSESSMENT COLLECTION POLICY

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, Eagle Springs Community Association, Inc. (the "Association"), a Texas nonprofit corporation, is the governing entity for Eagle Springs, Sections 1-51, additions in Harris County, Texas, according to the maps or plats thereof, recorded in the Map Records of Harris County, Texas, under Clerk's File Nos. U792723 and V736736, U792725, U792727, U792729, U792731, V495717, V495719, V959749, W881752, V959752, V920558, W549541, W204074, W588525, X093023, X093045, Y421889, Y421887, X354245, X268460 and Y716454, X354256, X803244, Y920194, 2007-0171502, Y493344, Z359050, Z021029, 2007-0079106, 2006-0215486, 2007-0271995, 2007-0052303, 2006-0215489, 2007-0271998, 2008-0176120, 2008-0110551, 2009-0387836, 2009-0078109, 2009-0078110, 2012-0156238, 2010-0343528, 2009-0078111, 2012-0156024, 2010-0418322, 2011-0309512, 2014-0120395, 2011-0431342, 2013-0091207, 2013-042212, 2013-0422127, 2013-0440506, and 2015-0386732, respectively, along with any replats, supplements, and amendments thereto (the "Subdivision"); and

WHEREAS, the Subdivision is subject to the Declaration of Protective Covenants for Eagle Springs, recorded in the Real Property Records of Harris County, Texas, under Clerk's File No. V039773, along with any amendments or supplements thereto (the "Declaration"); and

WHEREAS, the Declaration obligates the Association, through its Board of Directors to establish, levy and collect annual and special assessments and related charges; and

WHEREAS, the Association desires to adopt a collection policy in order to provide uniform procedures for the collection of assessments and the levying of penalties for non-payment of assessments; and

WHEREAS, this Dedicatory Instrument represents Restrictive Covenants as those terms are defined by Texas Property Code §202.001, et. seq. and the Association shall have and may exercise discretionary authority with respect to these Restrictive Covenants;

NOW THEREFORE, in accordance with the foregoing and as evidenced by the Certification hereto, the Association hereby adopts the following Collection Policy:

COLLECTION POLICY

- 1) Assessments and other amounts due to the Association, which are not paid by the due date may be subject to interest, late fees, and costs of collection, including attorney's fees and expenses.
- 2) Annual assessments become delinquent if not paid before February 1 of each year.

RP-2017-364682

- 3) Each assessment that becomes delinquent shall incur a late fee of \$40.00, and shall be subject to interest at a uniform rate not to exceed 18% per annum. The Owner will be charged a cost of up to \$55.00 for any check or payment that is returned as Non-Sufficient Funds (NSF).
- 4) If an Owner becomes delinquent in the payment of one or more assessments, the Association may send an initial notice letter requesting that the Owner to pay their delinquent assessment along with any late fees, interest, costs of collection and a fee of not less than \$40.00 for the initial notice letter, that may have accrued.
- 5) If the Owner does not pay the delinquent balance within the time frame required by the initial notice, the Association will send a 30 day letter, via certified mail/rrr, containing the applicable notices under Chapter 209 of the Texas Property Code, itemizing the delinquent amount owed, advising on the availability of a payment plan, and that failure to pay will result in the Owner being turned over to the Association attorney for collections, the costs of which will be charged to the Owner, a "209 letter". An additional fee of not less than \$65.00 will be charged for the 209 letter.
- 6) If the Owner does not pay the delinquent balance within the time frame required by the 209 letter, a final notice letter will be sent, reminding the Owner to pay their delinquent assessment along with, interest and costs of collection, and a fee of not less than \$40.00 for the final notice letter.
- 7) If the Owner does not pay the delinquent balance within the time frame required by the final notice letter the Owner's account will be referred to the Association attorney for collection.
- 8) If an Owner is turned over to the Association attorney for collection and fails to make full payment or enter into an approved Payment Plan, the Association will proceed with filing action against the Owner seeking a judgment for all amounts due the Association and/or a judicial order for foreclosure of its assessment lien.
- 9) All notices and letters provided for in this Policy, as well as all notices and invoices for the payment of assessments will be provided to the Owner to the address appearing in the books and records of the Association, which shall be the address of the property in the Subdivision, unless the Owner has provided written notice to the Association of an alternative address to send such notices.

EAGLE SPRINGS COMMUNITY ASSOCIATION, INC.

CERTIFICATION

"I, the undersigned, being the President of Eagle Springs Community Association, Inc., hereby certify that the foregoing Resolution was adopted by at least a majority of the Association Board of Directors at an open meeting of the Board of Directors, properly noticed to members, at which a quorum of the Board was present."

By: Michael Hamlin, President

Print Name: Michael Hamlin

ACKNOWLEDGEMENT

STATE OF TEXAS

§

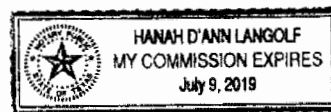
COUNTY OF HARRIS

§

BEFORE ME, the undersigned authority, on this day, personally appeared Michael Hamlin, President of Eagle Springs Community Association, Inc. the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same as the act of the Association for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 10th day of August, 2017.

Hannah Langolf
Notary Public, State of Texas



Prepared by and Return to:
HOLT & YOUNG, P.C.
9821 Katy Freeway, Ste. 350
Houston, Texas 77024

RP-2017-364682
Pages 4
08/14/2017 11:37 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$24.00

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.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2017-364682