



**FOREST OAKS OWNERS  
ASSOCIATION, INC.**

**SECRETARY'S CERTIFICATE**

STATE OF TEXAS                   §  
   §  
COUNTY OF WILLIAMSON       §

The undersigned hereby certifies that he/she is the duly elected, qualified and acting as Secretary of Forest Oaks Owners Association, Inc., a Texas non-profit corporation ("Association") and that:

Attached hereto are true and correct copies of the following Association documents:

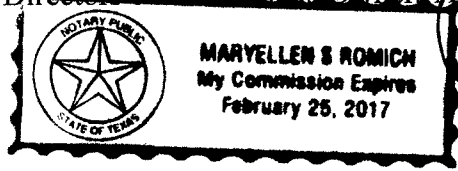
- 1. Deed Restriction Enforcement and Fining Policy

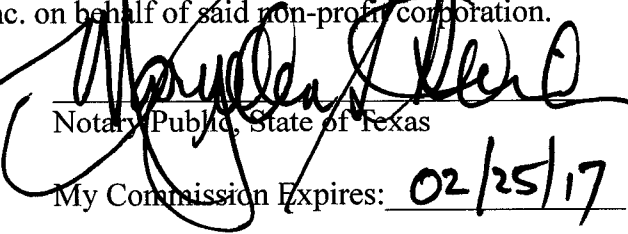
IN WITNESS WHEREOF, the undersigned has executed this certificate on the 24<sup>th</sup> day of April, 2015.

By:   
David Oliver, Secretary  
Board of Directors

STATE OF TEXAS                   §  
   §  
COUNTY OF WILLIAMSON       §

This instrument was acknowledged before me on the 24<sup>th</sup> day of April, 2015, by David Oliver, Secretary of the Board of Directors of Forest Oaks Owners Association, Inc. on behalf of said non-profit corporation.



  
Notary Public, State of Texas  
My Commission Expires: 02/25/17

**AFTER RECORDING RETURN TO:**  
  
Bill Flickinger  
Willatt & Flickinger  
2001 North Lamar  
Austin, Texas 78705

### Deed Restriction Enforcement and Fining Policy

The Forest Oaks Owners' Association Board of Directors has established a process for enforcing the Declaration of Covenants, Conditions and Restrictions for Forest Oaks also known as the Deed Restrictions or DCCRs. This process may be changed at any time by a majority vote of the Board of Directors. In accordance with Texas laws, this policy and all future changes of this policy must be recorded with the Williamson County Clerk's Office.

In order for the enforcement process to be implemented, all violations of the DCCRs must be confirmed by either a member of the Board of Directors, or by the Community Association Manager or the Manager's designee.

Any violation associated with "unsightly articles" as defined in the DCCRs must also be confirmed by the Architectural Control Committee (ACC).

Any violation associated with "repair and maintenance" as defined in the DCCR's, except for landscape maintenance, must also be confirmed by the ACC.

If a violation is of a type that warrants self-help by the Association; i.e., a force mow or other landscaping correction requiring a landscaping company hired by the Association to enter the property to cure, then *Enforcement Policy "B"* will be followed. For all other violations, *Enforcement Policy "A"* will be followed

#### ENFORCEMENT POLICY "A"

1. Upon the initial violation of the DCCRs, no action will be taken for 14 days. This is the Preview Process. If the violation is not corrected within 14 days, a courtesy notification will be sent to the homeowner of record. If the violation is corrected within 14 days of the initial violation, and provided no violation of a similar nature occurs within 90 days of the initial violation, the violation will be closed and no letters will be sent to the homeowner of record.
2. If the violation is not corrected within 14 days of the courtesy notice, or if a violation of a similar nature occurs within 90 days of the initial violation, a "First Notice" will be sent to the homeowner of record. If the violation is corrected within 14 days of the "First Notice" and provided no violation of a similar nature occurs within 90 days from the date of the "First Notice" then the violation is closed.
3. If the violation is not corrected, within 14 days of the "First Notice," or if a violation of a similar nature occurs within 90 days from the date of the "First Notice" a Demand Letter (also known as a 209 Notice) will be mailed to the homeowner of record via certified mail, return receipt requested. The homeowner will be given 30 days after receipt of the Demand Letter to permanently correct the violation, or to make a written request for a hearing before the Board of Directors to show cause why the situation should be allowed.
4. If, after 30 days from the date of receipt of the Demand Letter, the violation has not been permanently corrected and if the homeowner has not requested a hearing before the Board, the homeowner of record will receive a fine of \$50.00. If the violation is corrected within 30 days after receipt of the Demand Letter and provided no violation of a similar nature occurs within 90 days after receipt of the Demand Letter, the violation will be closed. If the homeowner makes a timely written request for a hearing before the Board, the Board will conduct the hearing and determine if the violation exists and if it determines no violation exists, the violation will be closed. If the Board determines a violation exists, then homeowner shall have 14 days to correct the violation to avoid receiving a first fine of \$50.


5. If, after 14 days from receiving the first fine, the violation is not corrected, or if a violation of a similar nature occurs within 90 days of receiving the first fine, the homeowner of record will receive a second fine of \$50.00. If the violation is corrected within 14 days after the first fine and provided no violation of a similar nature occurs within 90 days after the first fine, the violation will be closed.
6. If, after 14 days from the second fine, the violation has not been corrected, or a violation of a similar nature occurs within 90 days of the second fine, the Board may refer the homeowner to an attorney for additional legal actions, including litigation. If the violation is corrected within 14 days after the second fine and provided no violation of a similar nature occurs within 90 days after the second fine, the violation will be closed. The Board may also refer the homeowner to an attorney for additional legal action once 30 days from the date of receipt of the Demand Letter has passed, no hearing has been requested and the violation or violations still exist.

**ENFORCEMENT POLICY "B"**

1. Upon the initial violation of the DCCRs, no action will be taken for 14 days. This is the Preview Process. If the violation is not corrected within 14 days, a "Courtesy Notice" will be sent to the homeowner of record. If the violation is corrected within 14 days of the initial violation, and provided no violation of a similar nature occurs within 90 days of the initial violation, the violation will be closed and no letters will be sent to the homeowner of record.
2. If the violation is not corrected, within 14 days of the "Courtesy Notice," or if a violation of a similar nature occurs within 90 days from the date of the "Courtesy Notice" then a "Final Notice" will be mailed to the homeowner of record via certified mail, return receipt requested.
3. If, after 14 days from the date of receipt of the "Final Notice", the violation has not been corrected, the Association may hire a landscaping company to enter the property to "Force Cure" the violation (i.e., a force mow or other landscaping correction), and the homeowner shall be assessed the cost of such action including any administrative fees (which as of the date of this policy total \$105 for a force mow, but which may be increased at any time to the actual costs incurred).
4. If a violation of a similar nature occurs after a "Force Cure" and within 90 days from the date of the latest "Final Notice" then a new "Final Notice" will be mailed to the homeowner of record via certified mail, return receipt requested. And the process will repeat at step 3 above.

This resolution was passed by a vote of the Board of Directors of the Association at a duly noticed meeting with a quorum of the Board of Directors present, on the date set forth below.

Executed this the 18<sup>th</sup> day of November, 2014.

By:   
 Signature

Name: David Oliver  
 Print

Title: Secretary

**FILED AND RECORDED**  
OFFICIAL PUBLIC RECORDS 2015037988



*Nancy E. Rister*

Nancy E. Rister, County Clerk

Williamson County, Texas

May 11, 2015 10:06 AM

FEE: \$29.00 VPAVLOVICH

WILLATT & FLICKINGER  
2001 NORTH LAMAR  
AUSTIN, TX 78705

