



RESOLUTION OF THE BOARD OF DIRECTORS
OF O.O. COMMUNITY ASSOCIATION, INC.
REGARDING THE IMPOSITION OF FINES

WHEREAS, the Board of Directors (the "Board") of O.O. Community Association, Inc. a Texas non-profit corporation (the "Association") is the governing entity for the Old Orchard Subdivision which includes the property described in Exhibit "A" ("Old Orchard" or the "Subdivision") and is charged with the responsibility of enforcing the Declaration of Covenants, Conditions, and Restrictions for Old Orchard and all amendments thereto, including but not limited to the Second Amendment to Declaration of Covenants, which are recorded in the Real Property Records of Fort Bend County, Texas (collectively the "Declaration");

WHEREAS, Article IX of the Declaration of O.O. Community Association, Inc. entitled "Enforcement" provides that

Each Owner and Occupant shall comply strictly with the covenants, conditions and restrictions set forth in this Declaration, as may be amended from time to time, and with the rules and regulations adopted by the Board. The Board may impose fines or other sanctions, which shall be collected as provided herein for the collection of Assessments;

WHEREAS, by Resolution dated July 6, 2011, the Board adopted resolutions creating a fine policy for the Subdivision;

WHEREAS, the Board deems it to be in the best interest of the Association to amend, replace and restate the fine policy;

WHEREAS, pursuant to Article VI, Section 3 of the By-Laws, at all meetings of the Board, a majority of the directors shall constitute a quorum for the transaction of business, and every decision made by a majority of the directors present shall constitute the decision of the Board; and

WHEREAS, at a meeting of the Board on July 31st 2014, at least a majority of the directors were present and at least a majority of the directors present voted to adopt the resolutions set forth below;

NOW, THEREFORE, the Board, on behalf of the Association, duly adopts the following resolutions:

BE IT RESOLVED, that pursuant to the Declaration and the By-Laws, upon violation of the Declaration or any amendments thereto, the Residential Design Guidelines, the By-Laws of the Association, the Association rules or regulations, or any other Old Orchard dedicatory

instrument as defined in Texas Property Code 209.002, the violating Owner shall be provided written notice by certified mail, return receipt requested. The notice shall describe the violation and the amount of fine to be imposed, if any. The notice shall provide the Owner a reasonable time to cure the violation in order to avoid the fine, unless the Owner was given written notice and the opportunity to cure a similar violation within the preceding six months. The notice shall inform the Owner that the Owner (i) may request a hearing under Section 209.007 on or before the 30th day after the date the owners receives the notice; and (ii) may have special rights or relief related to the enforcement action under federal law, including the Service Members Civil Relief Act (50 U.S.C. app. Section 501 et seq.), if the owner is serving on active military duty.

BE IT FURTHER RESOLVED, that any imposed fine is not in lieu of late fees, attorney fees, HOA assessment dues and /or damages that may have been caused by such violation.

BE IT FURTHER RESOLVED, that the amounts of fines assessed in accordance with this Resolution shall be as follows:

Each Letter	\$50.00
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BE IT FURTHER RESOLVED, that subsequent letters imposing fines for uncured violations may be sent monthly.

BE IT FURTHER RESOLVED, that Old Orchard through its Board of Directors is hereby authorized to impose a lesser fine or no fine at all for violations of the Declaration or any amendments thereto, the Residential Design Guidelines, the By-Laws of the Association, the Association Rules, or any other Old Orchard dedicatory instrument as defined in Texas Property Code 209.002 as determined by the Board of Directors in its sole and absolute discretion.

BE IT FURTHER RESOLVED, that failure of the Board or any other person to enforce any of the provisions herein contained shall in no event be deemed a waiver of the right to do so thereafter.

BE IT FURTHER RESOLVED, that the rights of the Association created hereunder are in addition to, not in place of, the rights set forth in the Declaration or any amendments thereto, the Residential Design Guidelines, the By-Laws of the Association, the Association Rules, any other Old Orchard dedicatory instrument, the Texas Property Code, or any other applicable law.

ADOPTED: by the Old Orchard on the 31st day of July, 2014, and to be effective immediately.

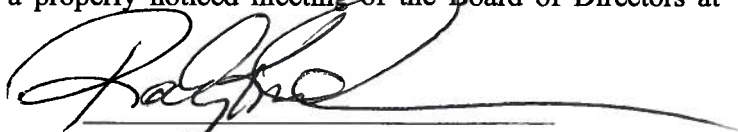

Frank Kalkattawi, President

7-31-14

Date

CERTIFICATE OF SECRETARY

I hereby certify as the Secretary of the Old Orchard that the foregoing resolution of the Board of Directors was approved at a properly noticed meeting of the Board of Directors at which a quorum was present.



Rodney Warner, Secretary

7-31-14

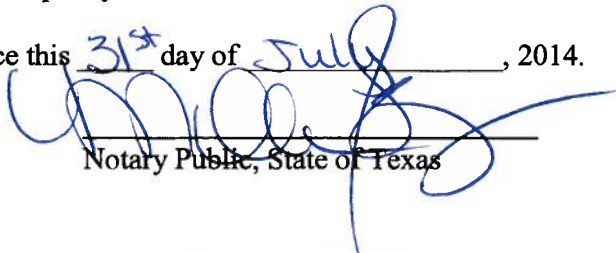
Date

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Before Me, the undersigned authority, on this day, personally appeared Frank Kalkattawi, President/Treasurer of the Association, whose name is subscribed to the foregoing instrument and acknowledged to me that he 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 31st day of July, 2014.



Notary Public, State of Texas



**AFTER RECORDING PLEASE
RETURN TO :**

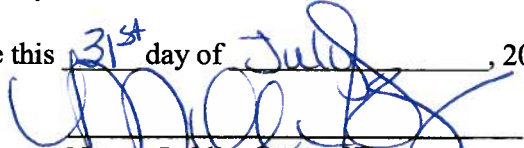
Gary F. Cerasuolo
Smith & Cerasuolo, LLP
7500 San Felipe, Suite 410
Houston, Texas 77063

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Before Me, the undersigned authority, on this day, personally appeared Rodney Warner, Secretary of the Association, whose name is subscribed to the foregoing instrument and acknowledged to me that he 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 31st day of July, 2014.



Notary Public, State of Texas



EXHIBIT "A"
to the
FINE POLICY
for
O.O. COMMUNITY ASSOCIATION, INC.

Old Orchard, Section One (1), a subdivision located in Fort Bend County, Texas according to the map or plat thereof filed of record under Film Code No. 20070010 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

Old Orchard, Section Two (2), a subdivision located in Fort Bend County, Texas according to the map or plat thereof filed of record under Film Code No. 20070016 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

Old Orchard, Section Three (3), a subdivision located in Fort Bend County, Texas according to the map or plat thereof filed of record under Film Code No. 20070013 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

Old Orchard, Section Four (4), a subdivision located in Fort Bend County, Texas according to the map or plat thereof filed of record under Film Code No. 20080086 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

Old Orchard, Section Five (5), a subdivision located in Fort Bend County, Texas according to the map or plat thereof filed of record under Film Code No. 20080085 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

Old Orchard, Section Six (6), a subdivision located in Fort Bend County, Texas according to the map or plat thereof filed of record under Film Code No. 20080088 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

Old Orchard, Section Seven (7), a subdivision located in Fort Bend County, Texas according to the map or plat thereof filed of record under Film Code No. 20100031 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

Old Orchard, Section Eight (8), a subdivision located in Fort Bend County, Texas according to the map or plat thereof filed of record under Film Code No. 20090080 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

GARY F. CERASUOLO
SMITH & CERASUOLO
7500 SAN FELIPE ST SUITE 410
HOUSTON, TX 77063-7801

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

Dianne Wilson, County Clerk
Fort Bend County, Texas

September 18, 2014 01:53:05 PM

FEE: \$25.00 KA
RES

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