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RESOLUTION OF THE BOARD OF DIRECTORS
OF O.O. COMMUNITY ASSOCIATION, INC. REGARDING
THE DESIGNATION AND MAINTENANCE OF COMMON AREA FENCES

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 ("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, pursuant to Article III, Section 1 of the Declaration, the Association is charged with providing for the maintenance and preservation of the "Area of Common Responsibility";

WHEREAS, Article I, Section 1 defines "Area of Common Responsibility" as the Common Area which becomes the responsibility of the Association;

WHEREAS, Article I, Section 10 defines "Common Area" to include all real property and improvements located thereon owned by the Association for the common use and enjoyment of Owners and Occupants;

WHEREAS, to determine the Association's responsibility with respect to certain fencing, the Board retained Cotton Surveying Company to conduct a land survey to determine whether or not certain wood fencing along Old Orchard Drive, Old Oak Grove Drive, Orchard Barn Drive, and Orchard Links Drive is located on the Common Area;

WHEREAS, Cotton Surveying Company completed its survey (the "Survey"), a copy of which is attached hereto as Exhibit "A";

WHEREAS, the Survey revealed that (i) the rear wood fencing of the lots along Old Oak Grove Drive, (ii) the rear and side wood fencing of the lots along Old Orchard Drive, (iii) the rear and side wood fencing along Orchard Barn Drive between Old Windmill Drive and Old Orchard Drive, and (iv) the side and rear wood fencing along Orchard Links Drive between Old Orchard Drive and Barn Course Drive (collectively the "Subject Fencing"), as shown on Exhibit "A", save and except the small section of fencing located along the rear lot line of 1 near the sanitary lift station near the intersection of Orchard Barn Drive and Old Orchard Drive, are all located on the Common Area;

WHEREAS, based on the results of the Survey, the Board desires the Association to assume responsibility for the maintenance and preservation of the Subject Fencing;

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

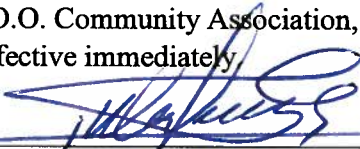
WHEREAS, at a meeting of the Board on January 29, 2015, at least a majority of the directors were present and at least a majority of the directors present voted to adopt the resolutions set forth below;

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

BE IT RESOLVED, that the Board hereby adopts the survey attached as Exhibit "A" as a correct survey of the portions of the Subdivision contained therein;

BE IT FURTHER RESOLVED, that pursuant to the Declaration and the By-Laws, the Association shall maintain, preserve and replace as necessary the following wood fencing: (i) the rear fencing of the lots along Old Oak Grove Drive, (ii) the rear and side fencing of the lots along Old Orchard Drive, (iii) the rear and side fencing along Orchard Barn Drive between Old Windmill Drive and Old Orchard Drive, and (iv) the side and rear fencing along Orchard Links Drive between Old Orchard Drive and Barn Course Drive, as reflected on Exhibit "A", save and except the small section of fencing located along the rear lot line of 1 near the sanitary lift station near the intersection of Orchard Barn Drive and Old Orchard Drive.

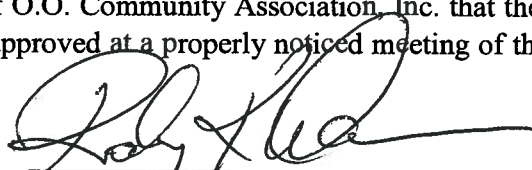
ADOPTED: by the Board of Directors of O.O. Community Association, Inc. on the 29th day of JANUARY, 2015, and to be effective immediately



Signature
JUAN ACOSTA, President
Printed Name
1/29/15
Date

CERTIFICATE OF SECRETARY

I hereby certify as the Secretary of O.O. Community Association, Inc. 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.



Signature
Honey K Warner, Secretary
Printed Name
1/29/15
Date

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Before Me, the undersigned authority, on this day, personally appeared Julio Acosta, President 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 29 day of January, 2015.



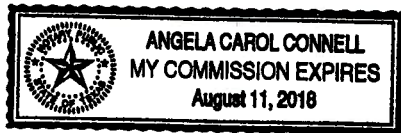
Notary Public, State of Texas

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Before Me, the undersigned authority, on this day, personally appeared Rocky K. 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.

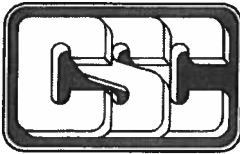
Given under my hand and seal of office this 29 day of January, 2015.



Notary Public, State of Texas

After Recording Return to:

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



**COTTON SURVEYING
COMPANY**

6335 Guffon, Suite 100
Houston, Texas 77081-1169
TEL 713 981 0275
FAX 713 777 5976

AUSTIN
HOUSTON
SAN ANTONIO
COLLEGE STATION

DALLAS
BRENHAM
ROSENBERG
THE WOODLANDS

Texas Board of Professional Land Surveyors Registration No. 10046100

December 8, 2014

Mr. Jonathan Rivera
Property Manager
MASC Austin Properties, Inc.
13726 Florence Rd
Sugar Land, TX

Re: Report on Survey to locate the wood fence along Old Orchard Drive and Old Oak Grove and Orchard Links

Dear Mr. Rivera,

We located the wood fence in relation to the property lines of the lots by the following surveying methods:

- The location of the property lines were based on our master drawing which we used to produce the recorded subdivision plats.
- The basic subdivision is built as follows:
 - Centerline of streets are configured
 - Road right of ways are offset from the centerline
 - Lot lines are offset or intersected to the road right of ways, this includes reserve lines.

To determine the location of the fences in relation to the platted lot lines we used the following method:

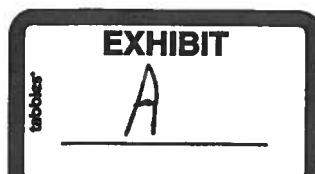
- Locate the road centerline and road right of way centerline points of the subdivision, which in most cases are a cut "X" in concrete or a special type of nail set at the center line intersections, beginning of curves, end of curves, or angle points.
- Locate the face of the wood fences in question.
- Since our data base has the relation of the road centerlines, road right of ways, and lot lines we were able to determine the relationship of the centerline and back lot lines directly.

With this data we merged the as-built locations in our database that has centerline, road right of ways, reserve lines and lot lines. This was the basis for the drawing that we provided. The dimensions show that the fence is inside or outside of the lot line in question. In almost all cases the subject fence was built outside the lot.

The one area where the fence is partially built within a Lot is on Lot 1 near the intersection of Orchard Barn Drive and Old Orchard Drive is near the sanitary lift station. We annotated our drawing where the leader (distance) number indicates which side of the Lot line the fence is located; this is noted on the drawing. If you have questions, please feel free to call me.

Sincerely,


Steven James
Registered Professional Land Surveyor
No. 5317



Ret

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

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard

Laura Richard, County Clerk
Fort Bend County, Texas

February 17, 2015 10:56:40 AM

FEE: \$25.00 JE
RES

2015016007

