

**AFFIDAVIT IN COMPLIANCE WITH SECTION 202.006**  
**OF TITLE 11 OF THE TEXAS PROPERTY CODE**

Doc# 2011053109

THE STATE OF TEXAS           §  
  §  
COUNTY OF BRAZORIA       §

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BEFORE ME, the undersigned authority, on this day personally appeared Terrie Brown, who, being by me duly sworn to law, stated the following under oath:

“My name is Terrie Brown. I am fully competent to make this Affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.

I am the Association Manager of Southwyck Section IV Homeowners Association, Inc, a Texas Non-Profit Corporation (the “Association”). I am also a custodian for the records for the Association and I have been authorized by the Association’s Board of Directors to sign this Affidavit.

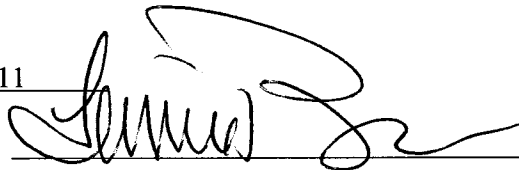
The Association is a “property owners’ association” as that term is defined in Title 11 of the Texas Property Code. The Association’s jurisdiction includes, but may not be limited to Southwyck Section IV Homeowners Association, Inc., Sections 4,7,8 & 9 per the maps or plats thereof heretofore recorded in the Map Records of Brazoria County, Texas.

Attached hereto are the originals of, or true and correct copies of, the following dedicatory instruments, including known amendments or supplements thereto, governing the Association, which instruments have not previously been recorded:

- |   |  |
|---|--|
| _____ Association’s Articles of Incorporation | _____ Association’s By-Laws                                    |
| _____ Association’s Rules and Regulations     | _____ Association’s Architectural Control Committee Guidelines |
| _____ Articles of Merger                      | _____ Annexation Resolution                                    |
| _____ Collection Schedule                     | <u>  X  </u> Deed Restriction Enforcement                      |

The documents attached hereto are subject to being supplemented, amended or changed by the Association. Any questions regarding the dedicatory instruments of the Association may be directed to the Association at 7170 Cherry Park Drive, Houston Texas 77095, telephone no. 281-463-1777.

SIGNED on this the 31<sup>st</sup> day of October, 2011



Printed Name: Terrie Brown

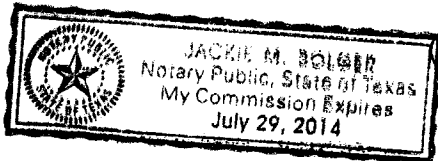
Position Held: Association Manager

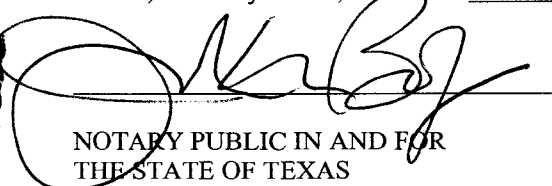
VERIFICATION

THE STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

BEFORE ME, the undersigned authority, on this day personally appeared Terrie Brown, who, after being duly sworn, stated under oath that he/she has read the above and foregoing Affidavit and that every factual statement contained therein is within his/her personal knowledge and is true and correct

SUBSCRIBED AND SWORN TO BEFORE ME, A Notary Public, on this the 31 day of Oct 2011.



  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

After recording please return to: % SCS Management Services, Inc. 7170 Cherry Park Drive, Houston, TX 77095

JSCS

SOUTHWYCK SECTION IV HOMEOWNERS ASSOCIATION, INC.  
Resolution Regarding Deed Restriction Enforcement

I, Scarlett Kutch, the President of SOUTHWYCK SECTION IV HOMEOWNERS ASSOCIATION, INC., a Texas non-profit corporation organized under the Texas Non-Profit Corporation Act, do hereby certify that a regular meeting of the Board of Directors was held on this the 27 day of October, 2010, with a majority of directors being present and remaining throughout and being duly authorized to transact business, the following resolution was duly made and approved:

WHEREAS, the Board of Directors is empowered to govern the affairs of the Homeowners Association by exercising all powers, duties and authority not reserved to the membership, pursuant to Article VI of the By-Laws; and

WHEREAS, the Board of Directors is empowered to administer and enforce the Association's deed restrictions, pursuant to Article VI of the By-Laws; and

WHEREAS, the Board of Directors is responsible to oversee the operation of the Architectural Control Committee, interpret the ACC Guidelines, communicate ACC requirements and specifications to homeowners, and enforce adherence to the ACC regulations, pursuant to Article I of the By-Laws; and

WHEREAS, the Board of Directors desires to establish all deed restriction enforcement policies in accordance with Section 209 of the Texas Property Code and enforce effectively and impartially;

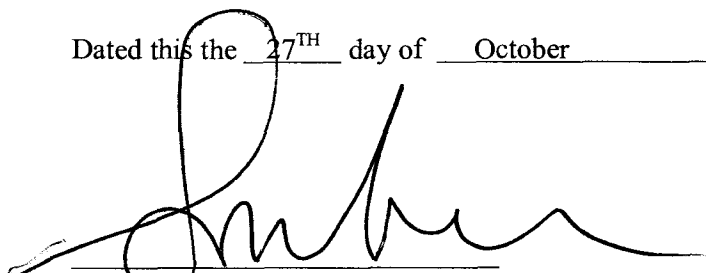
NOW, THEREFORE, BE IT RESOLVED THAT deed restrictions will be enforced through the following:

1. Impartial inspections and at least 2 notification letters on the violation
2. Notice of Non-Compliance, including right to a hearing, mailed certified and first class, from the Association through its agent, SCS Management Services, Inc.
3. Hearing
4. Suspension of member rights and services, including use of any and all common areas and disconnection of individual services
5. Attorney Demand Letter
6. Lawsuit
7. Reimbursement of all fees, charges and attorney fees as provided by law.
8. The Board reserves the right to by-pass the two notices based on the severity of the violation and/or the Boards understanding that the violation needs faster action than the standard procedures allowed. This will be determined by the Board on a case by case basis.

Correspondence is mailed to the last known address of the homeowner according to Association records. The cost of deed restriction enforcement steps is paid by the Association and charged back to the account of the delinquent owner for reimbursement to the Association

IN WITNESS OF the adoption of this resolution, it is executed to be effective immediately. It shall remain in full force and effect upon all homeowners, residents and guests perpetually, unless amended or rescinded by the Board of Directors in a formal vote. In the event of any conflict in resolutions adopted, the document with the latest date shall prevail.

Dated this the 27<sup>TH</sup> day of October, 2011.

  
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Scarlett Kutch, President