

ADDITIONAL DEDICATORY INSTRUMENTS
for
SOUTHWYCK COMMUNITY ASSOCIATION, INC.

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

BEFORE ME, the undersigned authority, on this day personally appeared **Trisha Taylor Farine**, who, being by me first duly sworn, states on oath the following:

"My name is **Trisha Taylor Farine**, I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

"I am the attorney for SOUTHWYCK COMMUNITY ASSOCIATION, INC. Pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

**Policy Regarding Collection of Assessments
(Amended and Restated November 2, 2023)**

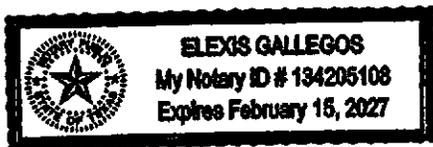
DATED this 6th day of November, 2023.

SOUTHWYCK COMMUNITY
ASSOCIATION, INC.

BY: Trisha Taylor Farine
Trisha Taylor Farine, attorney

SUBSCRIBED AND SWORN TO BEFORE ME by the said Trisha Taylor Farine, on this the 6th day of November, 2023.

Elexis Gallegos
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



**SOUTHWYCK COMMUNITY ASSOCIATION, INC. (Master Association)
POLICY REGARDING COLLECTION OF ASSESSMENTS
(Amended and Restated Nov 2, 2023)**

WHEREAS, Article 1396-2.02(15) of the Texas Non-Profit Corporation Act authorizes non-profit corporations to have and exercise all powers necessary or appropriate to effect any or all of the purposes for which the corporation is organized;

WHEREAS, Pursuant to Article VII, Section 4 of the Declaration of Covenants, Conditions and Restrictions for each of the various Village Associations within Southwyck Community Association, Inc. (hereinafter the "Master Association"), the Master Association has the "sole and exclusive right and obligation to bill and collect" the maintenance assessments for both the Master Association and each Village Association;

WHEREAS, it is the express intent of the Board of Directors of the Master Association to actively pursue all available collection remedies, contained both in the governing documents and in state law, for any outstanding amounts owed by property owners as reflected on the assessment accounts for each Lot kept by the Master Association. Such remedies may include, but are not limited to, enforcement of the property owner's personal obligation to pay assessments and/or placement of a lien and/or foreclosure of the Association's lien against a Lot;

WHEREAS, Section 209.0063 of the Texas Property Code governs the priority of payments received by a property owners association from an answer; and

WHEREAS, the Board of Directors of the Master Association desires to adopt a policy establishing a general procedure for the collection of assessments and for application of payments between the Master Association and the Village associations.

NOW THEREFORE, BE IT RESOLVED that the following Collection Policy is hereby adopted:

COLLECTION POLICY

Partial payments will not be accepted from property owners unless such owners have signed a written payment agreement with the Master Association.

Collection Schedule: The following collection schedule is to be used as a general guideline; however, the Board of Directors reserves the right to vary from this schedule as necessary.

Assessments to be collected semi-annually in arrears.

January 1 assessment: Delinquent February 1 (Collection Cost of \$50.00 assessed)
 Interest of 10% per annum begins to accrue February 1
 Mail late notice in February
 Mail certified letter in March (90 day deadline to pay)

July 1 assessment: Delinquent August 1 (Collection Cost of \$50.00 assessed)
 Interest of 10% per annum begins to accrue August 1
 Mail late notice in August
 Mail certified letter in September (90 day deadline to pay)

Once an account is delinquent for two consecutive payment cycles, the account will be turned over to the Association's attorney for legal action. Accounts with one cycle of assessment delinquency that have also accrued other fees related to deed restriction enforcement may also be turned over to the attorney for legal action. Delinquent accounts with deed restriction enforcement fees will be handled on a case by case basis.

Pursuant to Section 209.0094 of the Texas Property Code, assessment liens may not be filed before the 90th day after the certified mail notice is sent.

Priority of Payments:

Payments received from property owners shall be applied in the following order:

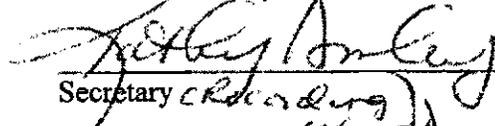
1. Delinquent Master Association assessments;
2. Delinquent Section or Village Association assessments;
3. Current Master Association assessments;
4. Current Section or Village Association assessments;
5. Attorney's fees incurred by the Master Association associated solely with assessment collection;
6. Collection costs incurred by the Master Association associated solely with assessment collection;
7. Attorney's fees incurred by the Village Association associated solely with deed restriction enforcement, provided the Master Association's management company has been notified in writing of such fees at least thirty (30) days prior to the date a payment to be applied is received from the property owner;
8. Any other amounts owed to the Master or Village Associations, including, but not limited to, interest and late fees, if any.

Collection on Behalf of Village Associations:

1. The Master Association is obligated by the restrictive covenants to collect the Village Association assessments and same will be forwarded to the respective Village Associations as soon as is practical after monthly reconciliations are done.
2. The Master Association may, but is not obligated to, collect attorney's fees incurred by the Village Associations with regard to deed restriction enforcement. However, every effort will be made by the Master Association to include such fees in its collection efforts.

Adopted this 2nd day of November, 2023, by at least a majority of the Board of Directors of the Association.

SOUTHWYCK COMMUNITY
ASSOCIATION, INC.


Secretary (Recording)
Print Name: Kathy Doolan

FILED and RECORDED

Instrument Number: 2023049968

Filing and Recording Date: 11/06/2023 02:41:02 PM Pages: 5 Recording Fee: \$38.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-rachael