

FORT CLARK SPRINGS ASSOCIATION, INC.
POLICY RESOLUTION 05-01

A RESOLUTION TO PROVIDE PROCEDURES FOR THE LEVY OF SPECIAL ASSESSMENTS AND FOR ENFORCING COMPLIANCE WITH THE ASSOCIATION'S RULES, REGULATIONS AND PROCEDURES.

WHEREAS, the following amendment was adopted by the Board of Directors of the Fort Clark Springs Association, Inc., and was approved by a majority of the memberships voting thereon, after reasonable notice to its members, at a Special Meeting on October 17, 1987, which amendment states as follows:

NOW THEREFORE, the Declaration of Protective Restrictions, the Fort Clark Springs Association, Inc., is hereby amended to include the following:

"Part V,8,r,(ff), Special Assessments: In addition to other assessments described elsewhere in the Declaration and Amendments thereto, the Board of Directors may levy a special assessment, not to exceed Two Hundred (\$200.00) Dollars per occurrence, on a particular member or members for the purpose of enforcing compliance under the Association's rules, regulations, and procedures pertaining to and including, but not limited to, traffic and speed regulations; parking regulations; animal control; trash; junk and litter control; building permits; building violations; swimming pool regulations; and Protective Restrictions described in the Declaration and Amendments thereto. Special assessments levied under this sub-section shall require prior approval of four-fifths (4/5ths) of the Association's Board of Directors voting thereon. Each member shall be personally liable for special assessments on his/her membership, and this liability shall be secured by a security interest granted and created as described elsewhere in the Declaration and Amendments thereto, and may be enforced as described elsewhere in the Declaration and Amendments thereto."

All other provisions, covenants, conditions, and restrictions of said Declaration and of the Amendments thereto are to remain unaltered.

WHEREAS, the Association adopts the following procedures for investigation of violations, levy of special assessments and enforcement in accordance with the Texas Property Code.

ORIGIN AND SUBMISSION OF COMPLAINTS

- A. Allegations of violations may be made at any time by any member, by the Architectural Committee, or by the Director of Operations (or his designated agents) of the Fort Clark Springs Association, Inc.
- B. Allegations of violations must be submitted in writing to the Office of the Director of Operations.
- C. The office of the Director of Operations of the Fort Clark Springs Association, Inc. shall keep on file all records pertaining to complaints.
- D. All complaints will be investigated by the Director of Operations or his designated agents.

If it is an alleged violation of a board rule or regulation, then the Director of Operations will make the determination as to its probably validity. If it is an alleged violation of the CC&R's for a particular unit, then the facts will be presented to the Architectural Committee to determine its validity. All probable violations will be processed in accordance with paragraph E below.

- E. The Director of Operations will give written notice of the alleged violation to the member who is alleged to have committed the violation or who is responsible for a guest who commits an alleged violation.

WHEREAS, the Association has adopted the following schedule of special assessments for violations and may adopt in the future various special assessments for other violations:

F. Schedule of Special Assessments

Violation of CC&R's - \$25.00 per day up to \$200.00 per occurrence
Failure to file application for building permit prior to construction - \$25.00

Violation of Rules and Regulations:

| | |
|------------------------------------|------------|
| 1 st offense | warning ✓ |
| 2 nd offense | \$25.00 ✓ |
| 3 rd offense | \$75.00 ✓ |
| 4 th offense | \$150.00 ✓ |
| 5 th offense and higher | \$200.00 ✓ |


This shall be for a violation(s) of any rule and regulation, not for an individual rule and regulation. This shall be for a 6-month period. If a member commits no violation within that 6-month period, and then commits another, they shall start at the 2nd offense level and go up.

G. Special Assessments

Each member shall be personally liable for special assessments for his or her membership. Any fees and charges assessed for violations by the Fort Clark Springs Association, Inc., if not paid when assessed, shall become a personal liability of the member and shall become a lien on the member's membership in the same manner as other assessments and debts of the member as described in the Declaration of Protective Restrictions and amendments thereto. These fees and charges may be enforced in the same manner as other assessments and debts of the members as described in the Declaration of Protective Restrictions and amendments thereto.

This resolution supercedes Resolution 91-3 adopted on August 17, 1991 and Resolution 93-4 adopted April 23, 1993 and ratified on May 1, 1993.

APPROVED AND ADOPTED THIS 16th DAY OF April, 2005.


MONICA WHITE, PRESIDENT


NOLAN BRANDT, SECRETARY