

RESOLUTION ADOPTING VIOLATION PROCEDURE

FOR

Goldenwood Property Owners Association, Inc.

WHEREAS Texas Property Code §202.006(a) became effective January 1, 2012, requiring associations to file all dedicatory instruments, as defined by the Texas Property Code § 202.001(1), in the official public records of the count our counties wherein they are located.

WHEREAS failing the filing of the same, an association's various dedicatory instruments would not be enforceable,

BE IT RESOLVED, that the following attached document be caused to be filed in the official public records of the county or counties wherein Goldenwood Property Owners Association, Inc. is located.

To the extent any of the attached dedicatory instruments conflict with any previous guidelines, rules, covenants, or restrictions, the dedicatory instrument filed herewith shall control.

This resolution was passed by majority vote of the Board of Trustees of the Goldenwood Property Owners Association, Inc. on the date set forth below to be effective upon filing of this instrument:

Executed this 15th day of September 2016.

By: [Signature] By: James A Lipman

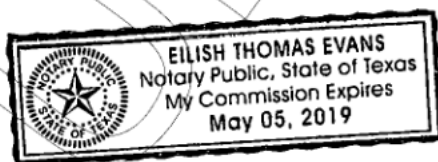
Name: Scott Elequin Name: JAMES A LIPMAN

Title: President Title: SECRETARY

State of Texas §

County of Hays §

This instrument was acknowledged on this 15th day of September, 2016, before me by Jamie Lipman, Scott Elequin of the Goldenwood Property Owners Association, Inc. for the purposes expressed herein.



Eilish Thomas Evans
Notary Public, State of Texas

Prepared by: Avera Law Firm, PLLC, 310 W Hwy 290 Ste C, Dripping Springs, Texas 78620

Upon filing, please return to: Goldenwood POA Office, 16104 Goldenwood Way, Austin, Texas 78737



Goldenwood Property Owners' Association
16104 Goldenwood Way
Austin, TX 78737-9068
www.goldenwood.org

Goldenwood Property Owners' Association Violation Procedure

The following outlines the minimum notice and hearing procedures for violations of the Bylaws and/or the Covenants, Conditions and Restrictions of the Goldenwood Property Owners' Association. These notices and hearing procedures are intended to meet the requisites of Texas Property Code Chapter 209 and 207 and provide additional notices to our Owners. It does not supersede any of the Bylaws, or Covenants, Conditions and Restrictions of Goldenwood. Notwithstanding any language to the contrary, the Board of Trustees shall have the power, upon majority vote of the Board of Trustees, to amend any provision of these rules or bylaws as may be necessary to comply with Chapter 209 and 207 and any subsequent amendments. It shall be the responsibility of the Architectural and Protective Committee (APC) to implement this procedure.

Section 1. Notice Requisites.

Courtesy Notice

Upon the APC determination that a violation of the covenants exist, the APC will send a "courtesy notice" to the owner informing the owner that a violation exists, and requesting a remedy of the violation. A remedy or response will be required within 30-days or less as stated in the "courtesy notice" to avoid the initiation of a formal legal process. The property Owner will be encouraged to attend an APC meeting, communicate with APC members directly, and/or to communicate with the GPOA Administrator to obtain further understanding of the APC's position on the matter and what alternatives exist. The 'courtesy notice' will be mailed via regular stamped mail and email along with any available photos, to the last known address of the Lot Owner in The Board of Trustees' records.

Formal Notices of Violations

If the violation is not resolved within the time frame designated in the 'courtesy notice', or a plan to resolve the violation within a set time frame is not agreed upon, then the APC will initiate a legal notification and enforcement procedure by sending the "first notice of violation" (first-NOV) and request correction and offer to meet with the owner to resolve the matter within 30-days. If there is no response, or no agreement to resolve a violation a "second notice of violation" (second-NOV) will be mailed. The first and second-NOVs shall be sent certified mail, return receipt requested, to the last known address of the Lot Owner in The Board of Trustees' records.

The NOVs must (1) describe the covenant violation or property damage that is the basis for the suspension action, charge, or fine and state any amount due the association from the owner, (2) inform the Owner that the Owner is entitled to a 'reasonable period' to cure the violation and avoid the cost of Attorney's Fees, fines, damages and possible additional penalties, if the violation is of a curable nature and does not pose a threat to public health or safety. If the Owner was given notice and reasonable opportunity to cure similar violation within the preceding six months, then, the payment of attorney's fees may be accelerated as described below; and (3) inform the Owner that they may request a hearing under Texas Property Code section 209.007 as amended before the Board of Trustees on or before the 30th day after the date the Owner received the notice, or 30 days after the date on which the first attempted deliver was made to the Owner; and (4) inform the owner they 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 any of the owners are serving on active military duty. (5) NOV's shall be delivered by "verifiable method"; certified mail with return receipt requested complies with this requirement. (6) If

the owner cures the violation before the expiration of the period for cure described by (2), a 'fine' may not be assessed for the violation. (7) For purposes of this procedure, a violation is considered a 'threat to public health or safety' if the violation could materially affect the physical health or safety of an ordinary resident. (8) For purposes of this procedure, a violation is considered incurable if the violation has occurred but is not a continuous action (such as a 'using fireworks') or a condition capable of being remedied by affirmative action. For purposes of this procedure, the non-repetition of a one-time violation or other violation that is not ongoing is not considered an adequate remedy.

If the hearing is to be held before a committee, the notice must state that the Owner has the right to appeal the committee's decision to the Board of Trustees by written notice to the Board. The Board of Trustees will hold any hearing not later than the 30th day of the date the Board receives the Owner's request for a hearing and will notify the Owner of the date, time, and place of the hearing at least ten (10) days before the hearing date. The board or the owner may request a postponement, and, if requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties. The owner or the association may make an audio recording of the meeting.

Section 2. Attorney's Fees & Fines. The Board of Trustees may assess reasonable attorney's fees to an Owner's account for nonpayment of amounts due and other violations of the Bylaws, or Covenants, Conditions and Restrictions only if the Lot Owner is provided written notice that attorney's fees and cost will be charged to the Owner if the violation or delinquency continues after a date certain. Regardless, attorney's fees may not be charged to an Owner's account until after any Owner-requested hearing allowed pursuant to the procedures is held, or, if the Owner does not request a hearing, before the date by which the Owner must request a hearing. For repeat violations within six months, attorney's fees may be assessed to an account after the first hearing request deadline has passed or after the first hearing, as appropriate.

Rule 1 (Power to Fine) for the Association, which is recorded in the Hays County Real Property Records as Document No. 386912 states Any property owner who, either in person or through a person or entity subject to said property owners' control, fails to comply with the Supplemental Declaration of Covenants, Conditions and Restrictions governing the Association and property subject to the Associations jurisdiction specifically including, but without limitation, Articles Six and Seven thereof regarding required submission and approval of plans and specifications for Architectural and Protective Committee review and regarding land use and architectural restrictions may, upon notice by the APC and approval by the Board of Trustees be fined and assessed an amount not to exceed \$50.00 per day for each day of non-compliance with said Covenants following notice of non-compliance by the APC. The filing of a lien may enforce said assessments therefore against the title of the non-compliant property. The referenced Supplemental Declarations of Covenants, Conditions and Restrictions are on file with the Associations Secretary (or www.goldenwood.org) or may be reviewed in the Hays County Real Property Records.

Section 3. APC. The APC shall visit the Owner's property only when invited to do so by the Owner. All Owner violations are to be handled in a consistent manner as defined by this procedure. Any exception to this procedure shall require approval of the Board of Trustees.

The failure of The Board of Trustees to enforce any provisions of the Declaration, Bylaws, rules or procedures shall not constitute a waiver of the right to enforce the same thereafter. All remedies in the Declaration, Bylaws, and rules are cumulative and not exclusive.

CERTIFICATION

IN WITNESS WHEREOF, the undersigned, Scott Elequin, as the duly elected, qualified and acting President of Goldenwood Property Owners' Association, Inc., a Texas nonprofit corporation, hereby certifies on behalf of the Association that this Payment Plan Guidelines Policy and Application of Payments Schedule was duly adopted by the Board of Directors of the Association was approved on September 15, 2016, after being discussed at several public board meetings, and shall take effect upon its recording in the Official Public Records of Hays County, Texas.

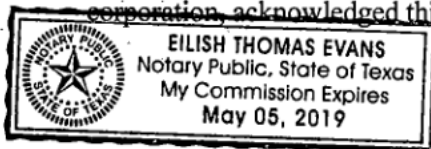
GOLDENWOOD PROPERTY OWNERS' ASSOCIATION, INC.,
a Texas nonprofit corporation

By:


Scott Elequin, President

THE STATE OF TEXAS COUNTY OF
HAYS

Scott Elequin, President of the Goldenwood Property Owners' Association, Inc., a Texas nonprofit corporation, acknowledged this instrument before me on the 15 day of September 2016.

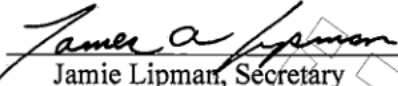


[SEAL]


Notary Public Signature

GOLDENWOOD PROPERTY OWNERS' ASSOCIATION, INC.,
a Texas nonprofit corporation

By:


Jamie Lipman, Secretary

THE STATE OF TEXAS COUNTY OF
HAYS

Jamie Lipman, Secretary of the Goldenwood Property Owners' Association, Inc., a Texas nonprofit corporation, acknowledged this instrument before me on the 15 day of September 2016.

[SEAL]


Notary Public Signature

