

VG-342-2023-126939

**Denton County
Juli Luke
County Clerk**

Instrument Number: 126939

Real Property Recordings

MISCELLANEOUS

Recorded On: November 30, 2023 01:11 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$42.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

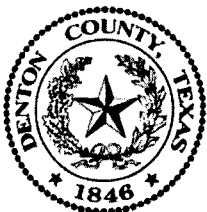
File Information:

Document Number: 126939
Receipt Number: 20231130000343
Recorded Date/Time: November 30, 2023 01:11 PM
User: Freeha Z
Station: Station 3

Record and Return To:

BRAD MOLEN
2587 BIG SKY TRAIL

PONDER TX 76259



STATE OF TEXAS
COUNTY OF DENTON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke
County Clerk
Denton County, TX

AFTER RECORDING RETURN TO:

Brad Molen
2587 Big Sky Trail
Ponder, Texas 76259

STATE OF TEXAS
COUNTY OF DENTON

**PROPERTY OWNERS' ASSOCIATION
MANAGEMENT CERTIFICATE
FOR
BIG SKY, TEXAS HOMEOWNERS ASSOCIATION, INC.**

This PROPERTY OWNERS' ASSOCIATION MANAGEMENT CERTIFICATE (this "*Certificate*") is made on behalf of BIG SKY, TEXAS HOMEOWNERS ASSOCIATION, INC., a Texas non-profit corporation (the "*Association*").

WITNESSETH:

WHEREAS, BIG SKY, TRAILS LTD., a Texas Limited Partnership, as Declarant, executed and previously placed on record that certain *Fifth Amended and Restated Declaration of Covenants, Restrictions and Easements for Big Sky, Texas Homeowners Association*, recorded on November 22, 2023 as Instrument No. 2023-125071 in the Official Public records of Denton County, Texas (the "*Declaration*") as supplemented or amended, is incorporated herein for all purposes.

WHEREAS, the Association has caused this Certificate to be prepared and filed in accordance with the provisions of the Texas Residential Property Owners Protection Act as provided in Section 2009.004 of the Texas Property Code.

NOW, THEREFORE, the undersigned hereby certifies as follows on behalf of the Association:

1. **Name of Subdivision:** The name of the subdivision which is the subject of the Declaration is *Big Sky Trails Addition, an Addition to Denton County, Texas*.
2. **Name of the Association:** The name of the Association is *Big Sky, Texas Homeowners Association*.
3. **Recording Data for the Subdivision:** The recording data for Big Sky Trails Addition, located in Denton County, Texas is filed according to the map or plat thereof recorded in Cabinet S, Page 18 of the Plat Records of Denton County, Texas
4. **Recording Data for the Declaration:** The Declaration is recorded as Instrument No. 2023-125071, along with any and all amendments thereto, recorded in the Official Public Records of Denton County, Texas.
5. **Mailing Address and Telephone Number of the Managing Agent:** The current mailing address for the Association is Brad Molen, 2587 Big Sky Trail, Ponder, Texas 76259, telephone 972-880-5040 and email address: "molenbradley@gmail.com".

6. **Resale Certificates and Other information:** Resale certificates and other information regarding the Association may be requested by contacting the Association c/o Brad Molen, 2587 Big Sky Trail, Ponder, Texas 76259, telephone 972-880-5040 and email address: molenbradley@gmail.com.
7. **Property Transfer Fees:** The amount and description of a fee or fees charged by the association relating to a property transfer in the subdivision is \$500 (*Five hundred dollars*)
8. **Policies of the Association:**

a. Open Records Policy:

INSPECTION OF DOCUMENTS, BOOKS, AND RECORDS.

The Association shall be formed by Declarant as a non-profit corporation in accordance with the laws of the State of Texas. Management and governance of the Association shall be implemented and/or undertaken in accordance with its Articles of Incorporation, in accordance with this Declaration, and in accordance with the By-Laws which shall be adopted by the Association following its formation.

As required by Texas Property Code Section 209.005. Association Records (c): Notwithstanding a provision in a dedicatory instrument, a property owners' association shall make the books and records of the association, including financial records, open to and reasonably available for examination by an owner, or a person designated in a writing signed by the owner as the owner's agent, attorney, or certified public accountant, in accordance with this section. An owner is entitled to obtain from the association copies of information contained in the books and records.

The Association shall make available at reasonable cost copies of the Declaration, By-Laws, Articles of Incorporation, rules and regulations governing the Association. All minute books, meeting and other records, and all financial data and records of the Association shall be held available for inspection by any Owner or any Mortgagee during normal business hours or at such other reasonable times as the Board may approve.

b. Records Production and Copying Policy:

The Association shall make copies of any and all HOA documents, including all financial documents, at a cost of .50 cents a page. Owner's requesting said documents are responsible for paying copy costs. The Association may require advance payment for copies. Any owner that fails to pay for document copies before the 30th business day after the date the invoice is sent to the owner shall have the amount owed for said copies added to their account as an assessment. If an owner makes an advance payment in excess of the final cost of the copies made, the owner

is entitled to a refund of the difference, and the refund shall be issued to the owner not later than the 30th business day after the date the invoice is sent to the owner.

c. Records Retention Policy:

- (1) certificates of formation, bylaws, restrictive covenants, and all amendments as per the Declaration to the certificates of formation, bylaws, and covenants shall be retained permanently;
- (2) financial books and records shall be retained for seven years;
- (3) account records of current owners shall be retained for five years;
- (4) contracts with a term of one year or more shall be retained for four years after the expiration of the contract term;
- (5) minutes of meetings of the owners and the board shall be retained for seven years; and
- (6) tax returns and audit records shall be retained for seven years.

d. Payment Plan Policy:

The Association shall offer payment plans for property owners who are delinquent so that they can make partial payments without accruing additional monetary penalties. The Association will not charge a fee for administering the plan and interest. The minimum term for a payment plan is three months and the maximum is 18 months from the date of the homeowner's request. Said term is at the discretion of the Board. The payment plan must be filed with the Denton County, Texas Clerk's Office, and the owner is responsible for payment of the filing fee.

The Association is not required to enter into a payment plan with an owner who failed to honor the terms of a previous payment plan if the default occurred during the previous two years.

Allocation of payments:

The Association will apply payments it receives from a homeowner to the homeowner's balance in the following order:

- (1) Delinquent assessments.
- (2) Current assessment, if any.
- (3) Attorney's fees or third party collection costs incurred by the HOA in connection with assessments or any other charge that could provide the basis for foreclosure.
- (4) Other attorney's fees incurred by the association.
- (5) Fines assessed by the association.
- (6) Other amounts owed to the association.

The Association is not required to follow the priority rule when property owners are in default under a current payment plan.

IN WITNESS WHEREOF, the undersigned has caused this certificate to be executed as on behalf of the Association in compliance with Section 2009.004 of the Texas Property Code.

ASSOCIATION:

BIG SKY, TEXAS HOMEOWNERS
ASSOCIATION INC.,
a Texas non-profit corporation

By: Big Sky, Texas Homeowners Association

By: Brad Molen
Brad Molen, President

STATE OF TEXAS
COUNTY OF DENTON

This instrument was acknowledged before me on this the 04th day of November 2023, by Brad Molen, President for Big Sky, Texas Homeowners Association, Inc. a Texas non-profit corporation.

Vanessa Jaime
Notary Public, State of Texas

