

MANAGEMENT CERTIFICATE AND NOTICE OF DEDICATORY INSTRUMENTS OF STAMFORD HEIGHTS HOA

This Management Certificate and Notice of Dedicatory Instruments of STAMFORD HEIGHTS SUBDIVISION PHASE I (the "Subdivision") is made pursuant to Section 209.004 and Section 202.006 of the Texas Property Code.

1. The name of the Subdivision is: STAMFORD HEIGHTS SUBDIVISION PHASE I.
2. The Subdivision Recording Data is: The plat of the Subdivision recorded in Volume 37, Pages 60-61, Webb County Plat Records.
3. The Declaration Recording Data is: Declaration of Covenants, Conditions and Restrictions Volume 4742, Page 503, Webb County Official Public Records.
4. The name of the association is STAMFORD HEIGHTS HOA a Texas nonprofit corporation (the "Association").
5. The Mailing Address of the Association is: c/o James Arthur, 201 W. Hillside, Ste. 7, Laredo, Texas 78041.
6. The Name of Person Managing Association or Association's Designated Representative is: JAMES ARTHUR.
7. The Mailing Address of Person Managing Association or Association's Designated Representative is c/o James Arthur, 201 W. Hillside, Ste. 7, Laredo, Texas 78041.
8. The Association is currently subject to the following attached additional dedicatory instruments ("Dedicatory Instruments") that have not been previously recorded:

EXHIBIT A: CERTIFICATE OF FORMATION

EXHIBIT B: BYLAWS

EXHIBIT C: ORGANIZATIONAL CONSENT OF THE BOARD OF DIRECTORS OF THE ASSOCIATION

EXHIBIT D: RULES OF THE ASSOCIATION

EXHIBIT E: GUIDELINES FOR ALTERNATIVE PAYMENT PLANS

EXHIBIT F: RECORD PRODUCTIONS AND COPYING POLICY



DOC #1385233, OPR 4742 / 0773 - 0801
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Record Date: 02/21/2020 09:24:50 AM
Fees: \$134.00, Recorded By: OR
Margie Ramirez Ibarra, Webb County Clerk

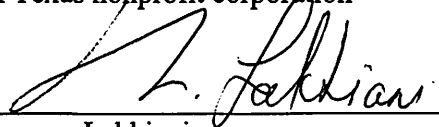
9. Pursuant to Section 202.006 of the Texas Property Code, the Association does hereby record such Dedicatory Instruments. Each dedicatory instrument attached hereto or described herein is subject to amendment pursuant to the amendatory procedures applicable thereto.

Executed on following page.

Executed effective February 18, 2020.

STAMFORD HEIGHTS HOA
A Texas nonprofit corporation

By:

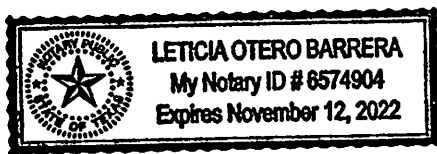


Sammy Lakhiani
~~Secretary~~

STATE OF TEXAS
COUNTY OF WEBB

§
§

THIS instrument was acknowledged before me on this the 18th day of February, 2020, by
SAMMY LAKHIANI, Secretary of STAMFORD HEIGHTS HOA, a Texas nonprofit
corporation, on behalf of said Texas nonprofit corporation.





NOTARY PUBLIC, STATE OF TEXAS

Form 202

Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709

Filing Fee: \$25



**Certificate of Formation
Nonprofit Corporation**

Filed in the Office of the
Secretary of State of Texas
Filing #: 803443981 10/14/2019
Document #: 920255070002
Image Generated Electronically
for Web Filing

Article 1 - Corporate Name

The filing entity formed is a nonprofit corporation. The name of the entity is :

STAMFORD HEIGHTS HOA

Article 2 – Registered Agent and Registered Office

☐ A. The initial registered agent is an organization (cannot be corporation named above) by the name of:

OR

☒ B. The initial registered agent is an individual resident of the state whose name is set forth below:

Name:

SHASHI VASWANI

C. The business address of the registered agent and the registered office address is:

Street Address:

**7220-A Bob Bullock Loop
4th Floor Laredo TX 78041**

Consent of Registered Agent

☐ A. A copy of the consent of registered agent is attached.

OR

☒ B. The consent of the registered agent is maintained by the entity.

Article 3 - Management

☐ A. Management of the affairs of the corporation is to be vested solely in the members of the corporation.

OR

☒ B. Management of the affairs of the corporation is to be vested in its board of directors. The number of directors, which must be a minimum of three, that constitutes the initial board of directors and the names and addresses of the persons who are to serve as directors until the first annual meeting or until their successors are elected and qualified are set forth below.

Director 1: **SHASHI VASWANI**

Title: **Director**

Address: **7220-A Bob Bullock Loop 4th Floor Laredo TX, USA 78041**

Director 2: **PRIYA VASWANI**

Title: **Director**

Address: **7220-A Bob Bullock Loop 4th Floor Laredo TX, USA 78041**

Director 3: **SAMMY LAKHIANI**

Title: **Director**

Address: **7220-A Bob Bullock Loop 4th Floor Laredo TX, USA 78041**

Article 4 - Organization Structure

☒ A. The corporation will have members.

or

☐ B. The corporation will not have members.

Article 5 - Purpose

The corporation is organized for the following purpose or purposes:

The purpose for which the filing entity is formed is to be the property owners association under the Declaration of Covenants, Conditions and Restrictions of

EXHIBIT A

the STAMFORD HEIGHTS SUBDIVISION, in Laredo, Webb County, Texas.

Supplemental Provisions / Information

Any action that may be taken at a Members or board of directors meeting may be taken without a meeting by written consent setting forth the action taken signed by a sufficient number of Members or of the board of directors as would be necessary to take that action at a meeting.

[The attached addendum, if any, is incorporated herein by reference.]

Effectiveness of Filing

☒ A. This document becomes effective when the document is filed by the secretary of state.

OR

☐ B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Organizer

The name and address of the organizer are set forth below.

ROBERT SALDANA **217 W. VILLAGE BLVD., STE. 3, LAREDO, TX 78041**

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

ROBERT SALDANA

Signature of organizer.

FILING OFFICE COPY

**BYLAWS
OF
STAMFORD HEIGHTS HOA
A Texas Non-Profit Corporation**

Basic Information

Property Association: Owners STAMFORD HEIGHTS HOA, a Texas nonprofit corporation.

Principal Office: c/o James Arthur, 201 W. Hillside, Ste. 7, Laredo, Texas 78041.

Declaration: The Declaration of Covenants, Conditions and Restrictions of the STAMFORD HEIGHTS SUBDIVISION, to be recorded in the real property records of Webb County, Texas.

Definitions: Capitalized terms used but not defined herein have the meaning set forth in the Declaration.

Voting Members: Members entitled to vote or their proxies. Any Member delinquent in payment of any Assessment is not a Voting Member.

Declarant: Abaft L.L.C., a Texas limited liability company

A. Members

A.1. Membership. Every Owner is a Member of the Property Owners Association. Membership is appurtenant to and may not be separated from ownership of a Lot. The Property Owners Association has two classes of voting Members:

A.1.a. Class A. Class A Members are all Owners, other than Declarant. Class A Members have one vote per Lot. When more than one person is an Owner, each is a Class A Member, but only one vote may be cast for a Lot.

A.1.b. Class B. The Class B Member is Declarant and has ten (10) votes for each Lot owned. The Class B membership ceases and converts to Class A membership on the earlier of—

- i. when the Class A Members' votes exceed the total of Class B Member's votes;
or
- ii. the date specified in the Declaration.

A.2. Place of Meeting. Members meetings will be held at the Property Owners Association's Principal Office or at another place designated by the Board.

A.3. Annual Meetings. The first Members meeting will be held within 12 months after the formation of the Property Owners Association. Subsequent regular annual Members meetings will be held on the first Sunday in October, subject to change by the Board.

A.4. Special Meetings. The president may call special meetings. The president must call a special meeting if directed by the Board or by a petition signed by 25 percent of the Class A Voting Members.

A.5. Notice of Meetings. Written notice stating the place, day, and hour of each Members meeting, other than a reconvened meeting, must be given to each Member not less than 10 nor more than 60 days before the meeting. The special Members meeting notices must also state the meeting's purpose, and no business may be conducted except as stated in the notice. Notice to a Member is deemed given when hand delivered or mailed. If mailed, notice is deemed given (whether actually received or not) when deposited with the United States Postal Service, postage prepaid.

A.6. Waiver of Notice. A Member may, in writing, waive notice of a meeting. Attendance at a meeting is a waiver of notice of the meeting, unless the Member objects to lack of notice when the meeting is called to order.

A.7. Quorum. At least 10 percent of the Voting Members is a quorum. If a Members meeting cannot be held because a quorum is not present, a majority of the Voting Members who are present may adjourn the meeting. At the reconvened meeting, 5 percent of the Voting Members is a quorum. If a quorum is not present, a majority of the Voting Members who are present may adjourn the meeting. At the second reconvened meeting, a majority of the Board is a quorum. Written notice of the place, date, and hour of each reconvened meeting must be given to each Member not more than 90 nor less than 10 days before the reconvened meeting.

A.8. Majority Vote. Votes representing more than 50 percent of the Voting Members present at a meeting at which a quorum is present are a majority vote.

A.9. Proxies. Voting Members may vote by written proxy.

A.10. Conduct of Meetings. The president will preside over Members meetings. The secretary will keep minutes of the meetings and will record in a minutes book the votes of the members.

A.11. Action without Meeting. Any action that may be taken at a Members meeting may be taken without a meeting by written consent setting forth the action taken signed by a sufficient number of Members as would be necessary to take that action at a meeting.

A.12. Declarant Control Period. Declarant Control Period. Notwithstanding anything herein to the contrary, and subject to Section 209.00591 of the Texas Property Code, for a period of seven (7) years from the date the Declaration of the Subdivision is filed of record, or the date that Declarant no longer owns any Lots in the Subdivision (as defined in the Declaration), whichever occurs first (the "Declarant Control Period"), Declarant, or persons designated by the Declarant, may appoint and remove Board members and the officers of the Association, other than Board members or officers elected by Members of the Association.

B. Board

B.1. Governing Body; Composition. The affairs of the Property Owners Association are governed by the Board. Each director has one vote. The initial Board is composed of the directors appointed in the certificate of formation. Each director must be a Member or, in the case of an entity Member, a person designated in writing to the secretary.

B.2. Number of Directors. The Board consists of not less than three nor more than 7 directors. Within those limits, the Board may change the number of directors. No decrease may shorten the term of a director.

B.3. Term of Office. The initial directors serve until the first annual meeting of Members. Directors may serve consecutive terms.

B.4. Election. Subject to the rights of Declarant under the Declarant Control Period, at the first annual meeting of Members, the Voting Members will elect directors to succeed the initial directors. At subsequent annual Members meetings, successors for each director whose term is expiring will be elected. Cumulative voting is prohibited. The candidate or candidates receiving the most votes will be elected. The directors elected by the Voting Members will hold office until their respective successors have been elected.

B.5. Removal of Directors and Vacancies

B.5.a. Removal by Members. Any director may be removed, with or without cause, by a majority of the Voting Members. Any director whose removal is sought will be given notice of the proposed removal.

B.5.b. Removal by Board. Any director may be removed at a Board meeting if the director—

- i. failed to attend 5 consecutive Board meetings;
- ii. failed to attend 25 percent of Board meetings within one year;
- iii. is delinquent in the payment of any Assessment for more than 60 days; or
- iv. is the subject of an enforcement action by the Property Owners Association for violation of the Dedicatory Instruments.

B.5.c. Vacancies. A director's position becomes vacant if the director dies, becomes incapacitated, resigns, or is no longer a Member.

B.5.d. Successors. If a director is removed or a vacancy exists, a successor will be elected by the remaining directors for the remainder of the term.

B.6. Compensation. Directors will not receive compensation. A director may be reimbursed for expenses approved by the Board.

B.7. Powers. The Board has all powers necessary to administer the Property Owners Association's affairs.

B.8. Management. The Board may employ a managing agent. Declarant, or an affiliate of Declarant, may be the managing agent.

B.9. Accounts and Reports. Accounting and controls must conform to good accounting practices. Accounts will not be commingled with accounts of other persons. The following financial reports will be prepared at least annually:

B.9.a. An income statement reflecting all income and expense activity for the preceding period.

B.9.b. A statement reflecting all cash receipts and disbursements for the preceding period.

B.9.c. A variance report reflecting the status of all accounts in an "actual" versus "approved" budget format.

B.9.d. A balance sheet as of the last day of the preceding period.

B.9.e. A delinquency report listing all Owners who are delinquent by more than 60 days in paying any Assessment and describing the status of any action to collect those delinquent Assessments.

B.10. Borrowing. The Board may borrow money to maintain, repair, or restore the Common Area without the approval of the Members. If approved in advance by the Members in the same manner as approving a Special Assessment, the Board may borrow money for any other purpose.

B.11. Rights of Association. With respect to the Common Area, and in accordance with the Declaration, the Property Owners Association will have the right to contract with any person for the performance of various duties and functions. Such agreements require the approval of the Board.

B.12. Enforcement Procedures

B.12.a. Notice. Before the Board may (i) suspend an Owner's right to use a Common Area, (ii) file a suit against an Owner other than a suit to collect any Assessment, (iii) foreclose the Property Owners Association's lien, (iv) charge an Owner for property damage, or (v) levy a fine for a violation of the Dedicatory Instruments, the Property Owners Association or its agent must give written notice to the Owner by certified mail, return receipt requested. The notice must describe the violation or property damage that is the basis for the suspension action, charge, or fine and state any amount due the Property Owners Association from the Owner. The notice also must inform the Owner that the Owner (i) is entitled to a reasonable period to cure the violation and avoid the fine or suspension unless the Owner was given notice and a reasonable opportunity to cure a similar violation within the preceding six months and (ii) may request a hearing on or before the thirtieth day after the date the Owner receives the notice.

B.12.b. Hearing. If the Owner is entitled to an opportunity to cure the violation, the Owner has the right to submit a written request for a hearing to discuss and verify facts and resolve the matter in issue before a committee appointed by the Board or before the Board if the Board does not appoint a committee. If a 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 by written notice to the Board.

The Property Owners Association must hold a hearing under this section not later than the thirtieth day after the date the Board receives the Owner's request for a hearing and must notify the Owner of the date, time, and place of the hearing not later than the tenth day before the date of the hearing. The Board or the Owner may request a postponement, and, if requested, a postponement will be granted for a period of not more than ten days. Additional postponements may be granted by agreement of the parties. The Owner or the Property Owners Association may make an audio recording of the meeting.

The hearing will be held in executive session affording the alleged violator a reasonable opportunity to be heard. Before any sanction hereunder becomes effective, proof of proper notice will be placed in the minutes of the meeting. Such proof will be deemed adequate if a copy of the notice, together with a statement of the date and manner of delivery, is entered by the officer, director, or agent who delivered the notice. The notice requirement will be satisfied if the alleged violator appears at the meeting. The minutes of the meeting will contain a written statement of the results of the hearing and the sanction, if any, imposed. The Board may, but will not be obligated to, suspend any proposed sanction if the violation is cured within a 10-day period. Such suspension will not constitute a waiver of the right to sanction violations of the same or other provisions and rules by any person.

B.12.c. Appeal. Following hearing before a committee, if any, the violator will have the right to appeal the decision to the Board. To perfect this right, a written notice of appeal must be received by the managing agent, if any, president, or secretary within 3 days after the hearing date.

B.12.d. Changes in Law. The Board may change the enforcement procedures set out in this section to comply with changes in law.

C. Board Meetings

C.1. Regular Meetings. Regular meetings of the Board will be held at such time and place as determined by the Board. Notice of the time and place of the meeting[s] will be given to directors not less than 10 days before the meeting[s].

C.2. Special Meetings. Special meetings will be held when called by written notice signed by the president or by any 2 directors. The notice will specify the time and place of the meeting and the matters to be covered at the meeting.

C.3. Waiver of Notice. The actions of the Board at any meeting are valid if (a) a quorum is present and (b) either proper notice of the meeting was given to each director or a written waiver of notice is given by any director who did not receive proper notice of the meeting. Proper notice of a meeting will be deemed given to any director who attends the meeting without protesting before or at its commencement about the lack of proper notice.

C.4. Quorum of Board. At all meetings, a majority of the Board will constitute a quorum, and the votes of a majority of the directors present at a meeting at which a quorum is present constitutes the decision of the Board. If the Board cannot act because a quorum is not present, a majority of the directors who are present may adjourn the meeting to a date not less than 10 nor more than 30 days from the date the original meeting was called. At the reconvened meeting, if a quorum is present, any business that may have been transacted at the meeting originally called may be transacted without further notice.

C.5. Conduct of Meetings. The president will preside at Board meetings. The secretary will keep minutes of the meetings and will record in a minute book the votes of the directors.

C.6. Proxies. Directors may vote by written proxy.

C.7. Action without Meeting. Any action that may be taken at a Board meeting may be taken without a meeting by written consent setting forth the action taken signed by a sufficient number of the Board as would be necessary to take that action at a meeting.

D. Officers

D.1. Officers. The officers of the Property Owners Association are a president, vice president, secretary, and treasurer, to be elected from the Members. The Board may appoint other officers having the authority and duties prescribed by the Board. Any two or more offices may be held by the same person, except the offices of president and secretary.

D.2. Election, Term of Office, and Vacancies. Officers will be elected annually by the Board at the first meeting of the Board following each annual meeting of the Voting Members. A vacancy in any office may be filled by the Board for the unexpired portion of the term.

D.3. Removal. The Board may remove any officer whenever, in the Board's judgment, the interests of the Property Owners Association will be served thereby.

D.4. Powers and Duties. Officers have such powers and duties as are generally associated with their respective offices and as may be specifically conferred by the Board. The president is the chief executive officer of the Property Owners Association. The treasurer has primary responsibility for the preparation of the budget and financial reports and may delegate all or part of the preparation and notification duties to a finance committee, management agent, or both.

D.5. Resignation. Any officer may resign at any time by giving written notice to the Board, the president, or the secretary. Resignation takes effect on the date of the receipt of the notice or at any later time specified in the notice.

E. Committees

The Board may establish committees by resolution and authorize the committees to perform the duties described in the resolution.

F. Miscellaneous

F.1. Fiscal Year. The Board may establish the Property Owners Association's fiscal year by resolution. In the absence of a Board resolution determining otherwise, the Property Owners Association's fiscal year is a calendar year.

F.2. Rules for Meeting. The Board may adopt rules for the conduct of meetings of Members, Board, and committees.

F.3. Conflict. The Declaration controls over these Bylaws.

F.4. Inspection of Books and Records

F.4.a. Inspection by Member. After a written request to the Property Owners Association, a Member may examine and copy, in person or by agent, any Property Owners Association books and records relevant to that purpose. The Board may establish rules concerning the (i) written request; (ii) hours, days of the week, and place; and (iii) payment of costs related to a Member's inspection and copying of books and records.

F.4.b. Inspection by Director. A director has the right, at any reasonable time, and at the Property Owners Association's expense, to (i) examine and copy the Property Owners Association's books and records at the Property Owners Association's Principal Office and (ii) inspect the Property Owners Association's properties.

F.5. Notices. Any notice required or permitted by the Dedicatory Instruments must be in writing. Notices regarding enforcement actions must be given by certified mail, return receipt requested. All other notices may be given by regular mail. Notice is deemed delivered (whether actually received or not) when properly deposited with the United States Postal Service, addressed to (a) a Member at the Member's last known address according to the Property Owners Association's records and (b) the Property Owners Association, the Board, or a managing agent at the Property Owners Association's Principal Office or another address designated in a notice to the Members. Unless otherwise required by law or the Dedicatory Instruments, actual notice, however delivered, is sufficient.

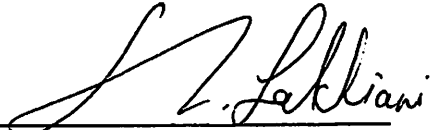
F.6. Amendment. These Bylaws may be amended at any time by the vote of 67 percent of the Voting Members in the Property Owners Association. This provision will not be construed as limiting the Board's power to amend the enforcement procedures to comply with changes in law.

Executed on following page.

SECRETARY'S CERTIFICATE

The undersigned Secretary of the Property Owners Association hereby certifies that the foregoing Bylaws were adopted by the Board of Directors of the Property Owners Association on the date set forth below.

STAMFORD HEIGHTS HOA

BY: 
Sammy Lakhiani
Secretary . .

Effective Date: October 14, 2019

**ORGANIZATIONAL CONSENT
OF THE BOARD OF DIRECTORS OF
STAMFORD HEIGHTS HOA
A Texas Non-Profit Corporation**

The Board of Directors of STAMFORD HEIGHTS HOA, a Texas Non-Profit Corporation (the "Corporation"), acting pursuant to the Texas Business Organizations Code ("TBOC"), by the signature and with the unanimous approval and consent of the undersigned, who constitute all of directors of the Corporation, hereby adopt the following resolutions to have the same force and effect as if adopted at the organizational meeting of the board of directors of the Corporation, duly called and held under Section 22.104 of the TBOC:

RESOLVED, that the minute book presented to the Board of Directors hereby is adopted as the minute book of the Corporation, and the Secretary of the Corporation, hereinafter elected, hereby is authorized and directed to file in such minute book the minutes of meetings and minutes of actions taken without meetings of the Board of Directors and shareholders;

RESOLVED FURTHER, that the form, terms, and provisions of the Corporation's Certificate of Formation, approved and filed in the Office of the Secretary of State of the State of Texas, hereby is approved in all respects and that the Secretary hereby is instructed to file the Corporation's Certificate of Formation in the Corporation's minute book, together with the duly certified duplicate original thereof;

RESOLVED FURTHER, that the Bylaws presented to the Board hereby are adopted as the Bylaws of this Corporation, and the Secretary hereby is authorized and directed to file the Bylaws in the Corporation's minute book;

RESOLVED FURTHER, that the following persons hereby are elected to the office of the Corporation set opposite their respective names to serve until their respective successors are elected and qualified:

President	SHASHI VASWANI
Vice-President/Treasurer	PRIYA VASWANI
Vice-President	RISHI VASWANI
Vice-President/Secretary	SAMMY LAKHIANI

RESOLVED FURTHER, that the fiscal year of the Corporation shall end on December 31;

RESOLVED FURTHER, that the President and/or Vice-President is authorized and directed to open or to cause the opening of accounts in the Corporation's name with such banks and/or financial institutions as the President and/or Vice-President, if any, may deem appropriate and in the interest of the Corporation;

RESOLVED FURTHER, that the proper officers of the Corporation hereby are authorized

and directed to execute signature cards and such other documents in connection with such accounts as may be necessary or advisable;

RESOLVED FURTHER, that, to the extent permitted by law, the organizer of this Corporation, acting merely to form the Corporation, be indemnified and held harmless by the Corporation for all loss, cost, or expense in connection with the formation of this Corporation, the filing of its Certificate of Formation, and in connection with all activities of the Corporation, its officers, directors, and employees, up to the time of the adoption of this resolution.

RESOLVED FURTHER, that the officers of the Corporation hereby are authorized and directed on behalf of the Corporation to execute and deliver all other instruments, documents, and certificates, to pay all costs, fees, and taxes, and to take all other actions as may be in their judgment necessary, proper, or advisable to carry out and comply with the purposes and intent of the foregoing resolutions; and that all the actions of the officers of the Corporation that are consistent with the purposes and intent of these resolutions are in all respects hereby approved, ratified, confirmed, and adopted as the actions of the Corporation.

IN WITNESS WHEREOF, the undersigned directors have executed this Organizational Consent to be effective as of October 14, 2019.

Executed on following page.

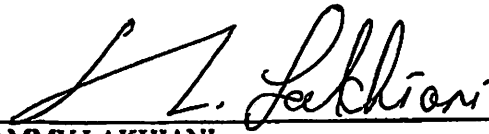
DIRECTORS:



SHASHI VASWANI



PRIYA VASWANI



SAMMY LAKHIANI

**RULES OF THE
STAMFORD HEIGHTS HOA**

Basic Information

Date: February 18, 2020

Property Owners Association: STAMFORD HEIGHTS HOA, A TEXAS NONPROFIT ASSOCIATION

Property Owners Association's Address: c/o James Arthur, 201 W. Hillside, Ste. 7, Laredo, Texas 78041.

Declaration: The Declaration of Covenants, Conditions and Restrictions of the STAMFORD HEIGHTS SUBDIVISION PHASE I, recorded in Volume ___, Page ___ of the Webb County Official Public Records.

Definitions: Capitalized terms used but not defined in the Rules have the meaning set forth in the Declaration or Bylaws.

The Property Owners Association adopts these Rules, which will be enforceable on the recording of this document in the real property records of the county in which the property described by the Declaration is located. On violation of these Rules, owners may be subject to Penalties for Violation.

- A. Rules – AS SET FORTH IN DECLARATION**
- B. Penalties for Violation – AS SET FORTH IN DECLARATION**
- C. Enforcement Procedures**

C.1. Notice. Before the Property Owners Association may (a) suspend an Owner's right to use a common area, (b) file a suit against an Owner other than a suit to collect a Regular Assessment or Special Assessment or foreclose under the Property Owners Association's lien, (c) charge an Owner for property damage, or (d) levy a fine for a violation of the restrictions or Bylaws or Rules of the Property Owners Association, the Property Owners Association or its agent must give written notice to the Owner by certified mail, return receipt requested. The notice must describe the violation or property damage that is the basis for the suspension action,

charge, or fine and must state any amount due the Property Owners Association from the Owner. The notice also must inform the Owner that the Owner (a) is entitled to a reasonable period to cure the violation and avoid the fine or suspension, unless the Owner was given notice and a reasonable opportunity to cure a similar violation within the preceding six months; (b) may request a hearing in accordance with Texas Property Code section 209.007 on or before the thirtieth day after the date the Owner receives the notice; and (c) may have special rights or relief related to the enforcement action under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. app. §§ 501–596) if the Owner is serving on active military duty. If a 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 by written notice to the Board.

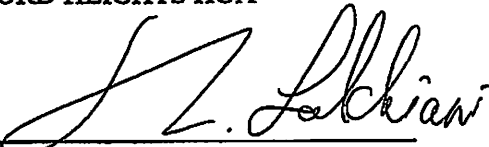
C.2. Hearing. If the Owner is entitled to an opportunity to cure the violation, the Owner has the right to submit a written request for a hearing to discuss and verify facts and resolve the matter at issue before a committee appointed by the Board or before the Board if the Board does not appoint a committee. The Property Owners Association must hold a hearing under this provision not later than the thirtieth day after the date the Board receives the Owner's request for a hearing and must notify the Owner of the date, time, and place of the hearing not later than the tenth day before the date of the hearing. The Board or the Owner may request a postponement, and, if requested, a postponement will be granted for a period of not more than ten days. Additional postponements may be granted by agreement of the parties. The Owner or the Property Owners Association may make an audio recording of the meeting. The hearing will be held in executive session, affording the alleged violator a reasonable opportunity to be heard. Before any sanction under these Rules becomes effective, proof of proper notice will be placed in the minutes of the meeting. Such proof will be deemed adequate if a copy of the notice, together with a statement of the date and manner of delivery, is entered by the officer, director, or agent who delivered the notice. The notice requirement will be satisfied if the alleged violator appears at the meeting. The minutes of the meeting will contain a written statement of the results of the hearing and the sanction imposed, if any. The Board may, but will not be obligated to, suspend any proposed sanction if the violation is cured within a 10-day period. Such suspension will not constitute a waiver of the right to sanction violations of the same or other provisions and rules by any person.

C.3. Appeal. Following hearing before a committee, if any, the violator will have the right to appeal the decision to the Board. To perfect this right, a written notice of appeal must be received by the managing agent, president, or secretary within 3 days after the hearing date.

Executed on following page.

STAMFORD HEIGHTS HOA

BY:


Sammy Lakhiani
Secretary - .

STAMFORD HEIGHTS HOA

Guidelines for Alternative Payment Plans

Date: February 18, 2020

Property Owners Association: STAMFORD HEIGHTS HOA, a Texas nonprofit corporation

Property Owners Association's Address: c/o James Arthur, 201 W. Hillside, Ste. 7, Laredo, Texas 78041.

Subdivision: STAMFORD HEIGHTS SUBDIVISION PHASE I, situated in Laredo, Webb County, Texas, as per plat thereof recorded in Volume 37, Pages 60-61, Webb County Plat Records.

Payment Plan Guidelines: Delinquent amounts will be repayable in equal monthly installments over a term of at least 3 but no more than 18 months from the date of the execution of a repayment plan, at the sole and absolute discretion of the Property Owners Association

Administrative Fee: \$300, PAYABLE UPON EXECUTION OF A REPAYMENT PLAN AGREEMENT

Annual Interest Rate: 10%

The Property Owners Association establishes these guidelines to allow owners who are delinquent in payment of a debt to the Property Owners Association to pay the debt in partial payments to avoid monetary penalties. However, delinquency in payment of a debt may result in nonmonetary penalties, such as loss of privileges.

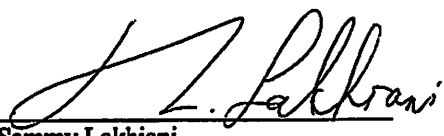
Payments under a payment plan will incur the Administrative Fee and interest at the Annual Interest Rate.

To be entitled to pay a debt under a payment plan, an owner who is delinquent on a debt must submit a written request to the Property Owners Association.

Owners can make no more than 2 requests for a payment plan within a twelve-month period. The Property Owners Association is not required to enter into a payment plan agreement with an owner who failed to honor the terms of a previous payment plan agreement during the two years following the owner's default under the previous payment plan agreement.

Executed on following page.

STAMFORD HEIGHTS HOA

BY: 
Sammy Lakhiani
Secretary

STAMFORD HEIGHTS HOA

Records Production and Copying Policy

Date: February 18, 2020

Subdivision: STAMFORD HEIGHTS SUBDIVISION PHASE I, situated in Laredo, Webb County, Texas, as per plat thereof recorded in Volume 37, Pages 60-61, Webb County Plat Records.

Property Owners Association: STAMFORD HEIGHTS HOA, a Texas nonprofit corporation

Charges: Charges for examining and copying Property Owners Association information are set out in Exhibit A.

Except for information deemed confidential by law or court order, the Property Owners Association will make its books and records open to and reasonably available for examination by an owner of property in the Subdivision or a person designated in a writing signed by the owner as the owner's agent, attorney, or certified public accountant, in accordance with Texas Property Code section 209.005. Owners are also entitled to obtain copies of information in the Property Owners Association's books and records on payment of the Charges for the copies. To the extent the Charges in this policy exceed the charges in section 70.3 of title 1 of the Texas Administrative Code, the amounts in section 70.3 of title 1 of the Texas Administrative Code govern.

Information not subject to inspection by owners includes but is not limited to—

1. any document that constitutes the work product of the Property Owners Association's attorney or that is privileged as an attorney-client communication;
2. files and records of the Property Owners Association's attorney relating to the Property Owners Association, excluding invoices requested by an owner under Texas Property Code section 209.008(d); and
3. except to the extent the information is provided in the meeting minutes or as authorized by Texas Property Code section 209.005(f), (a) information that identifies the dedicatory instrument violation history of an individual owner; (b) an owner's personal financial information, including records of payment or nonpayment of amounts due the Property Owners Association; (c) an owner's contact information, other than the owner's address; and (d) information related to an employee of the Property Owners Association, including personnel files.

If a document in the Property Owners Association's attorney's files and records relating to the Property Owners Association would be subject to a request by an owner to inspect or copy Property Owners Association documents, the document will be produced by using the copy from

the attorney's files and records if the Property Owners Association has not maintained a separate copy of the document.

Procedures for Inspecting Information or Obtaining Copies

1. An owner or the owner's agent must submit a written request for access or information by certified mail, with sufficient detail describing the Property Owners Association's books and records requested, to the mailing address of the Property Owners Association or authorized representative as reflected on the most current management certificate filed with the county clerk of Webb County, Texas.

2. The request must include enough description and detail about the information requested to enable the Property Owners Association to accurately identify and locate the information requested. Owners must cooperate with the Property Owners Association's reasonable efforts to clarify the type or amount of information requested.

3. The request must contain an election either to inspect the books and records before obtaining copies or to have the Property Owners Association forward copies of the requested books and records and—

- a. if an inspection is requested, the Property Owners Association, on or before the tenth business day after the date the Property Owners Association receives the request, will send written notice of dates during normal business hours that the owner may inspect the requested books and records to the extent those books and records are in the possession, custody, or control of the Property Owners Association; or
- b. if copies of identified books and records are requested, the Property Owners Association will, to the extent those books and records are in the possession, custody, or control of the Property Owners Association, produce the requested books and records for the requesting party on or before the tenth business day after the date the Property Owners Association receives the request.

4. If the Property Owners Association is unable to produce the books or records requested that are in its possession or custody on or before the tenth business day after the date the Property Owners Association receives the request, the Property Owners Association must provide to the requestor written notice that—

- a. informs the owner that the Property Owners Association is unable to produce the information on or before the tenth business day after the date the Property Owners Association received the request; and
- b. states a date by which the information will be sent or made available for inspection to the requesting party that is not later than the fifteenth business day after the date notice under this subsection is given.

5. If an inspection is requested or required, the inspection will take place at a mutually agreeable time during normal business hours, and the owner will identify the books and records for the Property Owners Association to copy and forward to the owner.

6. The Property Owners Association may produce copies of the requested information in paper copy, electronic, or other format reasonably available to the Property Owners Association.

7. Before starting work on an owner's request, the Property Owners Association must provide the owner with a written, itemized statement of estimated Charges for examining and copying records related to the owner's request, using amounts prescribed in this policy when the estimated Charges exceed \$40. Owners may modify the request in response to the itemized statement.

8. Within ten business days of the date the Property Owners Association sent the estimate of Charges, the owner must respond in writing to the written estimate, or the request is considered automatically withdrawn. The response must state whether the owner (a) accepts the estimate per the request, (b) modifies the request, or (c) withdraws the request.

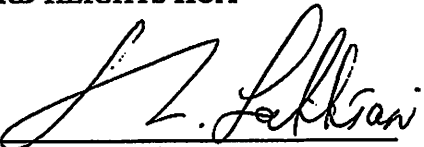
9. Owners are responsible for Charges related to the compilation, production, and reproduction of the requested information in the amounts stated in this policy. The Property Owners Association may require advance payment of the estimated Charges of compilation, production, and reproduction of the requested information.

10. If the estimated Charges are less or more than the actual Charges, the Property Owners Association must submit a final invoice to the owner on or before the thirtieth business day after the date the information is delivered. If the final invoice includes additional amounts due from the owner, the additional amounts, if not reimbursed to the Property Owners Association before the thirtieth business day after the date the invoice is sent to the owner, may be added to the owner's account as an assessment. If the estimated Charges exceeded the final invoice amount, the owner is entitled to a refund, and the refund will be issued to the owner not later than the thirtieth business day after the date the invoice is sent to the owner.

Executed on following page.

STAMFORD HEIGHTS HOA

BY:



Sammy Lakhiani
Secretary

Exhibit A
Charges for Examining and Copying Property Owners
Association Information

A. Labor Charge for Computer Programming

If a particular request requires the services of a computer programmer to execute an existing program or to create a new program so that requested information may be accessed and copied, the Property Owners Association will charge \$28.50 an hour for the programmer's time spent on the request.

B. Labor Charge for Locating, Compiling, Manipulating, and Reproducing Data and Information

1. The charge for labor costs incurred in processing an owner's request for Property Owners Association information is \$15.00 an hour. The labor charge will be calculated based on the actual time to locate, compile, manipulate, and reproduce the requested data and information.

2. A labor charge will not be billed in connection with complying with requests that are for fifty or fewer pages of paper records, unless the documents to be copied are located in (a) two or more separate buildings that are not physically connected with each other or (b) a remote storage facility.

3. A labor charge will not be billed for any time spent by an attorney, legal assistant, or any other person who reviews the requested information to determine whether it is confidential or privileged under Texas law.

4. When confidential or privileged information is mixed with public information in the same page, a labor charge may be recovered for time spent to redact, black out, or otherwise obscure the confidential or privileged information in order to comply with the owner's request. The Property Owners Association will not charge for redacting confidential or privileged information for requests of fifty or fewer pages unless the request also qualifies for a labor charge under section 552.261(a)(1) or 552.261(a)(2) of the Texas Government Code.

C. Overhead Charge

1. Whenever any labor charge is applicable to a request, the Property Owners Association may include in the Charges direct and indirect costs, in addition to the specific labor charge. This overhead charge would cover such costs as depreciation of capital assets, rent, maintenance and repair, utilities, and administrative overhead. If the Property Owners Association chooses to recover such costs, the overhead charge will be computed at 20 percent of the charge made to cover any labor costs associated with a particular request.

For example, if one hour of labor is used for a particular request, the formula would be as follows:

- a. Labor charge for locating, compiling, and reproducing— $\$15.00 \times .20 = \3.00 .
- b. Labor charge for computer programming— $\$28.50 \times .20 = \5.70 .

If a request requires a charge for one hour of labor for locating, compiling, and reproducing information (\$15.00 per hour) and one hour of programming (\$28.50 per hour), the combined overhead would be $\$15.00 + \$28.50 = \$43.50 \times .20 = \8.70 .

2. An overhead charge will not be made for requests for copies of fifty or fewer pages of standard paper records.

D. Microfiche and Microfilm Charge

If the Property Owners Association already has the requested information on microfiche or microfilm, the charge for a copy must not exceed the cost of reproducing the information on microfiche or microfilm or ten cents per page for standard size paper copies of the information on microfiche or microfilm, plus any applicable labor and overhead charge for more than fifty copies.

E. Remote Document Retrieval Charge

To the extent that the retrieval of documents stored on the Property Owners Association's property results in a charge to comply with a request, the Property Owners Association will charge the actual cost of the retrieval.

F. Copy Charges

1. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is ten cents per page or part of a page. Each side of a piece of paper on which information is recorded is counted as a single copy. A piece of paper that has information recorded on both sides is counted as two copies. Standard paper copy is a copy of Property Owners Association information that is a printed impression on one side of a piece of paper that measures up to eight and one-half by fourteen inches.

2. A "nonstandard" copy includes everything but a copy of a piece of paper measuring up to eight and one-half by fourteen inches. Microfiche, microfilm, diskettes, magnetic tapes, and CD-ROM are examples of nonstandard copies. The charges in this subsection are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are—

- a. diskette—\$1.00;
- b. magnetic tape—actual cost;
- c. data cartridge—actual cost;

- d. tape cartridge—actual cost;
- e. rewritable CD (CD-RW)—\$1.00;
- f. nonrewritable CD (CD-R)—\$1.00;
- g. digital video disc (DVD)—\$3.00;
- h. JAZ drive—actual cost;
- i. other electronic media—actual cost;
- j. VHS video cassette—\$2.50;
- k. audio cassette—\$1.00;
- l. oversize paper copy (e.g., larger than eight and one-half by fourteen inches, greenbar, bluebar, not including maps and photographs using specialty paper)—\$0.50; and
- m. specialty paper (e.g., Mylar, blueprint, blueline, map, photographic)—actual cost.

STATE OF TEXAS
COUNTY OF WEBB
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS
FILED ON THE DATE AND AT THE TIME STAMPED
HEREON BY ME AND WAS DULY RECORDED IN THE
VOLUME AND PAGE OF THE OFFICIAL PUBLIC
RECORDS OF WEBB COUNTY TEXAS AS STAMPED
HEREON BY ME



Margie Ramirez-Barra
COUNTY CLERK
WEBB COUNTY, TEXAS