

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

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COUNTY OF COMAL

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
MOUNTAIN SPRINGS RANCH PROPERTY OWNERS ASSOCIATION, INC.**

WHEREAS, MOUNTAIN SPRINGS RANCH (MSR) is a residential subdivision located in Comal County, Texas, as shown on the plats thereof recorded at Volume 14, Pages 343-52, Official Plat Records of Comal County, Texas; and,

WHEREAS, MOUNTAIN SPRINGS RANCH PROPERTY OWNERS ASSOCIATION, INC. (hereinafter the "Association") is a Texas non-profit corporation organized to govern MSR pursuant to the Declaration of Covenants, Conditions and Restrictions for Mountain Springs Ranch, recorded as document number 2004 06003365, Official Public Records of Real Property of Comal County, Texas (DCCRs), and the Bylaws of the Association adopted by the Board of Directors (Bylaws); and,

WHEREAS, the DCCRs provide, in Article 8, Section 8.4, that the Board shall have the authority to set late fees on delinquent assessments; and,

WHEREAS, the Board of Directors of the Association has determined that it would be in the best interest of the Association to adopt rules for the purpose of imposing late fees should a violation of the DCCRs Article 8 persists after proper notification and due time to cure; and,

NOW, THEREFORE, by their signatures below, the President and Secretary of the Association certify that the Board of Directors of the Association has voted in favor of adopting the following:

**1. VIOLATIONS TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS.**

All members of the Association shall be obligated to adhere to the assessment requirements set forth in the DCCRs. The Board of Directors hereby gives authority to the MOUNTAIN SPRINGS RANCH PROPERTY OWNERS ASSOCIATION, INC. to impose late fees upon members who do not make timely payment of their assessments. Members who do not adhere to the assessment requirements set forth by the DCCRs are subject to the following:

- All members violating the assessment requirements will be sent delinquency notices to include a \$50 late fee, in addition to the assessed interest, for any assessment levied against the property owner which is not paid within fifteen (15) days after the date upon which it is due.

As specified in Article 8, 8.4 Remedies for Non-Payment of Assessments, interest and late fees will be incurred and are collectable on all debts as written:

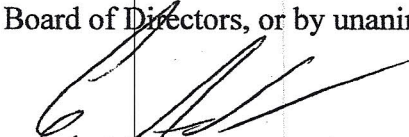
**8.4 Remedies for Non-Payment of Assessments.** Any assessments or other charges which are not paid when due shall be delinquent. Delinquent assessments shall bear interest from the due date at the rate established by the Board of Directors of the Association, or, if not set by the Board, at the highest rate allowed by law, together with such late fees as may be set by the Board. The Association may file a lien of record against any Lot where there remains an

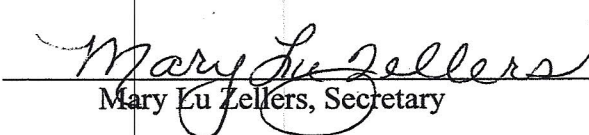
assessment unpaid for a period of thirty (30) Days or longer. Said lien shall be filed in the Public Records in a manner provided therefore by Title 5, Chapter 12 of the Texas Property Code. Such lien shall be superior to all other liens, except (a) the liens of all taxes, bonds, assessments, and other levies which by law would be superior, and (b) the lien or charge of any first Mortgage of record (meaning any recorded Mortgage with first priority over other Mortgages) made in good faith and for value. The Association may bring an action at law against any Owner personally obligated to pay any assessments, charges, interest or other costs. Costs and reasonable attorneys' fees for the prosecution of any such action, as allowed by the Act shall be added to the amount due. In the event of such action at law and in the further event that such action results in a judgment being entered against the Owner and in favor of the Association, then, and in that event the Association shall collect on such judgment in such manner and to the extent provided and permitted by the laws of the State of Texas.

The Association's lien may be foreclosed by judicial or nonjudicial foreclosure in like manner as a Mortgage on real estate under power of sale under Title 5, Chapter 51 of the Texas Property Code. All fees, charges, late charges, fines, and interest are enforceable as assessments...

Thus adopted effective the 1 day of Feb 2008 and will remain in affect until revised or removed by the Board of Directors.

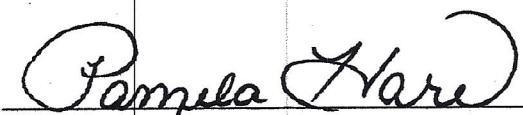
By their signatures below the President and Secretary of the Association certify the foregoing Resolution of the Board of Directors was validly adopted at the January 8, 2008 meeting of the Board of Directors, or by unanimous consent.

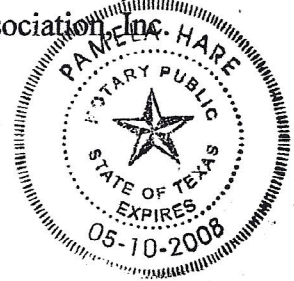
  
\_\_\_\_\_  
Greg Anderson, President

  
\_\_\_\_\_  
Mary Lu Zellers, Secretary

STATE OF TEXAS           §  
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COUNTY OF BEXAR       §

ACKNOWLEDGED before me on date set forth above, by Greg Anderson, President of Mountain Springs Ranch Property Owners Association, Inc. and Mary Lu Zellers, Secretary of Mountain Springs Ranch Property Owners Association, Inc.

  
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Notary Public, State of Texas





**AFTER RECORDING RETURN TO:**  
**Association Management Services**  
**Attn: Mira Graham**  
**1600 NE Loop 410, Suite 202**  
**San Antonio, Texas 78209**

Filed and Recorded  
Official Public Records  
Joy Streater, County Clerk  
Comal County, Texas  
03/04/2008 02:08:43 PM  
CASHTWO  
200806008930



*Joy Streater*