



ADDITIONAL DEDICATORY INSTRUMENT

for

SETTLER'S PARK HOMEOWNERS ASSOCIATION, INC.

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared Margaret R. Maddox, who, being by me first duly sworn, states on oath the following:

My name is Margaret R. Maddox, I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

I am the Attorney of SETTLER'S PARK HOMEOWNERS' ASSOCIATION, INC. Pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

1. **AMENDMENT TO BY-LAWS IN REGARD TO QUORUM**
2. **POLICY REGARDING RECORDS RETENTION, INSPECTION & PRODUCTION**
3. **POLICY REGARDING ALTERNATIVE PAYMENT SCHEDULES**
4. **RESOLUTION AND GUIDELINES REGARDING REGULATION OF FLAG DISPLAY**
5. **RESOLUTION AND GUIDELINES REGARDING REGULATION OF SOLAR ENERGY DEVICES**
6. **RESOLUTION AND GUIDELINES REGARDING REGULATION OF COMPOSTING DEVICES, RAIN BARRELS, HARVESTING DEVICES, AND IRRIGATION SYSTEMS**
7. **RESOLUTION AND GUIDELINES REGARDING REGULATION OF DISPLAY OF CERTAIN RELIGIOUS ITEMS**
8. **RESOLUTION AND GUIDELINES REGARDING REGULATION OF CERTAIN ROOFING MATERIALS**
9. **RESOLUTION REGARDING TRASH IN VIEW**

OF

**SETTLER'S PARK HOMEOWNERS ASSOCIATION, INC.
A TEXAS NON-PROFIT CORPORATION**

DATED this 12th day of December, 2011.

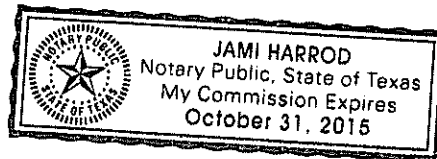
**SETTLER'S PARK HOMEOWNERS'
ASSOCIATION, INC.**

BY: Margaret R. Maddox
Margaret R. Maddox Attorney
(Printed Name)

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

THIS INSTRUMENT was **acknowledged** before me on this the 12th day of December 2011 by the said Margaret R. Maddox, Attorney of **SETTLER'S PARK HOMEOWNERS ASSOCIATION, INC.**, a Texas non-profit corporation, on behalf of said corporation.

Jami Harrod
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



After Recording Return To:
Daughtry & Jordan, P.C.
17044 El Camino Real
Houston, Texas 77058
ATTN: MRM

**AMENDMENT TO
BY-LAWS IN REGARD TO QUORUM**

OF

**SETTLERS PARK HOMEOWNERS ASSOCIATION, INC.
A TEXAS NON-PROFIT CORPORATION**

WHEREAS, the Bylaws of Settlers Park Homeowners Association, Inc. (the "Association") were executed on December 16, 1977;

WHEREAS, Section 209.00593(b) of the Texas Property Code provides that the board of a property owners association may amend the bylaws of the property owners' association to provide for elections to be held as required by Subsection (a);

WHEREAS, certain other newly added provisions of the Texas Property Code conflict with, and expressly void, the terms of the original Bylaws; and

WHEREAS, it is the desire of the Board of Directors to amend the Bylaws to bring the Association in compliance with the provisions of the Texas Property Code which were passed by the Texas Legislature in 2011; and

NOW THEREFORE, Article III, Section 4 is hereby AMENDED to read as follows:

Section 4. Quorum.

- (a) Quorum in General. The presence at any meeting of Members (in person or by proxy) of one-tenth (1/10) or more of the votes of the membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Restrictions, or these Bylaws.
- (b) Quorum for Association Business OTHER than Board of Director Elections: If, however, a quorum shall not be present or represented at any meeting, the members entitled to vote thereat shall have power to adjourn the meeting from time to time, without notice other than an announcement at the meeting, until a quorum shall be present or represented.
- (c) Quorum for Board of Director Elections: If quorum is not present or represented, the meeting shall be adjourned without notice other than announcement at the meeting, and immediately reconvened for the sole purpose of election of directors. At the reconvened meeting, quorum shall be all those members counted as present whether in person or by proxy, absentee ballot, electronic ballot, or any other method of representative or delegated voting. Directors shall be elected by a majority of those votes.

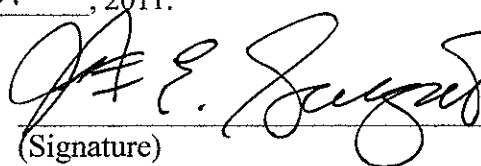
Nothing herein is intended to alter, modify or amend the Bylaws except as specifically provided hereinabove.

CERTIFICATION

I, the undersigned, am the duly elected and acting Secretary of SETTLERS PARK HOMEOWNERS ASSOCIATION, INC., a non-profit corporation, and I do hereby certify:

That the within and foregoing Amendment to Bylaws in Regard to Quorum of Settlers Park Homeowners Association, Inc. was properly adopted as of the 16 day of NOV., 2011, that same, in addition to the original Bylaws, do now constitute the Bylaws of said corporation

IN WITNESS WHEREOF, I have executed this Amendment to Bylaws in Regard to Quorum to be effective as of the 16 day of NOV., 2011.


(Signature)

Wm E. SARGENT
(Print Name)
Secretary, Settlers Park
Homeowners Association, Inc.

Settler's Park Homeowners' Association, Inc.

POLICY REGARDING RECORDS RETENTION, INSPECTION & PRODUCTION

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF FORT BEND §

WHEREAS, Settler's Park Homeowners Association, Inc. (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (collectively referred to as the "Declarations");

WHEREAS, Section 209.005(i) of the Texas Property Code requires property owners associations to adopt a records production and copying policy record it as a dedicatory instrument; and

WHEREAS, Section 209.005(m) requires property owners associations to adopt and comply with a document retention policy;

NOW THEREFORE, BE IT RESOLVED THAT:

The following **POLICY REGARDING RECORDS RETENTION, INSPECTION & PRODUCTION** is hereby adopted:

RECORDS RETENTION:

1. Certificates of Formation, Articles of Incorporation, Bylaws, restrictive covenants and any amendments thereto shall be retained permanently;
2. Financial books and records shall be retained for seven (7) years;
3. Account records of current owners shall be retained for five (5) years;
4. Contracts with a term of one year or more shall be retained for four (4) years after the expiration of the contract term;
5. Minutes of meetings of the Owners and the Board shall be retained for seven (7) years; and
6. Tax returns and audit records shall be retained for seven (7) years.
7. Ballots from elections and member votes shall be retained for one (1) year after the date of the meeting at which the votes were taken, or for votes taken by written consent, for one (1) year after the election or vote results were announced.
8. Account records of former owners shall be retained as a courtesy to that former owner for one (1) year after they no longer have an ownership interest in the property.
9. Decisions of the Architectural Control Committee (ACC) or Board regarding applications, variances, waivers or related matters associated with individual properties shall be retained for seven (7) years from the decision date.

RECORDS INSPECTION & PRODUCTION:

1. An Owner, or a person designated in a writing signed by the Owner as the Owner's agent, attorney or certified public accountant, may make a request to access the books and records of the Association, provided that such Owner or designated agent submit a written request by certified mail, return receipt requested, which contains sufficient detail to identify the records being requested.
2. The Association may require advance payment of the estimated costs of compilation, production and reproduction of the requested information. If such advance payment is required, the Association shall notify the requesting owner in writing of the cost.
3. The Association will respond to the Owner's request in writing within ten (10) business days of receiving the request. If the Association is unable to produce the information within ten (10) business days, the Association must provide the requestor written notice that: (1) informs the requestor that the Association is unable to produce the information before the 10th business day; and (2) 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 15th business day after the date of the original response from the Association.
4. Absent a court order or the express written approval of the owner whose records are the subject of the request, the Association will not allow inspection or copying of any records that identify the violation history of an individual owner, an owner's personal financial information, including records of payment or nonpayment of amounts due the Association, an owner's contact information (other than the owners' address), or information relating to an employee or contractor of the Association, including personnel files.
5. The Association hereby adopts the following SCHEDULE OF CHARGES for the production and copying of records:
 - Copies: \$.10 per page for standard paper copies; \$.50 per page for oversize paper
 - Electronic Media: \$1.00 for each CD; \$3.00 for each DVD
 - Labor: \$15.00 per hour for actual time to locate, compile and reproduce records (no charge for requests for 50 or fewer pages)
 - Overhead: 20% of the total Labor charge (no charge for requests for 50 or fewer pages)
 - Miscellaneous: The Association may charge for actual costs incurred in responding to the request, including costs for labels, boxes, folders, postage and/or shipping.

Approved and adopted this 16 day of NOV, 2011, by the Board of Directors of Settler's Park Homeowners Association, Inc.

SETTLER'S PARK HOMEOWNERS ASSOCIATION,
INC.

W.E. Sargent
Signature of Secretary

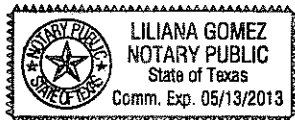
Print Name: W.E. SARGENT

THE STATE OF TEXAS

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COUNTY OF FORT BEND

THIS INSTRUMENT was **acknowledged** before me on this the 16th day of Nov., 2011, by W.E. SARGENT, Secretary of Settler's Park Homeowners' Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



Liliana Gomez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Settler's Park Homeowners Association, Inc.

POLICY REGARDING ALTERNATIVE PAYMENT SCHEDULES

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF FORT BEND §

WHEREAS, Settler's Park Homeowners Association, Inc. (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (collectively referred to as the "Declarations");

WHEREAS, Section 209.0062(b) of the Texas Property Code requires property owners associations to adopt reasonable guidelines to establish an alternative payment schedule by which an owner can make partial payments to the association for delinquent, regular or special assessments or any other amount owed to the association without accruing additional penalties;

WHEREAS, Section 209.0062(a) requires property owners associations to file the association's guidelines in the real property records of the county where the subdivision is located; and

WHEREAS, the Board of Directors of the Association ("Board") desires to establish a policy for Payment Plans consistent with Section 209.0062 and to provide clear and definitive guidance to owners.

NOW THEREFORE, BE IT RESOLVED THAT:

The following **POLICY REGARDING ALTERNATIVE PAYMENT SCHEDULES** is hereby adopted:

1. Owners may enter into a payment plan or alternative payment schedule, provided they have not defaulted on a previous payment plan in the preceding 24 month period. If a default has occurred in the previous 24-month period, then the Board of Directors shall use its discretion as whether to allow any additional payment plans.
2. All payment plans must be in writing using a form promulgated by the Association or its agent or attorney, and signed by the Owner. No partial payments will be accepted without an approved written payment plan agreement. Notwithstanding, any acceptance by the Association of a partial payment from an Owner without a signed payment plan agreement does not in any way indicate acceptance or approval of a payment plan or alternative payment schedule.
3. Payment plans shall be no shorter than three (3) months, nor longer than twelve (12) months based on the Board's discretion on a case-by-case basis. Payment plans will require either a down payment and monthly installments, or equal monthly installments.

4. For the duration of a payment plan or alternative payment schedule, and so long as payments are made timely, the Association shall refrain from charging additional late fees or other monetary penalties. However, the Association may charge interest at the rate contained in its governing documents, in addition to costs or fees associated with administration of the payment plan.

Approved and adopted this 16 day of NOV, 2011, by the Board of Directors of Settler's Park Homeowners Association, Inc.

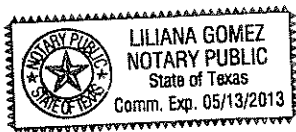
SETTLER'S PARK HOMEOWNERS'
ASSOCIATION, INC.

W. E. Sargent
Signature of Secretary

Print Name: W. E. SARGENT

THE STATE OF TEXAS §
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COUNTY OF FORT BEND §

THIS INSTRUMENT was **acknowledged** before me on this the 16th day of Nov., 2011, by W. E. SARGENT, Secretary of Settler's Park Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



Liliana Gomez
NOTARY PUBLIC AND FOR
THE STATE OF TEXAS

Settler's Park Homeowners Association, Inc.

RESOLUTION AND GUIDELINES REGARDING REGULATION OF FLAG DISPLAY

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF FORT BEND §

WHEREAS, Settler's Park Homeowners Association, Inc. (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (collectively referred to as the "Declarations");

WHEREAS, Section 202.011 of the Texas Property Code provides for the regulation of flag display by a property owners' association;

WHEREAS, Chapter 204, Section 204.010(a)(6) of the Texas Property Code empowers the Association acting through its Board of Directors, to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision and to implement written architectural control guidelines; and,

WHEREAS, the Board of Directors (the "Board") has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the display of flags therein, it is appropriate for the Association to adopt guidelines regarding the display of flags within the community.

NOW, THEREFORE, BE IT RESOLVED THAT the following Guidelines are adopted by the Board of Directors.

GUIDELINES

- I.** These Guidelines apply to the display of flags ("Permitted Flags")¹:
 - a. the flag of the United States;
 - b. the flag of the State of Texas; and
 - c. the official flag of any branch of the United States armed forces.
- II.** The flag of the United States shall be displayed in accordance with 4 U.S.C. Sections 5-10.
- III.** The flag of the State of Texas shall be displayed in accordance with Chapter 3100, Texas Government Code.

¹ "Flags" shall be referred to as defined in Texas Property Code Section 202.011 (a).

- IV.** These Guidelines do not apply to any flags other than the Permitted Flags listed in Section 1 above including, but not limited to:
- a. flags for schools, sports teams, businesses or foreign countries; or
 - b. flags with marketing, seasonal, historical, commemorative, nautical, political or religious themes; or
 - c. historical versions of flags permitted in section 1 above.
- V.** Permitted Flags may be displayed subject to these guidelines. Advance written approval of the Architectural Control Committee is required for any free-standing flagpole and any additional illumination associated with the display of Permitted Flags.
- VI.** Permitted Flags must be displayed in a respectful manner in accordance with the current relevant federal, state or military code.
- VII.** Permitted Flags must be displayed from a pole attached to a structure or to a free-standing pole. Permitted Flags may not be draped over or directly attached to structures. For example, a Permitted Flag may not be laid across a fence or stapled to a garage door.
- VIII.** Permitted Flags shall be no larger than three foot (3') by five foot (5') in size.
- IX.** Only one Permitted Flag may be displayed on a flagpole attached to a structure. Up to two Permitted Flags may be displayed on an approved free-standing flagpole that is at least fourteen feet (14') tall.
- X.** Flagpoles must be constructed of permanent, long-lasting materials with an appropriate finish that is harmonious with the dwelling.
- XI.** A flagpole attached to a structure may be up to six feet (6') long and must be securely attached with a bracket with an angle of 30 to 45 degrees down from vertical. The flagpole must be attached in such a manner as to not damage the structure. One attached flagpole is allowed on any portion of a structure facing a street and one attached flagpole is allowed on the rear or backyard portion of a structure. Brackets which accommodate multiple flagpoles are not allowed.
- XII.** Free-standing flagpoles may be up to twenty feet (20') tall, including any ornamental caps. Free-standing flagpoles must be permanently installed in the ground according to manufacturer's instructions. One free-standing flagpole is allowed in the portion of the owner's property between the main residential dwelling and any street and one free-standing flagpole is allowed in the rear or backyard portion of a property.
- XIII.** The display of a flag, or the location and construction of the supporting flagpole shall comply with applicable zoning ordinances, easements, and setbacks of record.

- XIV.** Free-standing flagpoles may not be installed in any location described below:
- a. in any location other than the Owner's property; or
 - b. within a ground utility easement or encroaching into an aerial easement; or
 - c. beyond the side or rear setback lines (for example, on a lot with a 10' side setback line, a flagpole may not be installed closer than 10' from the side property line); or
 - d. beyond half the distance of the front setback line (for example, on a lot with a 30' front setback line, a flagpole may not be installed closer than 15' from the front property line); or
 - e. closer to a dwelling on an adjacent lot than the height of the flagpole (for example, a 20' flagpole cannot be installed closer than 20' from an adjacent house).
- XV.** No owner shall display a flag or flagpole on property that is owned or maintained by the Association or owned in common by the members of the Association.
- XVI.** Lighting may be installed to illuminate Permitted Flags if they will be displayed at night and if existing ambient lighting does not provide proper illumination. Flag lighting must:
- a. be ground mounted in the vicinity of the flag; and
 - b. utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover; and
 - c. point towards the flag and face the main structure on the property or to the center of the property if there is no structure; and
 - d. provide illumination not to exceed the equivalent of a 60 watt incandescent bulb.
- XVII.** Flagpoles must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Each flagpole owner should take steps to reduce noise levels by using vinyl or plastic snap hooks, installing snap hook covers or securing a loose halyard (rope) around the flagpole with a flagpole clasp.
- XVIII.** Flagpoles are allowed solely for the purpose of displaying Permitted Flags. If a flagpole is no longer used on a daily basis, it must be removed.
- XIX.** All flags and flagpoles must be maintained in good condition. Deteriorated flags must be removed and promptly replaced. Deteriorated or structurally unsafe flagpoles must be promptly repaired, replaced or removed.

These guidelines are effective upon recordation in the Public Records of Fort Bend County, and supersede any related guidelines which may have previously been in effect. Except as affected by Section 202.011 of the Texas Property Code and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Duly approved and adopted at a meeting held by the Board of Directors of Settler's Park Homeowners Association, Inc., this 16 day of NOV, 2011

Effective Date: NOV 16, 2011

Signed:

[Handwritten Signature]

President, Board of Directors
Printed Name: Bonnie Finnigan

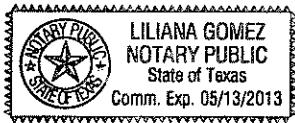
Attest:

[Handwritten Signature]

Secretary, Board of Directors
Printed Name: Wm F. Sargent

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

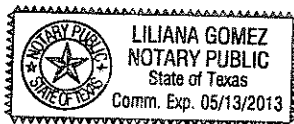
THIS INSTRUMENT was **acknowledged** before me on this the 16th day of Nov, 2011, by Bonnie Finnigan, President of Settler's Park Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



[Handwritten Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

THIS INSTRUMENT was **acknowledged** before me on this the 16th day of Nov, 2011, by Wm F. Sargent, Secretary of Settler's Park Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



[Handwritten Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Settler's Park Homeowners Association, Inc.

RESOLUTION AND GUIDELINES REGARDING REGULATION OF SOLAR ENERGY DEVICES

THE STATE OF TEXAS

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§ KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY FORT BEND

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WHEREAS, Settler's Park Homeowners Association, Inc. (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (collectively referred to as the "Declarations");

WHEREAS, Section 202.010 of the Texas Property Code provides for the regulation of solar energy devices by a property owners' association;

WHEREAS, Chapter 204, Section 204.010(a)(6) of the Texas Property Code empowers the Association acting through its Board of Directors, to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision and to implement written architectural control guidelines; and,

WHEREAS, the Board of Directors (the "Board") has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding solar energy devices therein, it is appropriate for the Association to adopt guidelines regarding solar energy devices within the community.

NOW, THEREFORE, BE IT RESOLVED THAT the following Guidelines are adopted by the Board of Directors.

GUIDELINES

1. A solar energy device¹ shall not be permitted that:
 - a. as adjudicated by a court either threatens the public health or safety; or violates a law;
 - b. is located on property owned or maintained by the Association;
 - c. is located on property owned in common by the members of the Association;
 - d. is located in an area on the property owner's property other than:
 - i. on the roof of the home or of another structure allowed by the Architectural Control Committee; or
 - ii. in a fenced yard or patio owned and maintained by the property owner;
 - e. if mounted on the roof of the home:

¹ "Solar energy device" has the meaning assigned by Section 171.107 of the Tax Code.

- i. extends higher than or beyond the roofline;
 - ii. is located in an area other an area designated by the Association, unless the alternate location increases the estimated annual energy production of the device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than ten percent (10%) above the energy production of the device if located in an area designated by the Association;
 - iii. does not conform to the slope of the roof and has top edge that is no parallel to the roofline; or
 - iv. has a frame, a support bracket, or visible piping or wiring that is not in a silver, bronze, or black tone commonly available in the marketplace;
- f. if located in a fenced yard or patio, is taller than the fence line;
 - g. as installed, voids material warranties; or
 - h. was installed without prior approval by the Architectural Control Committee.


2. The Architectural Control Committee shall not withhold approval of a solar energy device if it meets the provisions of this policy unless the Architectural Control Committee determines in writing that placement of the device as proposed by the owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. For purposes of making this determination, the written approval of the proposed placement of the device by all property owners of adjoining property constitutes prima facie evidence that such a condition does not exist.

These guidelines are effective upon recordation in the Public Records of Fort Bend County, and supersede any related guidelines which may have previously been in effect. Except as affected by Section 202.010 of the Texas Property Code and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Duly approved and adopted at a meeting held by the Board of Directors of Settler's Park Homeowners Association, Inc. this 16 day of NOV, 2011


Effective Date: NOV 16, 2011

Signed:



President, Board of Directors
Printed Name: Bonnie Finnigan

Attest:

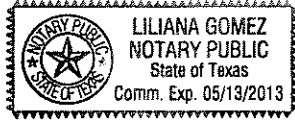


Secretary, Board of Directors
Printed Name: W. E. Sargent

THE STATE OF TEXAS
COUNTY OF FORT BEND

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THIS INSTRUMENT was **acknowledged** before me on this the 16th day of Nov., 2011, by Bonnie Fringer President of Settler's Park Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

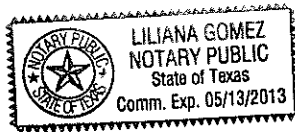


Liliana Gomez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF FORT BEND

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Liliana Gomez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Settler's Park Homeowners Association, Inc.

RESOLUTION AND GUIDELINES REGARDING REGULATION OF COMPOSTING DEVICES, RAIN BARRELS, HARVESTING DEVICES, AND IRRIGATION SYSTEMS

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF FORT BEND §

WHEREAS, Settler's Park Homeowners Association, Inc. (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (collectively referred to as the "Declarations");

WHEREAS, Section 202.007 of the Texas Property Code provides for the regulation of composting devices, rain barrels, rainwater harvesting devices, and irrigation systems by a Property Owners' Association;

WHEREAS, Chapter 204, Section 204.010(a)(6) of the Texas Property Code empowers the Association acting through its Board of Directors, to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision and to implement written architectural control guidelines; and,

WHEREAS, the Board of Directors (the "Board") has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the installation and maintenance of rain barrels, rainwater harvesting devices, composting devices, and irrigation systems therein, it is appropriate for the Association to adopt guidelines regarding these systems.

NOW, THEREFORE, BE IT RESOLVED THAT the following Guidelines are adopted by the Board of Directors.

GUIDELINES

1. General Provisions
 - a. Subject to written approval from the Architectural Control Committee, owner or resident may:
 - i. implement measures promoting solid-waste composting of vegetation, including grass clippings, leaves, or brush, or leaving grass clippings uncollected on grass;
 - ii. install rain barrels or a rain water harvesting system; or
 - iii. implement efficient irrigation systems, including underground drip or other drip systems.
 - b. If an owner or resident is planting new turf, the Architectural Control Committee must approve such turf in writing in order to encourage or require water-conserving turf.

2. Composting Devices

- a. The Architectural Control Committee shall regulate the size, type, shielding, and materials, for or the location of a composting device so long as it does not prohibit the economic installation of the device on the owner's lot where there is reasonably sufficient area to install the device.
- b. This policy does not require the Architectural Control Committee to permit a device as described in this policy to be installed in or on property:
 - i. owned by the Association;
 - ii. owned in common by the members of the Association; or
 - iii. in an area other than the fenced yard or patio of a property owner.

3. Irrigation Systems

The Architectural Control Committee shall regulate:

- i. the installation of efficient irrigation systems, including establishing visibility limitations for aesthetic purposes.
- ii. the installation or use of gravel, rocks, or cacti.

4. Rain Barrels and Rainwater Harvesting

- a. This policy does not require the Architectural Control Committee to permit a rain barrel or rainwater harvesting system ("rainwater recovery systems") to be installed in or on property if:
 - i. the property is:
 1. owned by the Association;
 2. owned in common by the members of the Association
 3. located between the front of the property owner's home and an adjoining or adjacent street; or
 - ii. the barrel or system:
 1. is of a color other than a color consistent with the color scheme of the property owner's home; or
 2. displays any language or other content that is not typically displayed by such a barrel or system as it is manufactured;
- b. Other than gutters and downspouts conventionally attached to a dwelling or appurtenant structure, all components of the rainwater recovery system, such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes and hoses, must be substantially screened from public view from any street or common area. Screening may be accomplished by:
 - i. Placement behind a solid fence, a structure or vegetation; or
 - ii. By burying the tanks or barrels; or
 - iii. By placing equipment in an outbuilding otherwise approved by the Architectural Control Committee.
- c. A rain barrel may be placed in a location visible from public view from any street or common area only if the configuration of the guttering system on the structure precludes screening as described above with the following restrictions:
 - i. The barrel must not exceed 55 gallons;
 - ii. The barrel must be installed in close proximity to the structure on a level base with the guttering downspout leading directly to the barrel inlet at a substantially vertical angle;
 - iii. The barrel must be fully painted in a single color to blend with the adjacent home or vegetation; and


- iv. Any hose attached to the barrel discharge must be neatly coiled and stored behind or beside the rain barrel in the least visible position when not in use.
- d. Overflow lines from the rainwater recovery systems must not be directed onto or adversely affect adjacent properties or common areas.
- e. Inlets, ports, vents and other openings must be sealed or protected with mesh to prevent children, animals and debris from entering the barrels, tanks or other storage devices. Open top storage containers are not allowed; however, where space allows and where appropriate, the Architectural Control Committee-approved ponds may be used for water storage.
- f. Harvested water must be used and not allowed to become stagnant or a threat to health.
- g. All rainwater recovery systems must be maintained in good repair. Unused systems should be drained and disconnected from the gutters. Any unused systems in public view must be removed from public view from any street or common area.
- h. The Architectural Control Committee shall regulate the size, type, and shielding of, and the materials used in the construction of a rain barrel, rainwater harvesting device, or other appurtenance that is located on the side of a house or an any other location that is visible from a street, another lot, or a common area so long as:
 - i. it does not prohibit the economic installation of the device or appurtenance on the property owner's property; and
 - ii. there is a reasonably sufficient area on the property owner's property in which to install the device or appurtenance.

These guidelines are effective upon recordation in the Public Records of Fort Bend County, and supersede any related guidelines which may have previously been in effect. Except as affected by Section 202.007 of the Texas Property Code and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Duly approved and adopted at a meeting held by the Board of Directors of Settler's Park Homeowners Association, Inc., this 16 day of NOV, 2011

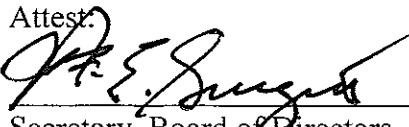
Effective Date: NOV 16, 2011

Signed:



President, Board of Directors
Printed Name: Bonnie Fiorigan

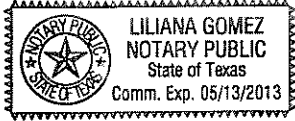
Attest:



Secretary, Board of Directors
Printed Name: W. E. Sargent

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

THIS INSTRUMENT was **acknowledged** before me on this the 16th day of Nov., 2011, by Bonnie Finnigan President of Settler's Park Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

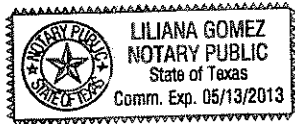


Liliana Gomez

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

THIS INSTRUMENT was **acknowledged** before me on this the 16th day of Nov., 2011, by W. K. SARGENT, Secretary of Settler's Park Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



Liliana Gomez

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Settler's Park Homeowners Association, Inc.

RESOLUTION AND GUIDELINES REGARDING REGULATION OF DISPLAY OF CERTAIN RELIGIOUS ITEMS

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF FORT BEND §

WHEREAS, Settler's Park Homeowners Association, Inc. (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (collectively referred to as the "Declarations");

WHEREAS, Section 202.018 of the Texas Property Code provides for the regulation of display of certain religious items by a Property Owners' Association;

WHEREAS, Chapter 204, Section 204.010(a)(6) of the Texas Property Code empowers the Association acting through its Board of Directors, to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision and to implement written architectural control guidelines; and,

WHEREAS, the Board of Directors (the "Board") has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the display of certain religious items therein, it is appropriate for the Association to adopt guidelines regarding the display of certain religious items within the community.

NOW, THEREFORE, BE IT RESOLVED THAT the following Guidelines are adopted by the Board of Directors.

GUIDELINES

1. An owner or resident may display a religious item¹ by affixing it to the entry of the owner's or resident's dwelling which is motivated by the owner's or resident's sincere religious belief.
2. The owner or resident shall not display or affix a religious item on the entry to the owner's or resident's dwelling that:
 - a. threatens the public health or safety;
 - b. violates a law;
 - c. contains language, graphics, or any display that is patently offensive to a passerby;
 - d. is in a location other than the entry door or door frame or extends past the outer edge of the door frame of the owner's or resident's dwelling;or

¹ "Religious items" shall be defined as any items which may be construed to reflect an owner's sincere religious beliefs.


- e. individually or in combination with each other religious item displayed or affixed on the entry door or door frame has a total size of greater than twenty (25) square inches.
- 3. The policy does not authorize an owner or resident to use a material or color for an entry door or door frame of the owner's or resident's dwelling or make an alteration to the entry door or door frame without written approval from the Architectural Control Committee.
- 4. The Association may remove an item displayed in violation of a restrictive covenant permitted by this policy.
- 5. The Architectural Control Committee shall determine if the religious item is in violation of either sections "2a" through "2d" above or section "4" above.

These guidelines are effective upon recordation in the Public Records of Fort Bend County, and supersede any related guidelines which may have previously been in effect. Except as affected by Section 202.018 of the Texas Property Code and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.


Duly approved and adopted at a meeting held by the Board of Directors of Settler's Park Homeowners Association, Inc. this 16 day of NOV, 2011.

Effective Date: Nov. 16, 2011

Signed:

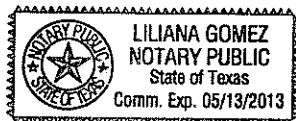

 President, Board of Directors
 Printed name: Bonnie Finnigan

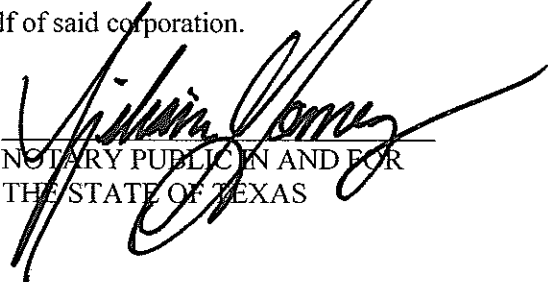
Attest:


 Secretary, Board of Directors
 Printed name: W. E. Sargent

THE STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

THIS INSTRUMENT was **acknowledged** before me on this the 16th day of Nov., 2011, by Bonnie Finnigan, President of Settler's Park Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

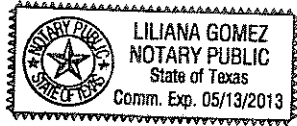



 NOTARY PUBLIC IN AND FOR
 THE STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF FORT BEND

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THIS INSTRUMENT was **acknowledged** before me on this the 16th day of Nov., 2011, by Wm E. Zarbey, Secretary of Settler's Park Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.





NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Settler's Park Homeowners Association, Inc.

RESOLUTION AND GUIDELINES REGARDING REGULATION OF CERTAIN ROOFING MATERIALS

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF FORT BEND §

REGULATION OF CERTAIN ROOFING MATERIALS

WHEREAS, Settler's Park Homeowners Association, Inc. (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (collectively referred to as the "Declarations");

WHEREAS, Section 202.011 of the Texas Property Code provides for the regulation of certain roofing materials by a property owners' association;

WHEREAS, Chapter 204, Section 204.010(a)(6) of the Texas Property Code empowers the Association acting through its Board of Directors, to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision and to implement written architectural control guidelines; and,

WHEREAS, the Board of Directors (the "Board") has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding roofing materials therein, it is appropriate for the Association to adopt guidelines regarding roofing materials within the community.

NOW, THEREFORE, BE IT RESOLVED THAT the following Guidelines are adopted by the Board of Directors.

GUIDELINES

Subject to written approval from the Architectural Control Committee, an owner may install shingles on the roof of the owner's property that:

1. are designed primarily to:
 - a. be wind and hail resistant;
 - b. provide heating and cooling efficiencies greater than those provided by customary composite shingles; or
 - c. provide solar generation capabilities; and

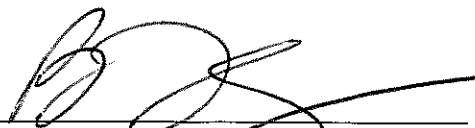
2. All buildings shall be roofed with composition shingles unless otherwise approved in writing by the Architectural Control Committee. Wood shingles are specifically prohibited for safety reasons.
3. Composition shingles must weigh at least 230 pounds per square and have a stated warranty of at least 25 years. Shingles should have a laminated design. Three-tab shingles are specifically prohibited except for use as a starter and cap rows.
4. Roof shingles must be dark brown or dark gray tones. Light brown, light gray, blue, green, red and white colors are not allowed.
5. Roof overlays are not allowed. Prior to roofing, all existing materials must be removed down to clean decking. Any damaged or deteriorated decking must be replaced.
6. Ridge vents are encouraged to improve ventilation, reduce attic temperature and reduce cooling costs, but are not required.
7. All roof protrusions, such as vents and roof jacks must be painted to match the shingles.
8. Once installed:
 - a. resemble the shingles used or otherwise authorized for use on property in the subdivision;
 - b. are more durable than and are of equal or superior quality to the shingles used or authorized to be used on other structures within the Association; and
 - c. match the aesthetics of the property surrounding the owner's property.

These guidelines are effective upon recordation in the Public Records of Fort Bend County, and supersede any related guidelines which may have previously been in effect. Except as affected by Section 202.011 of the Texas Property Code and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Duly approved and adopted at a meeting held by the Board of Directors of Settler's Park Homeowners Association, Inc. this 16 day of NOV, 2011

Effective Date: NOV 16, 2011

Signed:



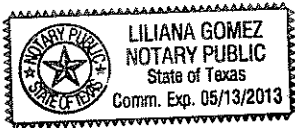
President, Board of Directors
Printed Name: Bonnie Finnigan

Attest:

W.E. Sargent
Secretary, Board of Directors
Printed Name: W.E. Sargent

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

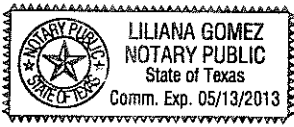
THIS INSTRUMENT was **acknowledged** before me on this the 16th day of Nov., 2011, by Bonnie Finnigan, President of Settler's Park Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



Liliana Gomez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

THIS INSTRUMENT was **acknowledged** before me on this the 16th day of Nov., 2011, by W.E. Sargent, Secretary of Settler's Park Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



Liliana Gomez
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

**SETTLER'S PARK PROPERTY
OWNERS ASSOCIATION, INC.**

RESOLUTION REGARDING TRASH IN VIEW

WHEREAS, the Board of Directors of SETTLER'S PARK PROPERTY OWNERS ASSOCIATION, INC. (the "Association"), a Texas non-profit corporation organized under the Texas Non-Profit Corporation Act, as presently constituted, do by this writing consent to the following actions and adopt the following resolution:

WHEREAS, Chapter 204, Section 204.010(a)(6) of the Texas Property Code empowers the Association acting through its Board of Directors, to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision and to implement written architectural control guidelines; and,

WHEREAS, Association acting through its Board of Directors, desires to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision through written guidelines;

WHEREAS, such Guidelines are necessary to help maintain the attractiveness of the subdivision and thereby support property values of the subdivision;

WHEREAS, the Board of Directors of the Association desires to promulgate Guidelines Regarding Trash In View in order to promote the overall beauty, harmony, and appearance of the subdivision.

NOW, THEREFORE, BE IT RESOLVED, that the following Guidelines Regarding Fencing are hereby adopted:

GUIDELINES REGARDING TRASH IN VIEW

Whereas, Article V, 5.18 of the Declaration of Covenants, Conditions and Restrictions for all sections of the Association ("the Deed Restrictions") provides, in part, that "[n]o lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall be kept in sanitary containers. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.";

Whereas, Article V, Section 5.9 of the Deed Restrictions provides, in part, that "[n]o noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.";

Whereas, Article V, Section 5.25 of the Deed Restrictions states, in part, that “[i]n the event any owner or occupant fails to observe these obligations after ten (10) days’ written notice requesting observation thereof from an authorized representative of the Association, said representative of the Association shall, without liability to the owner or occupant in trespass or otherwise, enter upon said lot to secure compliance with these restrictions so as to place said lot in a neat, sanitary and attractive condition and may charge the owner or occupant of such Lot for the cost of such work. The owner or occupant, as the case may be, agrees by the purchase or occupation of the property to pay for such work within then (10) days following receipt of written notice from the Association of the cost of such work.”;

Whereas, the Board of Directors of the Association has determined that trash containers, recycle bins, lawn clippings, garbage, trash, rubbish and other debris stored in public view anywhere on a Lot, other than the curb on the scheduled day of collection, has a detrimental affect on the appearance of the community and on property values; and

Whereas, the Board of Directors of the Association has determined that trash containers, recycle bins, lawn clippings, garbage, trash, rubbish and other debris placed at the curb for pick-up in advance of the scheduled day of collection has a detrimental affect on the appearance of the community and on property values; and

Whereas, the Board of Directors of the Association had determined that empty trash containers and recycle bins left at the curb on days other than the scheduled day of collection had detrimental affect on the appearance of the community and on property values; and

Whereas, it is the desire of the Board of Directors to implement a policy regarding such issues, collectively referred to as “Trash in View”, and a uniform procedure for enforcing such policy.

Now, therefore, the following specific requirements are adopted regarding Trash in View:

1. Trash containers, recycle bins, garbage, trash, rubbish, lawn clipping or other debris (herein “trash”) must be stored out of public view from any street or common area at all times other than as described in item #2 below.
2. Trash may be placed in the street no sooner than 6:00 p.m. on the evening prior to the regularly scheduled pickup date. Empty trash containers must be removed from the curb and from public view by the end of the day of pickup.
3. Items that are not accepted for pickup by the trash collection contractor may not be placed at the curb at any time. Items placed at the curb must comply with any rules set by the trash collection contractor (e.g. bundling, weight, length, etc.).

Further, that the following procedure shall be used for violations of this Trash in View Policy:

1. The Association will perform routinely scheduled as well as random inspections throughout the entire community to locate violations of this policy.
2. If a violation is found, a first letter will be mailed to the Owner and, if the Owner does not live at the property, to the occupant, stating the violation, date observed, requested action, deadline and consequence of further violations. The deadline for compliance will be ten (10) days from the date of the letter. A copy of this policy will be included with the letter.
3. If the violation continues or recurs after the deadline, on the next inspection and if the trash container is at the curb, a bright sticker will be placed on the trash container that briefly describes the policy. In addition, a second letter will be sent by certified mail, with a copy by regular mail, to the Owner repeating the information from the first letter. The letter will clarify that no further letters will be sent before enforcement action is taken if the problem continues or recurs within one hundred and eighty (180) days from the date of the letter. A copy of the policy will be included with the letter.
4. If the violation continues or recurs after the deadline and within one hundred and eighty (180) days of the second letter, on the next inspection, a digital photograph will be taken and a contractor will be sent to the property within twenty-four (24) hours to remove the trash from view.
5. Once an invoice is received from the contractor, the Owner's account will be invoiced for the full cost of the work plus an administrative fee to cover the cost of the inspections, documentation, notifications and work order coordination. A statement will be mailed to the Owner requesting payment within ten (10) days of receipt.
6. An Owner may appeal the charge back to the Board of Directors by submitting a letter to the Board in care of the management company. The letter must state a reason why the Owner feels the charge back was not justified under this policy. This appeal will be addressed at the next regularly scheduled Board meeting where it can be placed on the agenda. IF the appeal is denied, payment will be due within ten (10) days of the hearing if the Owner is present or of receipt of the letter to the Owner announcing the decision.

The Board of Directors of the Association has established these Guidelines in accordance with the authority granted to them by the provisions of the Declarations and the Texas Property Code. The guidelines are established to assure a uniform and fair interpretation of the

Declarations and the power of the Association related to architectural control and regulation of the appearance of the subdivision.

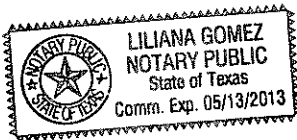
These procedures and guidelines may be amended by the Board of Directors of the Association from time to time as it deems necessary and appropriate.

ADOPTED this 14 day of NOV, 2011.

SETTLER'S PARK PROPERTY OWNERS ASSOCIATION, INC.
BY: [Signature]
Secretary
Wm K. SARGENT
(Printed Name)

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

THIS INSTRUMENT was acknowledged before me on this the 16th day of Nov., 2011, by Wm K. SARGENT, Secretary of SETTLER'S PARK PROPERTY OWNERS ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said corporation.



[Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

After Recording Return To:

Daughtry & Jordan, P.C.
17044 El Camino Real
Houston, Texas 77058
ATTN: MRM

SECRETARY'S CERTIFICATE OF ADOPTION OF
RESOLUTION BY BOARD OF DIRECTORS

I, Wm E. SARGENT, the Secretary of SETTLER'S PARK HOMEOWNERS' ASSOCIATION, INC., certify that:

I am the duly qualified and acting Secretary of SETTLER'S PARK HOMEOWNERS' ASSOCIATION, INC., a duly organized and existing Texas Non-Profit Corporation.

The following is a true copy of a Resolution duly adopted by the Board of Directors of such Corporation at a meeting that was legally held on the date indicated thereon and entered in the minutes of the meeting which are contained in the minute book of the Corporation. Said Resolution is attached and incorporated herein.

The attached Resolution is in conformity with the Articles of Incorporation and Bylaws of the Corporation, has never been modified or repealed, and is in full force and effect.

Dated: NOV 16, 2011.

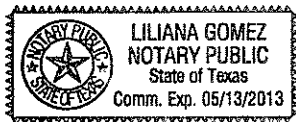
Wm E. Sargent
Secretary

Wm E. SARGENT
Printed Name

State of Texas §
County of Fort Bend §

Before me the undersigned authority, personally appeared William Sargent, known to me to be the person whose name was subscribed in my presence to the foregoing instrument, and to be the Secretary of SETTLER'S PARK HOMEOWNERS' ASSOCIATION, INC., and who **acknowledged** to me that the instrument was executed for the purpose and consideration therein expressed.

Subscribed and sworn to before me the 16th day of Nov., 2011.



Liliana Gomez
Notary Public in and for the State of Texas

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

2011 Dec 29 02:33 PM

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LW1 \$131.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS