

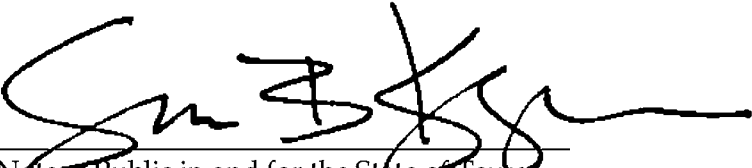
Executed on this 18th day of October, 2024.

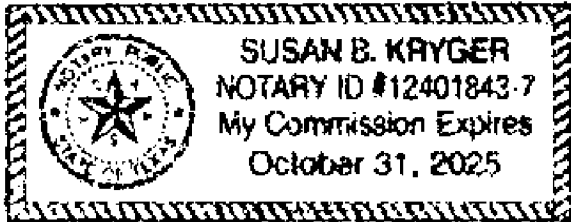
MEMORIAL BEND CIVIC ASSOCIATION, INC.

By: 
Cliff Davis, authorized representative

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 18th day of October, 2024 personally appeared Cliff Davis, authorized representative of Memorial Bend Civic Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.


Notary Public in and for the State of Texas



RP-2024-386542

FINING POLICY
For
MEMORIAL BEND CIVIC ASSOCIATION, INC.

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, Jennifer Blackburn, Secretary of Memorial Bend Civic Association, a Texas non-profit corporation (“Association”), do hereby certify that, in the open session of a properly noticed meeting of the Association’s Board of Directors (“Board”), duly called and held on the 18 day of September, 2024, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Fining Policy was approved by at least a majority the Board members in attendance.

RECITALS

1. Article III, Section 20(f) of the Association’s Bylaws authorizes the Board of Directors to adopt and establish a fine schedule for any infraction of the Association’s Dedicatory Instruments [as that term is defined in Texas Property Code Section 202.001(1)].
2. The Association’s Board of Directors desires to adopt the following Fining Policy.

MEMORIAL BEND CIVIC ASSOCIATION, INC.
FINING POLICY

The Recitals are fully incorporated herein by reference.

1. This Fining Policy (“Policy”) replaces and supersedes any previous fining policy or similarly named document, if any, adopted by the Memorial Bend Civic Association (“Association”).
2. All capitalized terms in this Policy have the same meaning ascribed to them in the Second Superseding Declaration of Restrictive Covenants Restrictions and Conditions of Memorial Bend Subdivision Section One, Section Two, Section Three, Section Four and Section Five recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk’s File No. U191970, as amended or supplemented, if any (“Declaration”) unless otherwise defined in this Policy.
3. Each Owner is responsible for assuring that the Owner and the Owner’s tenant(s), occupant(s), guest(s), and invitees comply with the provisions of the Association’s Dedicatory Instruments

RP-2024-386542

[as that term is defined by Texas Property Code Section 202.001(1) or its successor statute] that are applicable to the properties under the jurisdiction of the Association. In the event that an Owner, tenant, occupant, guest, or invitee of an Owner violates any of the provisions of the Dedicatory Instruments, the Association's Board of Directors ("Board") shall have the authority to impose a fine as described below upon the Owner and/or occupant of a Lot under the jurisdiction of the Association.

4. The Association shall, before a fine is imposed, send the Owner of the Lot the notice required by law, if any. The Board may, in its sole and absolute discretion, also provide the notice required by law, if any, to the occupant(s) of the Lot.
5. If the violation continues from day to day without intervening activity (a "Curable Violation") as determined at the sole and absolute discretion of the Board, the Fine Schedule will be as follows:

\$100.00 per day until corrected

5.1 Curable Violations - By way of example and not in limitation, the following are examples of Curable Violations:

- a. An ongoing parking violation.
- b. A maintenance violation.
- c. An ongoing noise violation.

6. If the violation consists of single occurrence (an "Uncurable Violation") or separate occurrences (i.e., repeat instances of an Uncurable Violation) as determined at the sole and absolute discretion of the Board, the Fine Schedule will be as follows:

First Violation: \$100.00 per occurrence

Each Additional Similar or Substantially Similar Violation: \$200.00 per occurrence

6.1 Uncurable Violation - A violation that has occurred but is not a continuous action or a condition capable of being remedied by affirmative action. By way of example and not in limitation, the following are examples of Uncurable Violations:

- a. An act constituting a threat to health or safety.
- b. A one-time or non-ongoing parking violation.
- c. A one-time noise violation that is not ongoing.

7. If an Owner is entitled to an opportunity to cure a violation and a hearing is properly requested by the Owner in response to the Association's notice under Texas Property Code Section 209.006, 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 the Association's Board of Directors. The Association shall hold the hearing not later than the thirtieth day after the date the Board receives the Owner's request for a hearing and shall 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 shall be granted for a period of not more than ten (10) days. Additional postponements may be granted by agreement of the parties. The Owner or the Association may make an audio recording of the meeting. Not later than ten (10) days before the Association holds the hearing, the Association shall provide to Owner a packet containing all documents, photographs, and communications relating to the matter the Association intends to introduce at the hearing. If the Association does not provide the packet within the period described, Owner is entitled to an automatic fifteen (15) day postponement of the hearing. During the hearing, a member of the Board or the Association's designated representative shall first present the Association's case against the Owner. The Owner or the Owner's designated representative is entitled to present the Owner's information and issues relevant to the dispute.

8. Per Texas Property Code Section 209.006(d), an Owner is not entitled to notice of a fine being levied for a violation for which the Owner was previously given notice under the Property Code and the opportunity to exercise any rights available under the Property Code in the preceding six months.
9. The Board is hereby authorized in its sole and absolute discretion to impose a lesser fine or no fine at all for a violation of the Dedicatory Instruments. Any adjustment to the Fine Schedule by the Board shall not be construed as a waiver of the Fine Schedule or the Dedicatory Instruments.
10. This Policy is in addition to any other remedy the Association may have to pursue a violation of the Association's Dedicatory Instruments and in no way limits or estops the Association from pursuing any other remedy to enforce the Association's Dedicatory Instruments.

I hereby certify that I am the Secretary of the Association and that the foregoing Fining Policy was approved as set forth above and now appears in the books and records of the Association.

MEMORIAL BEND CIVIC ASSOCIATION, Inc.

By: 
As Secretary of the Association

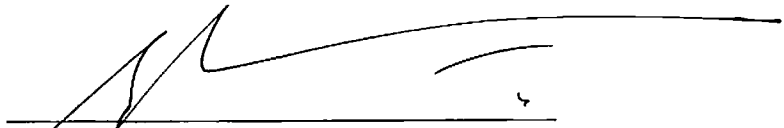
Name Printed: Jennifer Blackburn

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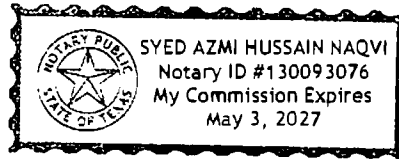
RP-2024-386542

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 3rd day of Oct,
2024, personally appeared JENNIFER LUKE BLACKBURN, as
Secretary of Memorial Bend Civic Association, Inc., known to me to be the person whose
name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed
the same for the purpose and in the capacity therein expressed.



Notary Public in and for the State of Texas



RP-2024-386542

RP-2024-386542
Pages 7
10/18/2024 10:31 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$45.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

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