Hood County Clerk
201 W Bridge Street
PO BOX 339
Granbury, Texas 76048
Phone: 817-579-3222

Document Number: 2017-0001504 -
Filed and Recorded - Real Records

RESOLUTION

Grantor: ORCHARDS POA INC

Pages: 4

Recorded On: 02/01/2017 10:44 AM

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Recorded On:	02/01/2017 10:44 AM
Document Number:	2017-0001504
Receipt Number:	R171412
Amount:	$29.00
Recorded By:	Kathryn Frost

Notes:

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.

I hereby certify that this instrument was filed and duly recorded in the Official Records of Hood County, Texas

Katie Lang
County Clerk
Hood County, Texas

Return To: In Office

ORCHARDS POA INC

3902 E HWY 377
SUITE 102
GRANBURY, TX 76049

STATE OF TEXAS	§	**RESOLUTION ADOPTING PAYMENT PLAN**
	§	**FOR THE ORCHARDS PROPERTY**
COUNTY OF HOOD	§	**OWNERS ASSOCIATION, INC.**

RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORCHARDS PROPERTY OWNERS ASSOCIATION, INC. REGARDING PAYMENT PLAN POLICY

Pursuant to Section 209.0062 of the Texas Property Code, The Orchards Property Owners Association, Inc., hereinafter referred to as the "Association", acting by and through its Board of Directors, has adopted the following alternative payment policy to set forth guidelines for a payment plan of assessments and fees, to wit:

WHEREAS, the Association is required under Texas Property Code §209.062 to create and record an alternative payment schedule for the Association governing Orchards on The Brazos Subdivision located in Hood County, Texas in order to establish an alternative payment schedule by which an owner may make partial payments to the property owners' association for delinquent regular or special assessments or any other amount owed to the association without accruing additional monetary penalties; and

WHEREAS, the Association has adopted the following alternative payment plan for all Association dues and fees;

WHEREAS, all terms used herein shall have the same meaning as set forth in the Declaration of Covenants, Conditions and Restrictions for Orchards on The Brazos, filed in the Official Records of Hood County, Texas, hereinafter referred to as the "Declaration".

NOW THEREFORE, the Association declares that the following is the alternative payment plan adopted:

1. The Due Date for all Annual Assessment Fees shall be as set forth in the Declaration. The Due Date for all Special Assessments shall be 30 days after an Owner receives notice of the Special Assessment. The due date for all other charges shall be the last day of the month in which the invoice or statement is dated unless otherwise specified in this document.

2. All documents, correspondence, invoices, statements, and notices relating to the charges shall be mailed to the Owner's address which appears on the books of the Association or to such other address as designated in writing by the Owner.

3. All payment plans must be in writing, signed by one or more Owners of the property associated with the delinquent balance, approved by the signature of the President of the Association or the Association Manager, and provide that the Owner shall pay future assessments when due, in addition to any arrearage payment due under a payment plan.

4. No monetary penalties shall accrue on balances while a payment plan is in effect,

but reasonable cost associated with administering the plan and interest shall continue to accrue. Monetary penalties do not include reasonable costs associated with administering the payment plan or interest.

5. Any qualified Owner who owes a delinquent balance of $500.00 or less shall be allowed, without deliberation by the Board, to pay the balance in three equal consecutive monthly installments, with the first payment due within the first thirty day period following the approval of the payment plan.

6. Any qualified Owner who owes a delinquent balance of more than $500.00 shall be allowed, without deliberation by the Board, to pay the balance by paying twenty-five percent of the balance during the first thirty day period following the approval of the payment plan, with the remaining delinquent balance to be paid in five equal consecutive monthly installments.

7. Any Owner may submit a request for a payment plan that does not meet the foregoing guidelines, along with whatever information they wish the Board to consider, and the Board may approve or disapprove such payment plan, in its sole discretion; however no payment plan shall exceed eighteen months or be shorter than three months.

8. The Association reserves the right to refuse to offer a payment plan to an Owner during a two (2) year period following an Owner's default under a previous payment plan.

9. If an Owner who is not qualified to receive a payment plan asks for a payment plan, the Board shall be entitled to approve or disapprove a payment plan, in its sole discretion.

10. Payments will be posted by the Association staff in a timely manner. A payment received by the Association from the Owner shall be applied to the Owner's debt in the following order of priority:

(1) any delinquent assessment;

(2) any current assessment;

(3) any attorney's fees or third party collection costs incurred by the Association associated solely with assessments or any other charge that could provide the basis for foreclosure;

(4) any attorney's fees incurred by the Association that are not subject to 10 (3) above;

(5) any fines assessed by the Association; and

(6) any other amount owed to the Association.

By their signatures below the President and the Secretary of the Association certify that the foregoing resolution was approved by the Board of Directors of the Association at a duly-called meeting of the Board of Directors at which a quorum of Directors was present, or by

signed, unanimous written consent in lieu of a meeting.

PASSED, ADOPTED AND APPROVED on this the 25th day of January, 2017.

The Orchards Property Owners Association, Inc.

By: _____
Oscar Rohne, President

ATTEST:

By: _____
Kevin Drake, Secretary

THE STATE OF TEXAS §
§
COUNTY OF Parker §

CERTIFICATE OF ACKNOWLEDGMENT

Before me, the undersigned Notary Public, on this day personally appeared Oscar Rohne who is personally known to me (or proved to me through a federal or state issued ID with photo and signature of person identified) to be the person whose name is subscribed to the foregoing instrument, and who has acknowledged to me that he is the President of The Orchards Property Owners Association, Inc. and that by authority duly given and as the act of The Orchards Property Owners Association, Inc. executed the instrument for the purposes and considerations expressed.

Given under my hand and seal of office on this the 25th day of January, 2017.

MONTE LEE MAGNESS
MY COMMISSION EXPIRES
March 15, 2018

_____
Notary Public in and for The State of Texas

AFTER RECORDING, RETURN TO:

The Orchards Property Owners Association, Inc.
3902 E. Hwy. 377, Suite 102
Granbury, Texas 76049