

**SHAVANO ROGERS RANCH CROSSTIMBER
HOMEOWNERS ASSOCIATION'S
COLLECTION POLICY**

SCANNED

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

WHEREAS, pursuant to Chapter 209 of the Texas Property Code, the Board of Directors (the "Board") of the Shavano Rogers Ranch Crosstimber Homeowners Association, Inc. ("Association") hereby adopts these Guidelines for the purposes of establishing a uniform and systematic procedure to collect assessments and other charges of the Association assessed to Owners of properties currently included or annexed in the future in Shavano Rogers Ranch Crosstimber; and

WHEREAS, reference is hereby made to the each of the Declaration of Covenants, Conditions and Restrictions of Rogers Ranch Subdivision (collectively "Declaration") for all purposes, and any and all capitalized terms used herein shall have the meanings set forth in the respective Declaration, unless otherwise specified herein; and

WHEREAS, the Board has established that it is in the best interest of the Association to establish this Policy.

NOW, THEREFORE, BE IT RESOLVED THAT the Association does hereby adopt the following Collection Policy:

1. **ASSESSMENT PERIOD**
The Board has the duty of establishing and adopting an annual budget, in advance, for each fiscal year of the Association covering the estimated costs of operation of the Association during each calendar year.
2. **NOTICE**
In December of each year, the Board shall fix the amount of the annual assessment against each Lot for the following year and shall, at that time, prepare a roster of the Lots and assessments applicable thereto which shall be kept in the office of the Association and shall be open to inspection by any Owner. Upon completion of the roster, written notice of the assessment shall be sent to every Owner subject to the assessment. An Owner shall not escape liability or be entitled to a deferral of interest, fines or collection costs with regard to delinquent assessments on the basis of such Owner's failure to receive notice, if such notice was sent via regular mail to the most recent address of the Owner according to the records of Association. Each Owner shall have the obligation to notify the Association in writing of any change in address, which shall become effective five days after written notice has been received.

3. DUE DATE

All Annual Assessments (the "Assessment" or the "Assessments") are due on the first day of January and payable on a quarterly basis, as determined by a majority of the Board for that assessment year. Those Assessment Payments are due on the first day of January, April, July, and October. Charges disputed by an Owner are considered delinquent until such time as they are paid in full or the Owner has been provided verification of payment of the disputed amounts due.

4. INTEREST

If the Assessment is not paid within thirty (30) days after the delinquency date, the Assessment shall bear interest from the date of delinquency at the rate of ten percent (10%) per annum until the delinquent Assessment is paid in full.

5. DELINQUENCY NOTIFICATION

The Association may cause to be sent the following notification(s) to delinquent Owners:

a. PAST DUE NOTICE: In the event that any Assessment Payment balance remains unpaid thirty (30) days from the due date, a Past Due Notice may be sent via regular mail to each Owner with a delinquent account setting forth all Assessments, interest and other amounts due. The Past Due Notice will contain a statement that the entire remaining unpaid balance of the Assessment is due and that the owner is entitled to a Payment Plan (if they are so entitled). **In the event an Owner chooses to enter a Payment Plan, a charge of \$20.00 dollars per month will be added to each delinquent Owner's account balance for administrative costs related to the Payment Plan and such additional administrative costs will continue until the entire balance is paid in full.**

b. FINAL NOTICE: In the event the entire Assessment is not paid in full within thirty (30) days of a Past Due Notice, or there is a default on the Payment Plan, where an Assessment account balance remains unpaid sixty (60) days or later from the due date, a Final Notice may be sent via certified mail, return receipt requested, to each delinquent Owner. The Final Notice will set forth the following information and results of failure to pay, including an explanation of:

1. AMOUNTS DUE: All delinquent Assessments and the total amount of the payment required to make the account current, interest and other amounts due;
2. HEARING: Owners shall be given notice and opportunity for a hearing before the Board. A hearing shall be granted if a written request for a hearing is received by the Association not more than thirty (30) days from the Owner's receipt of the Final Notice. If a hearing is requested within thirty (30) days from receipt of the Final Notice, further collection procedures are suspended until the hearing process is completed. The Board shall set a hearing date not later than thirty (30) days after receipt of Owner's request for a hearing. Either party may request a postponement, which shall be granted for a period of not more than ten (10) days. Additional postponements may be granted by agreement of both parties. Further collection steps will be determined by the action of the Board.

c. NOTICE OF TURNOVER TO COLLECTION AGENT/ATTORNEY:

Once the delinquent balance owed equals three quarterly installments, then the account may be sent to a collection agent and/or the Association's attorney for collection and collection fees and expenses will be charged. An Owner may not be charged fees of a collection agent (as same is defined in Property Code Section 209.0064) unless the Association first provides written notice to the Owner by certified mail, return receipt requested, that:

1. Specifies each delinquent amount and the total amount of the payment required to make the account current;
2. Describes the options the Owner has to avoid having the account turned over to a collection agent, including information regarding availability of a payment plan through the Association; and
3. Provides a period of at least thirty (30) days for the Owner to cure the delinquency before further collection action is taken.

6. REFERRAL OF ACCOUNT TO ASSOCIATION ATTORNEY

Upon referral of the account to the Association's attorney, the attorney is authorized to file notices of unpaid assessments liens. Commencement of a foreclosure action requires specific approval of the Board of Directors, which shall not be considered until an account has a past due, unpaid balance which equals or exceeds the amount of two years' assessments.

In the event the Association has determined to foreclose its lien provided in the Declaration, and to exercise the power of sale thereby granted, such foreclosure shall be accomplished pursuant to the requirements of Section 209.0092 of the Texas Property Code by first obtaining a court order in an application for expedited foreclosure under the rules adopted by the Supreme Court of Texas. Alternatively, the Association may commence an action for a monetary judgment and judicial foreclosure of the lien permitted by Tex. R. Civ. P. 735.3 which provides "any lien that may be foreclosed using Rule 736 procedures may also be foreclosed by judgment foreclosure in an action for judicial foreclosure".

7. BANKRUPTCIES

Upon receipt of any notice of a bankruptcy of an Owner, the account may be turned over to the Association's attorney so that the Association's interests may be protected.

8. REQUIRED ACTION

Nothing contained herein shall require the Association to take any of the specific actions contained herein. The Board of the Association shall have the right, but not the obligation, to evaluate each delinquency on a case-by-case basis as in its best judgment deems reasonable.

The foregoing Policy, which supersedes and replaces the Collection Policy previously adopted by the Board of Directors as of January 20, 2012, was approved by majority vote of the members of the Board of Directors of the Association at a duly-called meeting of the Board open to the members of the Association, as certified by the signatures of the President and Secretary of the Association below.

Signed this 6 day of November, 2019

SHAVANO ROGERS RANCH CROSSTIMBER
HOMEOWNERS ASSOCIATION

Brian Kinlaw
By: Brian Kinlaw, President
Tracey Lammert
By: Tracey Lammert, Secretary

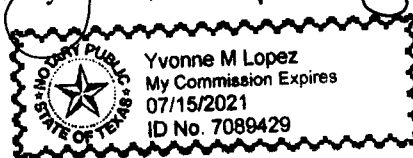
STATE OF TEXAS §
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COUNTY OF BEXAR §

Before me, the undersigned notary public, on this day personally appeared Brian Kinlaw, known to me or proved to me by presentation to me of a governmentally-issued identification card to be one of the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed it for the purposes and consideration expressed in it.

Given under my hand and seal of office the 6 day of Nov. 2019.

Yvonne M Lopez
Notary Public, State of Texas

STATE OF TEXAS §
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COUNTY OF BEXAR §



Before me, the undersigned notary public, on this day personally appeared Tracey Lammert, known to me or proved to me by presentation to me of a governmentally-issued identification card to be one of the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed it for the purposes and consideration expressed in it.

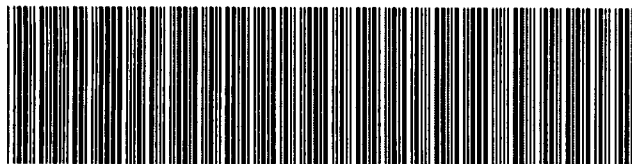
Given under my hand and seal of office the 7 day of NOV 2019.

Yvonne M Lopez
Notary Public, State of Texas

AFTER RECORDING RETURN TO:
Shavano Rogers Ranch Crosstimber Homeowners Association
c/o Diamond Association Management & Consulting
14603 Huebner Road, Building 40
San Antonio, Texas 78230



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VG-35-2019-20190230749

File Information

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Document Number: 20190230749
Recorded Date: November 13, 2019
Recorded Time: 4:33 PM
Total Pages: 5
Total Fees: \$38.00

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Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Bexar County, Texas on:
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Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk