

VILLAGES OF WESTCREEK OWNERS ASSOCIATION, INC.("ASSOCIATION")

Administrative Resolution No. 12

Notification of Covenant Violations

WHEREAS, Article VII, Section 7.13 of the BY-LAWS directs the BOARD to exercise for the ASSOCIATION all powers, duties and authority vested in or delegated to this ASSOCIATION and not reserved to the membership by other provisions of these BY-LAWS, the ARTICLES OF INCORPORATION, or the VILLAGES OF WESTCREEK DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("PROJECT DOCUMENTS"); and

WHEREAS, Article XV of the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS establishes remedies for the violation of restrictions; and

WHEREAS, there is a need to establish orderly procedures for the notification of Owners of wrongful performance, non-performance or defective performance; and

WHEREAS, it is the intent of the BOARD to establish orderly steps to notify Owners and to request a cure the wrongful performance, defective performance or failure of performance, to allow for due process,

NOW THEREFORE, BE IT RESOLVED THAT the procedures for notification be as follows:

1. Except where damage or injury to persons or property is imminent as a result of the performance, or by a failure to perform, or the defective performance of any obligation imposed or restricted under the Declaration, each Owner will be given a notice stating the condition observed and to be corrected, the covenant, condition or restriction violated, and a request for cure of the violation. Cure to be sought in accordance with Chapter 209 Texas Residential Property Owners Protection Act.

2. If the violation has not cured within ten (10) days of the first Courtesy Notice, a Second Courtesy Notice will be given. If the violation has not cured within ten (10) days a Third Courtesy Notice will be given. If the violation is not been cured after ten (10) days a Pre-TPC Letter is mailed to the Owner.

3. Forty (40) days after the date of the first notice, if the condition has not been cured, a Chapter 209 Texas Property Code letter will be mailed by Certified Mail.

4. Seventy (70) days after the date of first notice, if the condition has not been cured, the name and address of the owner(s) will be turned over to the Board of Directors for determination of further action and may be turned over to the legal counsel for the ASSOCIATION who will take the actions specified in Article XV of the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS and/or as decided by the BOARD upon Special Resolution.

APPROVED: MARCH 18, 2010

Harold (Rick) Severs, President

Liliane Castillo, Secretary