

FOX RUN MAINTENANCE ASSOCIATION

PROPERTY OWNERS' ASSOCIATION COLLECTION POLICY

(e.g., Regarding Delinquent Assessments, Fees and Charges)

1. The name of the Subdivision(s) is/are FOX RUN, Sections One (1) through Twelve (12), inclusive
2. The name of the Association is FOX RUN MAINTENANCE ASSOCIATION
3. The recording data (i.e., Map or Plat reference) for each Section of the Subdivision is as follows

Map(s) or Plat(s) Records of Montgomery County, Texas:

- (i) Fox Run, Section One - Plat Cabinet A, Sheet 100A.
- (ii) Fox Run, Section Two - Plat Cabinet B, Sheet 30.
- (iii) Fox Run, Section Three - Plat Cabinet B, Sheet 25
- (iv) Fox Run, Section Four - Plat Cabinet B, Sheet 30
- (v) Fox Run, Section Five - Plat Cabinet G, Sheets 023A and 023B
- (vi) Fox Run, Section Six - Plat Cabinet G, Sheets 199A and 199B
- (vii) Fox Run, Section Seven - Plat Cabinet J, Sheets 168 and 169
- (viii) Fox Run, Section Eight - Plat Cabinet N, Sheets 168 and 169
- (ix) Fox Run, Section Nine - Plat Cabinet P, Sheet 105
- (x) Fox Run, Section Ten - Plat Cabinet S, Sheets 166 and 167
- (xi) Fox Run, Section Eleven - Plat Cabinet S, Sheet 153
- (xii) Fox Run, Section Twelve - Plat Cabinet W, Sheet 95

4. The recording data for the Declaration (which may be referred to as the "Declaration," the "Restrictions," the "Deed Restrictions," the "Covenants, Conditions and Restrictions," the "Restrictions and Covenants" or the "CC&Rs") for each Section of the Subdivision, including Amendments, Modifications and/or Supplements as applicable, is as follows

Deed Restrictions (Deed Records of Montgomery County, Texas):

- (i) Fox Run, Section One - County Clerk's File No. 750133, and Amendment County Clerk's File No. 8036859
- (ii) Fox Run, Section Two - County Clerk's File No. 7713620, Amendment County Clerk's File No. 8036859, and Amendment County Clerk's File No. 2003-013988
- (iii) Fox Run, Section Three - County Clerk's File No. 750133, recorded Warranty Deed(s), and Amendment County Clerk's File No. 8036859
- (iv) Fox Run, Section Four - County Clerk's File No. 7713620, Amendment County Clerk's File No. 8036859, and Amendment County Clerk's File No. 2003-013988
- (v) Fox Run, Section Five - County Clerk's File No. 9229631
- (vi) Fox Run, Section Six - County Clerk's File No. 9440426
- (vii) Fox Run, Section Seven - County Clerk's File No. 9821167.
- (viii) Fox Run, Section Eight - County Clerk's File No. 2000-025454
- (ix) Fox Run, Section Nine - County Clerk's File No. 2001-027661
- (x) Fox Run, Section Ten - County Clerk's File No. 2003-040674
- (xi) Fox Run, Section Eleven - County Clerk's File No. 2002-118319
- (xii) Fox Run, Section Twelve - County Clerk's File No. 2004-100703

- IV. **COLLECTION POLICY:** The following Collection Policy was approved by at least a majority vote of the Board of Directors of FOX RUN MAINTENANCE ASSOCIATION (the "Board"), at a duly called Meeting of the Board, at which Meeting a quorum was present. The Association provides a number of services for the Fox Run community. While the vast majority of property owners ("Owners") do timely pay, there is generally a percentage of owners who do not. The obligation to

pay annual assessments maintenance charges ("assessments") is mandatory for all property owners. The Association's current Collection Policies and Procedures, which supersede and replace any previously recorded Collection Policy, are as follows:

1. The Association mails out invoices for the annual assessment at least thirty (30) days before the due date.
2. Payment in full is due annually in advance on January 1 of each year. However, there is no late fee, penalty or interest charged so long as the full payment is received by the Association on or before January 31 of each year.
3. Should an Owner fail to pay the full amount of the assessment currently due on or before January 31 of any year, the Association may apply the following schedule:

a) At any time after January 31, the Association may authorize the preparation and recording of an Affidavit or Notice of Lien (e.g., identifying the delinquent property by address and legal description, identifying the Owner(s), and evidencing the amount of the current delinquency). The amount of the current delinquency will include the costs of preparing and recording the Affidavit or Notice of Lien.

b) A late fee, in an amount determined by the Board, may be added to each delinquent account on February 1st. Additionally, the Association may charge interest at the rate it is entitled to under its Governing Documents/Dedicator Instruments. In the event that no interest rate is specified, the statutory rate (e.g., six percent (6%) per annum) may be charged.

c) An administrative fee or fees (or managerial fee or fees) may be applied to each delinquent account. Further, the charge(s) for any managerial follow-up, notice and/or demand letters, as applicable, will be applied to the Owner's assessment account.

d) Prior to a delinquent account being initially referred to the Association's attorney for legal action (other than the preparation and recording of an Affidavit or Notice of Lien as described in "a" above), the Association will mail a forty-five (45) day statutory notice letter to the property owner(s).

e) During the course of a payment plan, the Association may charge interest at the rate it is entitled to under its Governing Documents/Dedicator Instruments and may also charge reasonable costs of administering the payment plan (which may be a one-time charge or charged per month). There may also be a fee charged for setting up the payment plan.

f) If an Owner(s) default(s) on a payment plan, the payment plan is automatically terminated and the Association is not obligated to make another payment plan with that owner(s) relative to annual assessments and/or special assessments for the next two (2) years.

g) All items that remain delinquent with no payment arrangements, or with defaulted payment arrangements, may be referred to the Association's Attorney for a legal demand letter(s) and further legal action as may be authorized by the Association.

h) Pursuant to the Restrictions, and pursuant to applicable Texas Statutory Law, legal fees, expenses and costs incurred in the Association's effort to collect a delinquent assessment account (including, but not limited to, the preparation and recording of a Notice of Lien and Affidavit of Delinquent Assessments and/or subsequent Release thereof), will be charged back to the

assessment account and shall be secured by the Association's assessment lien and reimbursement thereof shall be the responsibility of the Owner(s)

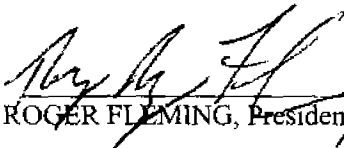
- i) All delinquent items, whether with the attorney's office or whether being handled by the manager, are subject to periodic review by the Association's Board or an appointed Committee
- j) Returned Check Fee(s), in addition to any bank charges, will be charged to the Owner(s), and reimbursement thereof shall be the responsibility of the Owner(s)

k) All items placed with the Association's attorney will remain with the attorney's office until paid in full

CERTIFICATION

"I, the undersigned, being the President of FOX RUN MAINTENANCE ASSOCIATION, hereby certify that the foregoing Collection Policy Resolution was adopted by at least a majority of the Association's Board of Directors, and such Collection Policy Resolution has never been modified or repealed, and is now in full force and effect "

FOX RUN MAINTENANCE ASSOCIATION

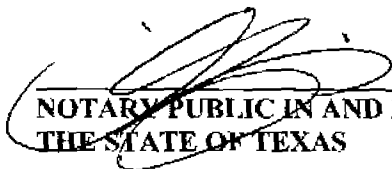
By: 
ROGER FLEMING, President

ACKNOWLEDGMENT

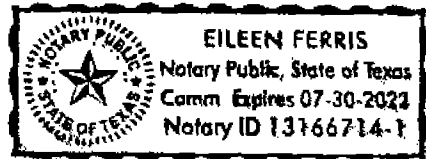
THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared ROGER FLEMING, President, FOX RUN MAINTENANCE ASSOCIATION, a Texas Non-Profit Corporation and Property Owners' Association, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he executed same in the capacity and for the consideration therein expressed, and as the act and deed of such Corporation

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 8 day of December, 2021


NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

After recording, return to:
Consolidated Management Services
128 Vision Park Boulevard, Suite 110
Shenandoah, Texas 77384



Fox Run Maintenance Association / Collection Policy (e.g., Regarding Delinquent Assessments, Fees and Charges)

E-FILED FOR RECORD

12/13/2021 04:28PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

12/13/2021



County Clerk
Montgomery County, Texas