

HOME OWNERS ASSOCIATION MANAGEMENT CERTIFICATE
WESTPOINTE VILLAGES HOME OWNERS ASSOCIATION, INC.

STATE OF TEXAS §
 §
COUNTY OF POLK §

WESTPOINTE VILLAGES HOME OWNERS ASSOCIATION, INC., a Texas non-profit corporation, files this Home Owners Association Management Certificate, pursuant to §209.004 of the Texas Property Code, to supersede all prior Management Certificates, as follows:

- (1) The name of the Subdivision is THE VILLAGES AT WESTPOINTE SUBDIVISION.
- (2) The name of the Association is WestPointe Villages Home Owners Association, Inc.
- (3) Section 1 of the subdivision was recorded on September 14, 2022, in the Plat Records of Liberty County, Texas, In Volume 2022 Page 045377 of Record of Maps and

Section 2 of the subdivision was recorded on 18 January, 2024 in the Plat Records of Liberty County, Texas, In Volume ____ Page _____ of Record of Maps, or under Clerks Number 2024001823 and

Section 3 of the subdivision was recorded on 18 January, 2024 in the Plat Records of Liberty County, Texas, In Volume ____ Page _____ of Record of Maps, or under Clerks Number 2024001825 and

along with any amendments, supplements or replats thereof, and other property which may be annexed or otherwise brought into the jurisdiction of the Association at any time in the future.

- (4) The Declarations are recorded in the Real Property Records of Liberty County, Texas, under Clerks File Number 202246743 on September 22, 2022, or as below and along with any amendments or supplements thereto, as follows:

Amended Declaration of Restrictive Covenants Conditions and Restrictions:

Filed under Document #2023022732 in the Real Property Records of Libert County, Texas.

Non-Material Correction Affidavit under Sec 5.028, Texas Property Code:

Filed under Document # 2023022732 in the Real Property records of Liberty County, Texas.

Amended Declaration of Restrictive Covenants Conditions and Restrictions:

Filed under Document #2023040609 in the Real Property Records of Libert County, Texas.

Filed under Document ~~#2023040609~~ ²⁰²⁴⁰¹⁸⁴⁹¹ in the Real Property Records of Libert County, Texas.

- (5) The name and mailing address of the Association is: WestPointe Villages Home Owners Association, Inc., c/o WDHOA Association Management, LLC, 185 Cedar Point Drive, Livingston Texas 77351.
- (6) The name and mailing address of the Association's Designated Representative is: WDHOA Association Management, LLC 185 Cedar Point Drive, Livingston, Texas 77351.
- (7) The phone Number of the Association's Designated Representative is: (713) 589 3050.
- (8) The DCC&R (Deed Restrictions), Fine Schedules, Rules, and this Certificate are posted at the Association Website wdg.cincwebaxis.com.

- (9) Initial Sale transfer from Developer to Builder has no fee. Transfer from builder to initial owner has an administrative fee of \$150.00 each subsequent transfer, resale, or refinance has a fee of \$350.00.
- (10) Landlords must register their tenants with the HOA, perform the required background checks, and pay a fee of \$150.00 at least 3 days prior to occupancy per rental regardless of the length of rental. Minimum Permitted rental is 12 Months.
- (11) Annual assessments for Maintenance fees automatically increase by 10% or the CPI whichever is greater each year in December. They can be increased by up to 20% annually by the Board of Directors, above this level requires a vote of the membership.
- (12) Maintenance fees are due January 1st and late on January 31st of each year.
- (13) No Fractional Ownership is Permitted.

SIGNED THIS 28th DAY OF May 2024.

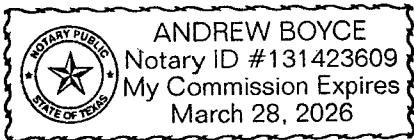
WESTPOINTE VILLAGES HOME OWNERS ASSOCIATION, INC.

By: [Signature]
CHARLES VON SCHMIDT,
Managing Agent for WestPointe Villages Home Owners Association, Inc.

STATE OF TEXAS §
 §
COUNTY OF POLK §

BEFORE ME, the undersigned authority, on this day personally appeared CHARLES VON SCHMIDT, managing agent of the WestPointe Villages Home Owners Association, Inc. and acknowledged to me that they executed the same for the purpose and in the capacity therein expressed.

Give under my hand and seal of office this the 28 day of May 2024.



[Signature]
NOTARY PUBLIC, STATE OF TEXAS

After recording return to:
WDHOA Association Management, LLC
185 Cedar Point Drive
Livingston Texas 77351

Schedule of Fees and Fines for WestPointe Villages Home Owners Association, Inc.

Effective 05/25/24 supersedes and replaces all previous editions.

Fines for Violations of Article III. Any violation of the provision of Article III hereinabove shall be subject to a fine imposed by the Board of Directors of the Association in its sole and exclusive opinion in an amount not to exceed \$250.00 per each violation. Each Day is a separate Violation. Such fines shall become a part of the maintenance assessments created pursuant to Article VII hereof and shall be subject to collection as expressly provided therein.

Paragraph 7.6 Any assessment, annual or special, or other charges assessed in accordance with Sections 3, 4, 7, 8 or elsewhere not paid within thirty-one (31) days after its due date shall bear interest from the due date at the rate of eighteen (18) percent or the maximum allowable by law per annum on the unpaid balance plus a \$10.00 per month service fee.

Paragraph 8.2 Any exercise of discretionary authority by the Association concerning a covenant created by the Declaration is presumed reasonable unless the court determines by a preponderance of the evidence the exercise of discretionary authority was arbitrary, capricious, or inconsistent with the scheme of the development. The referenced paragraph provides for the imposition of fees and fines levied by the Property Owner’s Association.

Texas Property Code Section 209.008 A Property Owner’s Association may collect reimbursement of attorney’s fees and other reasonable cost incurred by the association relating to collecting amounts, including damages, due the association for enforcing the restrictions or By-laws of the Association.

Texas Property Code 209.0061. You may request a hearing before the Board. To request a hearing, you must make such request in writing on or before the 30th day after this notice is mailed. Your written request for a hearing should be submitted to the HOA office or by certified mail to 185 Cedar Point Drive Livingston, Texas 77351.

If you request a hearing within the allotted time, the HOA will schedule one within thirty (30) days of the receipt of your request and will provide you with notice of the date, time, and place of hearing not later than ten (10) days before the hearing date. You or the Board may request a postponement of the hearing of up to ten (10) days. You or the Board may choose to make an audio recording of the hearing. If you have a hearing before a committee appointed meeting by the Board, you have the right to appeal the decision of the committee by providing written notice of your appeal to the Board at the HOA office provided above.

The Structure for the Fees and Fines Shall be:

<u>Administrative Processing (Transfer) Fee</u>	<u>Fees</u>
Developer to Builder	\$0
Builder to Initial Owner	\$150.00
Subsequent Transfers or Refinance	\$350.00
Rental Fee for Landlords	\$150.00 per Occurrence
HOA Resale Certificate	\$75.00
HOA Resale Certificate (Rush 2 day)	\$225.00
Regular Mail Correspondence Including Billing Requested under 5.1	\$6.00
Late Fee Notice	\$25.00
Certified Letter Fee	\$35.00
Courtesy Notice	\$5.00
Fee for Filing Lien Against Property	\$250.00
Late Fee for Unpaid Regular and Special Assessments	18% APR + \$10.00 Mo
Returned Check (NSF) (plus late fees)	\$75.00
Security Key Deposit (Refundable)	\$50.00
Post Office Box Key (Non-refundable)	\$ NA
Programmable Device	\$50.00 per Each
Open Records Requests	\$75.00 per Hour + \$.45 per Page
Credit Reporting	\$25.00 + Mailing Fee per Month/ per Homeowner

Foreclosure Proceedings-Attorney Fees & Court Cost

Initial Request by HOA to Attorney to Foreclose	\$300.00
Transfer of File from HOA to Attorney	\$300.00
Initial Intent to Foreclose Letter from Attorney	\$450.00
Preparation of Notice to Foreclose	\$2,250.00
Actual Foreclosure Proceedings in Court up to 10 hours	\$5,000.00
Additional Hours	\$400.00
Notice to Cease Foreclosure Proceedings	\$400.00



Post Foreclosure Proceedings

Administrative Cost	\$350.00
Recording and Preparation of Deed of Trust	\$350.00
Foreclosure Redemption Fee	\$500.00
Prepare and Record Deed of Trust back to Property Owner	\$350.00
Reinstate Owner in Records (Treated as a Subsequent Transfer)	\$350.00

Fines

Violation of 3.01	Land Use Paint etc.	\$25.00 per Day
Violation of 3.05	Location of Improvements	\$25.00 per Day
Violation of 3.07	Noxious Odors, Unsanitary Conditions, Others	\$25.00 per Day
Violation of 3.07	Vandalizing, Theft, Damage to HOA Property	\$200.00 per Occurrence + repairs or replacement
Violation of 3.08	Unauthorized Use of Temporary Structures	\$25.00 per Day
Violation of 3.09	Unauthorized Storage Buildings	\$25.00 per Day
Violations of 3.10	Vehicles and Parking	\$25.00 per Day
Violations of 3.11	Mineral Operations	\$2,500.00 per Day
Violations of 3.12	Exceeding max number of Pets on Lot	\$25.00 per Day
Violations of 3.12	Unapproved Type of Pet (Dogs and Cats Only)	\$25.00 per Day
Violations of 3.12	Pet Waste off lot	\$25.00 per Occurrence
Violations of 3.12	Pet off Leash outside fenced yard	\$25.00 per Occurrence
Violations of 3.12	Unapproved Breed	\$25.00 per Day
Violations of 3.12	Dog Biting Person or Pet	\$200.00 per Occurrence
Violations of 3.12	Dog in Pool Area	\$100.00 per Occurrence
Violations of 3.13	Exterior Lighting	\$25.00 per Day
Violations of 3.14	Visual Obstructions at Intersection	\$25.00 per Day
Violations of 3.15	Other than Burning	\$25.00 per Day
Violations of 3.15	Burning	\$25.00 per Occurrence
Violations of 3.16	Signs, Flags Etc.	\$25.00 per Day
Violations of 3.17	Antennas, Satellites etc.	\$25.00 per Day
Violations of 3.18	Noise exceed Permitted Levels 7a-10p	\$25.00 per Occurrence
Violations of 3.18	Noise exceed Permitted Levels 10p-7a	\$100.00 Per Occurrence
Violations of 3.19	Fences	\$25.00 per Day
Violations of 3.23	No Business Use	\$25.00 per Day
Violations of 3.24	Rental to Registered Sex Offender	\$25.00 per Day
Violations of 3.25	Exceeding Maximum Occupants	\$25.00 per Day
Violations of 3.26	Unapproved Ingress or Egress from Subdivision	\$25.00 per Occurrence
Violations of 3.27	Speeding	\$50.00 per Occurrence
Violations of 3.28	Painting and yard Art	\$25.00 per Day
Violations of 3.29	Religious or Political Use of Lots	\$25.00 per Day
Violations of 3.30	Outside Plumbing Facility	\$25.00 per Day
Violations of 3.31	Discharge of Firearm	\$200.00 per Occurrence
Violations of 3.32	Excess or Unauthorized Garage Sales	\$25.00 per Day
Violations of 3.33	Boats in Ponds	\$25.00 per Occurrence
Violations of 3.34	Unauthorized Fishing in Ponds	\$25.00 per Occurrence
Violations of 3.35	Dumping off Property	\$200.00 per Occurrence
Violations of 3.35	Littering or Leaving Trash	\$50.00 per Occurrence
Violations of 3.36	Unauthorized Fireworks	\$200.00 per Occurrence
Violations of 3.38	Failure to submit Lease Information	\$25.00 per Day
Violations of 3.39	Unauthorized, or No Window Treatments	\$25.00 per Day
Violations of 3.40	Leasing Issues	\$25.00 per Day
Violations of 3.40	Leasing Issues Prohibited Short Term Rental	\$100.00 per Day
Violations of 3.41	Blocking Easements	\$25.00 per Day
Violations of 3.42	Blocking altering Drainage and Ditches	\$25.00 per Day
Violations of 3.43	Unapproved or no Swimming Pool Enclosures	\$25.00 per Day
Violations of 3.45	Security Equipment Violations	\$25.00 per Day
Violations of 3.46	Swimming, Jumping, Wading in Ponds	\$25.00 per Occurrence

Any repetition of a violation in any category during the same 12 month period shall automatically be escalated to enforcement level as if the required number of days to correct or dispute had expired without the need for any delay. As such there shall be no cure period, no appeal unless the previous offence is under appeal or in the initial cure period. Repeated offenses as described shall have fines commence on day one of the offence.

The attached Schedule of Fees and Fines is approved this 28 day of May 2024 to be recorded in the Clerk of Liberty County.

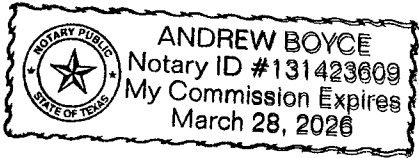
WESTPOINTE VILLAGES HOME OWNERS ASSOCIATION, INC.

By: CHARLES VON SCHMIDT,
Managing Agent of WestPointe Villages
Home Owners Association, Inc.

STATE OF TEXAS §
 §
COUNTY OF POLK §

BEFORE ME, the undersigned authority, on this day personally appeared CHARLES VON SCHMIDT, Managing Agent of the WestPointe Villages Home Owners Association, Inc. and acknowledged to me that they executed the same for the purpose and in the capacity therein expressed.

Give under my hand and seal of office this the 20 day of May 2024.




NOTARY PUBLIC, STATE OF TEXAS

After recording return to:
WDHOA Association Management, LLC
185 Cedar Point Drive
Livingston, Texas 77351



**THE STATE OF TEXAS
COUNTY OF LIBERTY**

I hereby certify that this instrument was FILED on the
date and the time stamped hereon by me and was duly
RECORDED in the Records of Liberty County, Texas.

2024018759 RESTR

05/28/2024 11:21:31 AM Total Fees: \$41.00



Lee Haidusek Chambers, County Clerk
Liberty County, Texas