

FILED AND RECORDED

Instrument Number: 241787

Instrument Type: CERTIFICATE

Filing and Recording Date: 04/22/2024 2:37 PM

Number of Pages: 13

GRANTOR WEST HILLS HOMEOWNERS
ASSOCIATION INC

GRANTEE WEST HILLS HOMEOWNERS
ASSOCIATION INC

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Austin County, Texas.



Andrea Cardenas

Andrea Cardenas, County Clerk
Austin County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the Clerk.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.



RECEIPT

Andrea Cardenas, Austin County Clerk
265 N Chesley Street, STE 7
Bellville TX 77418
Phone Number: 979-227-3144
countyc@austincounty.com

Customer COUNTER CUSTOMER

Txld 4002653
4/22/2024 2:37 PM

Document Number	Document Type	Fee Name	Fee Totals
241787	CERTIFICATE	RECORDING FEE	\$69.00
Sub Total:			\$69.00
Total:			\$69.00

Tender Information

Check #	Name on Check	Tender Type	Amount
		CASH	\$69.00
Total Paid:			\$69.00

By: ADILENE JUAREZ Station: CCLERK-CVODT01

**CERTIFICATE FOR
RECORDATION OF DEDICATORY INSTRUMENT OF
WEST HILLS HOMEOWNERS ASSOCIATION, INC.**

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF AUSTIN

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WHEREAS, Section 202.006 of the Texas Property Code requires that "A Property Owners' Association shall file its dedicatory instruments in the Real Property Records of each county in which the Property to which the dedicatory instruments relates is located."; and

WHEREAS, West Hills Homeowners Association, Inc., a Texas nonprofit corporation (the "Association") desires to comply with Section 202.006 by filing of record in the Real Property Records of Austin County, Texas, the attached instrument; and

WHEREAS, the attached instrument(s) constitutes a "dedicatory instrument" as defined by Section 202.001 of the Texas Property Code; and

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for West Hills Homeowners Association, Inc., Executed by Austin County Pin Oak Holdings LLC, a Texas limited liability company, as Declarant, was recorded at Instrument #210547 on or around January 29, 2021 in the Real Property Records of Austin County, Texas, including any amendments thereof, additions, annexations and supplements thereto and entitled "Declaration of Covenants, Conditions and Restrictions for West Hills Subdivision, a Subdivision Located in Austin County, Texas" (the "Declaration") subjected to the scheme of development therein certain land located in Austin County, Texas;

NOW THEREFORE, the undersigned authorized representative of the Association hereby executes this Certificate to effect the recording of the dedicatory instrument attached hereto on behalf of the Association.

(signature page follows)

EXECUTED this 22nd day of April, 2024

West Hills Homeowners Association, Inc.,
A Texas non-profit corporation

By: Matthew Jaques
[Signature]
Duly Authorized Officer/Agent,
West Hills Homeowners Association, Inc.

STATE OF TEXAS

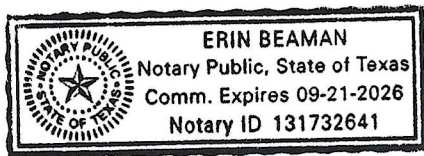
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COUNTY OF AUSTIN

This instrument was acknowledged before me on the 22nd day of April, 2024 by Matthew Jaques, authorized representative of West Hills Homeowners Association, Inc., a Texas nonprofit corporation, on behalf of said corporation.

[Signature]
Notary Public in and for the State of Texas

After Recording, Return to:
Manning & Meyers, Attorneys at Law
4340 N. Central Expressway, Suite 200
Dallas, TX 75206



Exhibits

Exhibit A- Document Retention Policy

Exhibit B- Payment Plan Policy

Exhibit C- Records Production & Copying Policy

Document Retention Policy

West Hills Homeowners Association, Inc.

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

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COUNTY OF AUSTIN

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We, the undersigned, being the directors of the **West Hills Homeowners Association, Inc.**, a Texas non-profit Association (the “**Association**”), pursuant to Section 209.005 of the Texas Property Code, do, by unanimous consent, take the following corporate action and adopt the following resolutions, which corporate action and resolutions shall have the same force and effect as a unanimous vote of all the directors of the Association at a duly called meeting of the Board of Directors of said Association:

WHEREAS, certificates of formation, bylaws, restrictive covenants, and all amendments to the certificates of formation, bylaws, and covenants must be retained permanently by the Association.

WHEREAS, financial books and records must be retained for a minimum of seven years.

WHEREAS, account records of current owners must be retained for a minimum of five years.

WHEREAS, contracts with a term of one year or more must be retained for a minimum of four years after the expiration of the contract term.

WHEREAS, minutes of meetings of the owners and the board must be retained for a minimum of seven years.

WHEREAS, tax returns and audit records must be retained for a minimum of seven years.

RESOLVED: that, pursuant to the provisions of The Texas Property Code, Section 209.0062, and that certain Declaration of Covenants, Conditions and Restrictions for West Hills Homeowners Association, Inc., recorded at Recorded on or about January 29, 2021, at Instrument #210547, Real Property Records of Austin County, Texas, as same has been amended (the **"Declaration"**), and the Bylaws of the Association, the Board of Directors of the Association hereby adopt the following Document Retention Policy:

- 1) Certificates of formation, bylaws, restrictive covenants, and all amendments to the certificates of formation, bylaws, and covenants shall be retained permanently by the Association.

- 2) Financial books and records shall be retained for a minimum of seven years.
- 3) Account records of current owners shall be retained for a minimum of five years.
- 4) Contracts with a term of one year or more shall be retained for a minimum of four years after the expiration of the contract term.
- 5) Minutes of meetings of the owners and the board shall be retained for a minimum of seven years.
- 6) Tax returns and audit records shall be retained for a minimum of seven years.

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RESOLVED: that, pursuant to the provisions of The Texas Property Code, Section 209.0062, and that certain Declaration of Covenants, Conditions and Restrictions for West Hills Homeowners Association, Inc., recorded at Recorded on or about January 29, 2021, at Instrument #210547, Real Property Records of Austin County, Texas, as same has been amended (the “Declaration”), and the Bylaws of the Association, the Board of Directors of the Association hereby adopt the following Payment Plan Policy to establish reasonable guidelines for the payment of delinquent regular or special assessments or any other amount owed to the Association without accruing additional monetary penalties:

Homeowners (the “Owner”) within West Hills Homeowners Association, Inc. shall have the opportunity to pay delinquent regular assessments and fees to the Association.

Requesting a Payment Plan- An owner shall have the opportunity to submit a payment plan request to the board of directors. Such payment plan request must be made in writing and may be transmitted via email to the Association’s Managing Agent or to the Association’s Attorney.

Payment Plan Requirements- All payment plans submitted must be 12 months or less in length, beginning at the date of the initial request for the payment plan, and pay the entire balance owed by the owner submitting such a plan, including any additional assessments, administrative fees, and interest that accrue during the pendency of the plan.

Payment Plan Approval- Should the payment plan request meet the requirements as set forth above, the owner shall be notified that the board has agreed to his payment plan. A Payment Plan Agreement shall be submitted to the owner in writing.

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for West Hills Homeowners Association, Inc., Executed by Austin County Pin Oak Holdings LLC, a Texas limited liability company, as Declarant, was recorded at Recorded on or about January 29, 2021, at Instrument #210547 in the Real Property Records of Austin County, Texas, including any amendments thereof, additions, annexations and supplements thereto and entitled “Declaration of Covenants, Conditions and Restrictions for West Hills Subdivision, a Subdivision Located in Austin County, Texas” (the “Declaration”) subjected to the scheme of development therein certain land located in Austin County, Texas;

Administrative Fees- Administrative fees and interest shall be charged against the owner’s account during the pendency of the payment plan.

Payment Submission- Payment Plan payments shall be submitted to the Association’s Managing Agent or the Association’s attorney and shall be due upon the first of the month, unless otherwise specified within the owner’s payment plan.

Default- Payments under a payment plan must be received within three business days of their due date as specified in the Payment Plan Agreement or said agreement shall be considered in default. Should an owner default under said payment plan, subsequent payments by the owner shall no longer be applied according Texas Property Code Section 209.0063 but shall be applied in the following order: 1) Attorney’s fees; 2) Interest; 3) Administrative Fees; 4) Delinquent Assessments; 5) Current Assessments; 5) Any other amount owed the Association; 6) Fines. An owner defaulting under a

payment plan shall be notified of such default via a Payment Plan Default Letter and collection activity shall immediately resume upon their account.

Ineligibility-The Association shall not be required to enter into a payment plan with an owner if that owner has entered and defaulted on a payment plan within the previous two years. The Association shall not be required to enter into a payment plan with an owner if that owner is currently in foreclosure.

Records Production and Copying Policy

West Hills Homeowners Association, Inc.

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF Austin

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We, the undersigned, being the directors of the **West Hills Homeowners Association, Inc.**, a Texas non-profit Association (the "**Association**"), pursuant to Section 209.005 of the Texas Property Code, do, by unanimous consent, take the following corporate action and adopt the following resolutions, which corporate action and resolutions shall have the same force and effect as a unanimous vote of all the directors of the Association at a duly called meeting of the Board of Directors of said Association:

WHEREAS, pursuant to Section 209.005 of the Texas Property Code, a property owners' association shall adopt a records production and copying policy that prescribes the costs the association will charge for the compilation, production, and reproduction of information.

WHEREAS, the prescribed charges may include all reasonable costs of materials, labor, and overhead but may not exceed costs that would be applicable for an item under 1 T.A.C. Section 70.3.

WHEREAS, the policy required by this subsection must be recorded as a dedicatory instrument in accordance with Section 202.006.

WHEREAS, an association may not charge an owner for the compilation, production, or reproduction of information requested under this section unless the policy prescribing those costs has been recorded as required by Section 209.005 of the Texas Property Code.

WHEREAS, an owner is responsible for costs related to the compilation, production, and reproduction of the requested information in the amounts prescribed by a policy adopted by an Association under Section 209.005.

WHEREAS, an association may require advance payment of the estimated costs of compilation, production, and reproduction of the requested information.

RESOLVED: that, pursuant to the provisions of The Texas Property Code, Section 209.0062, and that certain Declaration of Covenants, Conditions and Restrictions for West Hills Homeowners Association, Inc., recorded at Recorded on or about January 29, 2021, at Instrument #210547, Real Property Records of Austin County, Texas, as same has been amended (the "**Declaration**"), and the Bylaws of the Association, the Board of

Directors of the Association hereby adopt the following Document Records Production and Copying Policy:

- 1) All books, records, and financial records shall be open to and reasonably available for examination by an owner within the community or by the owner's designated agent except for those outlined in Paragraph 6 below. An owner or their agent is also entitled to copies of said records. Should an owner designate an agent for inspection of records, such designation must be made in writing and submitted to the Association prior to any inspection or production of any records.
- 2) A Records Request must be submitted to the Association in writing, via Certified Mail, Return Receipt Requested to the mailing address of the Association or authorized representative as reflected in the most recent Management Certificate. The owner's request must describe in sufficient detail the records requested and specify whether the owner is requesting to inspect the records or is requesting copies. If the owner requests any of the records specified under Section 6 of this Resolution, then the written request for records must also include a declaration affirming approval of the inspection and/or release of those specific records, either to himself or to the owner's designated agent.
- 3) The Association shall reply to such a Records Request by an owner within 10 business days of the receipt of the request. If the Association is unable to produce the records within 10 business days, the Association shall inform the owner of such within 10 business days of the receipt of the owner's request and inform the owner that the information will be available not later than 15 business days from the date of the response to the owner's Records Request.
 - a. Inspection Requested: Should the owner submitting the request seek to inspect documents, the Association shall reply with the dates and times during normal business hours that records will be available for inspection as well as the costs the Association will charge for the inspection of said records. If the Association is unable to produce the records within 10 business days, the Association shall inform the owner of such within 10 business days of the receipt of the owner's request and inform the owner that the information will be available not later than 15 business days from the date of the response to the owner's Records Request.
 - b. Copies Requested: Should the owner submitting the request seek the production of copies of Association records, the Association shall produce all requested records that are within their possession or control within ten business days. If the Association is unable to produce the records within 10 business days, the Association shall inform the owner of such within 10 business days of the receipt of the owner's request and inform the owner that the information will be available not later than 15 business days from the date of the response to the owner's Records Request.
- 4) Records may be produced in hard copy, electronic format, or any other format that is reasonably available to the Association.

- 5) The Association shall require the advance payment of estimated costs of compilation and production of records. The Association shall charge the costs outlined under Title 1, Rule 70.3 of the Texas Administrative Code. Once an owner has inspected or received copies under the Records Request, a Final Invoice shall be delivered to the owner within 30 days of the records production. If the owner does not pay the final amount showing on the invoice within 30 days, then the amount on the invoice shall be added to the owner's account as an assessment. An owner may not be foreclosed upon for non-payment of this balance due. If a refund is due to the owner after a Records Request, then the refund shall be sent along within the Final Invoice.
- 6) The following records shall be unavailable for copying or inspection without written approval of the owner, or a court order stating that such records must be released:
 - a. Attorney files and records;
 - b. Personal information of owners;
 - c. Violation history of owners;
 - d. Personal financial information of an owner;
 - e. Records of payment or non-payment of an owner;
 - f. Association Employee Information;
 - g. Contact information of an owner.

(signature page follows)

EXECUTED this 22nd day of April, 2024

West Hills Homeowners Association, Inc.,
A Texas non-profit corporation

By: Matthew Jaques
[Signature]
Duly Authorized Officer/Agent,
West Hills Homeowners Association, Inc.

STATE OF TEXAS

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COUNTY OF AUSTIN

This instrument was acknowledged before me on the 22nd day of April, 2024 by Matthew Jaques, authorized representative of West Hills Homeowners Association, Inc., a Texas nonprofit corporation, on behalf of said corporation.

[Signature]
Notary Public in and for the State of Texas

After Recording, Return to:
Manning & Meyers, Attorneys at Law
4340 N. Central Expressway, Suite 200
Dallas, TX 75206

