

SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS
for
WILCHESTER OWNERS COMMITTEE

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The undersigned, being the authorized representative of Wilchester Owners Committee (“Association”), a property owners’ association as defined in Section 202.001 of the Texas Property Code, hereby amends and supplements those certain instruments entitled “Notice of Dedicatory Instruments for Wilchester Owners Committee”, “Supplemental Notice of Dedicatory Instruments for Wilchester Owners Committee”, “Supplemental Notice of Dedicatory Instruments for Wilchester Owners Committee”, “Supplemental Notice of Dedicatory Instruments for Wilchester Owners Committee”, “Supplemental Notice of Dedicatory Instruments for Wilchester Owners Committee”, “Supplemental Notice of Dedicatory Instruments for Wilchester Owners Committee”, “Supplemental Notice of Dedicatory Instruments for Wilchester Owners Committee”, “Supplemental Notice of Dedicatory Instruments for Wilchester Owners Committee”, and “Supplemental Notice of Dedicatory Instruments for Wilchester Owners Committee” recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk’s File Nos. V136631, 20120037752, 20150197921, RP-2017-332258, RP-2019-45370, RP-2020-458979, RP-2022-176925 and RP-2023-121385 (the “Notice”) was filed of record for the purpose of complying with Section 202.006 of the Texas Property Code.

Additional Dedicatory Instrument. In addition to the Dedicatory Instruments identified in the Notice, the following document is a Dedicatory Instrument governing the Association:

- **Certificate of Secretary of Wilchester Owners Committee adopting a Fining Policy.**

A true and correct copy of such Dedicatory Instrument is attached to this Supplemental Notice.

This Supplemental Notice is being recorded in the Official Public Records of Real Property of Harris County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Supplemental Notice is true and correct and that the copy of the Dedicatory Instrument attached to this Notice is a true and correct copy of the original.

Executed on this 12th day of April, 2024.

WILCHESTER OWNERS COMMITTEE

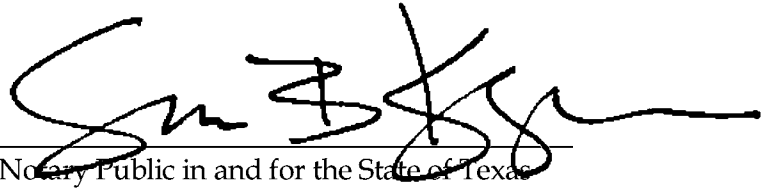
By: 

Cliff Davis, authorized representative

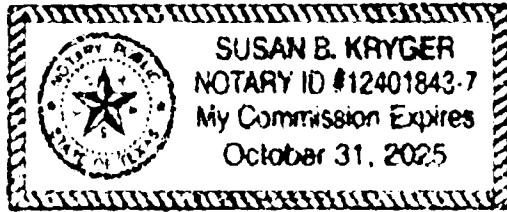
RP-2024-134664

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 12th day of April, 2024 personally appeared Cliff Davis, authorized representative of Wilchester Owners Committee, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.



Notary Public in and for the State of Texas



RP-2024-134664

CERTIFICATE OF SECRETARY
of
WILCHESTER OWNERS COMMITTEE
adopting a
FINING POLICY

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, Elizabeth Sweeney, Secretary of Wilchester Owners Committee, a Texas non-profit corporation (“Association”), do hereby certify that, in the open session of a properly noticed meeting of the Association’s Board of Trustees (“Board”), duly called and held on the 6th day of March, 2024, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Fining Policy was approved by at least a majority the Board members in attendance.

RECITALS

1. Article VI, Section 6.07 of the Declaration of Amended and Restated Restrictions and Covenants Governing Property and Lots in Wilchester, Sections One, Two Three and Four - An Addition in Harris County, Texas recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk’s File No. 20130037962, as amended, if any provides in pertinent part:

In addition to the other rights of Wilchester Owners Committee to enforce this Declaration, the Board of Trustees shall be entitled to assess fines established by the Board of Trustees for violation of this Declaration, such as for failing to maintain the property and improvements, holding an estate sale or making improvements without the approval of the Architectural Control Committee.

2. The Association’s Board of Trustees desires to adopt the following Fining Policy.

WILCHESTER OWNERS COMMITTEE
FINING POLICY

1. This Fining Policy (“Policy”) replaces and supersedes any previous fining policy or similarly named document adopted by the Wilchester Owners Committee (“Association”) including, but not limited to, the Fining Policy filed in the Official Public Records of Real Property of Harris County, Texas under Clerk’s File No. RP-2019-45370.

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2. All capitalized terms in this Policy have the same meaning ascribed to them in the Declaration of Amended and Restated Restrictions and Covenants Governing Property and Lots in Wilchester, Sections One, Two Three and Four An Addition in Harris County, Texas recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk's File No. 20130037962, as amended, if any ("Declaration") unless otherwise defined in this Policy.
3. Each Owner is responsible for assuring that the Owner and the Owner's tenant(s), occupant(s), guest(s) and invitees comply with the provisions of the Declaration and the Association's Dedicatory Instruments [as that term is defined by Section 209.002(4) of the Texas Property Code or its successor statute] that are applicable to the properties under the jurisdiction of the Association. In the event that an Owner, tenant, occupant, guest or invitee of an Owner violates any of the provisions of the Declaration or the Dedicatory Instruments, the Association's Board of Trustees ("Board") shall have the authority to impose a fine as described below upon the Owner and/or occupant of a Lot under the jurisdiction of the Association.
4. The Association will, before a fine is imposed, send the Owner of the Lot the notice required by law, if any. The Board may, in its sole and absolute discretion, also provide the notice required by law, if any, to the occupant(s) of the Lot.
5. If the violation continues from day to day without intervening activity (a "Curable Violation") as determined at the sole and absolute discretion of the Board, the Fine Schedule will be as follows:

\$100.00 per day until corrected

5.1 Curable Violations – By way of example and not in limitation, the following are examples of Curable Violations:

- a. An ongoing parking violation;
- b. A maintenance violation; or
- c. An ongoing noise violation.

6. If the violation consists of single occurrence (an "Uncurable Violation") or separate occurrences (i.e., repeat instances of an Uncurable Violation) as determined at the sole and absolute discretion of the Board, the Fine Schedule will be as follows:

First Violation: \$250.00 per occurrence

6.1 Uncurable Violation – A violation that has occurred but is not a continuous action or a condition capable of being remedied by affirmative action. By way of example and not in limitation, the following are examples of Uncurable Violations:

- a. An act constituting a threat to health or safety;
- b. A one-time or non-ongoing parking violation; or
- c. A noise violation that is not ongoing.

7. Notwithstanding any language to the contrary in this Policy, the Fine Schedule for a violation of any term or provision of Article III (Architectural Control Committee) of the Declaration will be as follows:

\$200.00 per day until corrected

8. A garage sale, yard sale or estate sale is an incurable violation. Notwithstanding any language to the contrary in this Policy, the Fine Schedule for holding a garage sale, yard sale or estate sale on a Lot in violation of Article V, Section 5.04 of the Declaration will be as follows:

\$750.00 per day

9. If an Owner is entitled to an opportunity to cure a violation and a hearing is properly requested by the Owner in response to the Association's notice under Texas Property Code Section 209.006, the Owner has the right to submit a written request for a hearing to discuss and verify facts and resolve the matter in issue before the Association's Board of Trustees. The Association shall hold the hearing not later than the thirtieth day after the date the Board receives the Owner's request for a hearing and shall notify the Owner of the date, time, and place of the hearing not later than the tenth day before the date of the hearing. The Board or the Owner may request a postponement, and, if requested, a postponement shall be granted for a period of not more than ten (10) days. Additional postponements may be granted by agreement of the parties. The Owner or the Association may make an audio recording of the meeting. Not later than ten (10) days before the Association holds the hearing, the Association shall provide to Owner a packet containing all documents, photographs, and communications relating to the matter the Association intends to introduce at the hearing. If the Association does not provide the packet within the period described, Owner is entitled to an automatic fifteen (15) day postponement of the hearing. During the hearing, a member of the Board or the Association's designated representative shall first present the Association's case against the Owner. The Owner or the Owner's designated representative is entitled to present the Owner's information and issues relevant to the dispute.

10. The Board is hereby authorized at its sole and absolute discretion to impose a lesser fine or no fine at all for a violation of the Dedicatory Instruments. Any adjustment to the Fine Schedule by the Board shall not be construed as a waiver of the Fine Schedule or the Dedicatory Instruments.

11. Per Article VI, Section 6.07 of the Declaration, any fine imposed under this Policy shall be secured by the Association's lien on the Owner's Lot.

12. This Policy is in addition to any other remedy the Association may have to pursue a violation of the Association's Dedicatory Instruments and in no way limits or estops the Association from pursuing any other remedy to enforce the Association's Dedicatory Instruments.

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I hereby certify that I am the Secretary of the Association and that the foregoing Filing Policy was approved as set forth above and now appears in the books and records of the Association.

WILCHESTER OWNERS COMMITTEE

By: Elizabeth Sweeney
As Secretary of the Association

Name Printed: Elizabeth Sweeney

THE STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned notary public, on this 11th day of April 2024, personally appeared Elizabeth Sweeney, as Secretary of Wilchester Owners Committee, known to me to be the person whose name is subscribed to the foregoing instrument; and acknowledged to me that s/he executed the same for the purpose and in the capacity therein expressed.



Van T. Pham
Notary Public in and for the State of Texas

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Pages 7
04/16/2024 11:19 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$45.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

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