

**CORPORATE CERTIFICATE
CAPE CONROE PROPERTY OWNERS ASSOCIATION, INC.**

The undersigned certifies that he is the Attorney-in-Fact for Cape Conroe Property Owners Association, Inc. (the "Association"). The Association is the property owners' association for Cape Conroe Section I and Cape Conroe Section II, a subdivision in Montgomery County, Texas, according to the maps or plats thereof recorded in the Map Records of Montgomery County, Texas (the "Subdivision").

The Association is a Texas non-profit corporation, and attached to this certificate is a true and correct copy of the **Fine Schedule of Cape Conroe Property Owners Association, Inc. (Amended October 2014)**

Signed this 16th day of October, 2014.

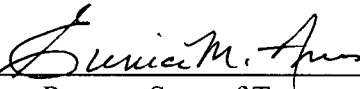
**CAPE CONROE PROPERTY OWNERS
ASSOCIATION, INC.**

By: 
BRYAN P. FOWLER, Attorney-in-Fact

STATE OF TEXAS §

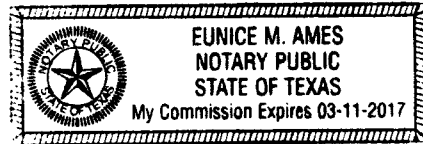
COUNTY OF MONTGOMERY §

SWORN TO AND SUBSCRIBED BEFORE ME on the 16th day of October, 2014, by **BRYAN P. FOWLER, Attorney-in-Fact** for CAPE CONROE PROPERTY OWNERS ASSOCIATION, INC., a Texas non-profit corporation.


NOTARY PUBLIC, State of Texas

THE STATE OF TEXAS §

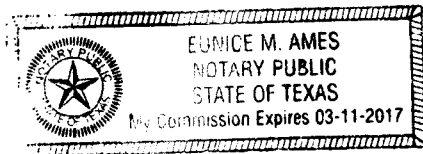
COUNTY OF MONTGOMERY §



This instrument was acknowledged before me on the 16th day of October, 2014, by **BRYAN P. FOWLER, Attorney-in-Fact** for CAPE CONROE PROPERTY OWNERS ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said corporation.


NOTARY PUBLIC, State of Texas

AFTER RECORDING RETURN TO:
The Fowler Law Firm
300 West Davis, Suite 510
Conroe, Texas 77301



**FINE SCHEDULE OF
CAPE CONROE PROPERTY OWNERS ASSOCIATION, INC.**

WHEREAS, the property affected by this Fine Schedule is subject to certain dedications, covenants and restrictions (the "Declaration") which are of record in the Official Public Records of Real Property at Montgomery County, Texas, as follows:

- Clerk's File No. 2002-04158; and

WHEREAS, pursuant to the authority vested in Cape Conroe Property Owners Association, Inc. (the "Association") under the Declaration and the Association's Bylaws (the "Bylaws"), and pursuant to the express authority of the TEXAS PROPERTY CODE, the Board of Directors of the Association (the "Board") hereby promulgates the following Fine Schedule; and

WHEREAS, pursuant to the Declaration and Article IV, Section 1, of the Bylaws, the Board of Directors of the Association is authorized impose, implement and levy fines as may be deemed necessary or desirable with respect to the interpretation and implementation of the purposes and provisions of the bylaws, architectural control guidelines, rules and regulations of the Association, and the Declaration; and

WHEREAS, the Association desires, pursuant to the authority set out in the Bylaws and the Declaration, and as set out in Chapter 204.010 of the TEXAS PROPERTY CODE, to adopt a Fine Schedule and to impose, implement and levy fines as set out in the Fine Schedule, and as may be deemed necessary or desirable with respect to the interpretation and implementation of the purposes and provisions of the Declaration, architectural control guidelines, rules and regulations of the Association, and the Bylaws.

NOW, THEREFORE, for the purpose of adopting a Fine Schedule for the implementation and enforcement of the Declaration, architectural control guidelines, rules and regulations of the Association, and the and the Bylaws; be it

RESOLVED by the Board of Directors of Cape Conroe Property Owners Association, Inc., that the following Fine Schedule be adopted.

FINE SCHEDULE

1. **Violation Policy and Penalties.** Any violation of any of the Bylaws, architectural control guidelines, rules and regulations, and Declaration, which are applicable to the Subdivision or the Association, by an individual owner, or resident, shall result in the following actions and penalties.
 - a. **First Violation** – a warning will be issued in writing to the owner and, if known to the Association, to the resident of the property. The warning, which may be in the form of a letter, shall contain all required statutory notices, including, without

limitation, the notice required under the Texas Residential Property Owners Protection Act, Texas Property Code Section 209.006, as it may be amended from time to time.

- b. Subsequent Violations – owners and residents will be subject to the following penalties for any subsequent violations:
- (1) Non-Continuing Violations. For all non-continuing violations re-occurring within six (6) months of the First Violation:
 - (a) \$100.00 for the second occurrence.
 - (b) \$150.00 for the third occurrence.
 - (c) \$200.00 for each additional occurrence thereafter.
 - (2) Grass and Shrubbery. For failure to mow, trim and weed the yard:
 - (a) \$75.00 per thirty (30) day period of continuing violation.
 - (3) Continuing Violations. For failure to obtain Architectural Control Committee approval, failure to maintain improvements as required, failure to abide by use restrictions, and failure to abide by architectural restrictions as set out in the Declaration, and other continuing violations:
 - (a) \$300.00 per thirty (30) day period of continuing violation.
2. **Penalties Responsibility of Owner**. All monetary penalties will be billed to the owner's account and will be payable by the owner to the Association within 30 days of the date of billing.
3. **Penalties Cumulative**. All penalties shall be cumulative but the total amount fined will not exceed \$1,000.00 during the six (6) month period following the First Violation. If the violation continues for more than six (6) months or reoccurs after the end of a six (6) month period, such violation shall be subject to an additional \$1,000.00 cap for each subsequent six (6) month period.
4. **Non-Exclusive Remedies**. The imposition of the monetary penalties provided herein shall not be construed to be an exclusive remedy, and shall be in addition to all other rights and remedies to which the Association may otherwise be entitled, including, without limitation, the filing of an Affidavit of Non-Compliance in the Real Property Records of Montgomery County, Texas, and/or the initiation of legal proceedings seeking injunctive relief and/or damages, attorneys fees, costs of court and all other remedies, at law or in equity, to which the Association may be entitled.
5. **Violation by Resident, Tenant, or Agent**. A violation by a resident, tenant, guest, or agent of the owner shall be treated as a violation of the owner of the property. All monetary penalties shall be billed to the owner.

6. **Courtesy Notice.** For less severe violations, the Association may provide the owner and, if known by the Association, the resident, a courtesy notice and request for compliance within a specified time prior to initiating the notice procedure contained in paragraph 3.

This policy was duly adopted by the Board of Directors of Cape Conroe Property Owners Association, Inc. , on the 08 day of OCTOBER, 2014.

The Board of Directors hereby approves and authorizes the Fine Schedule.

Signed this 08 day of OCTOBER, 2014.

CAPE CONROE PROPERTY OWNERS
ASSOCIATION, INC.

By: [Signature]
Name: POWELL
Title: President

FILED FOR RECORD

10/22/2014 2:59PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of the illegibility, carbon or photo copy, discolored paper, etc. All black-outs, additions and changes were present at the time the instrument was filed and recorded.

STATE OF TEXAS
COUNTY OF MONTGOMERY

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

10/22/2014



County Clerk
Montgomery County, Texas