

CERTIFICATE OF SECRETARY
of
RESOLUTION OF BOARD OF DIRECTORS
adopting
FIRST AMENDMENT TO AMENDED AND RESTATED RULES AND REGULATIONS
for
ONE ASHFORD OWNERS ASSOCIATION, INC.

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, Michael Rodriguez, Secretary of One Ashford Owners Association, Inc., a Texas non-profit corporation ("Association"), do hereby certify at a duly called meeting of the Board of Directors of the Association ("Board") held on the 14 day of April, 2016, with at least a majority of the Board being present and remaining throughout, and being duly authorized to transact business, the following resolutions were duly made and approved:

WHEREAS, on or about February 13, 1982, the instrument entitled "Declaration of Condominium Regime for One Ashford Phase One" ("Declaration") was duly recorded in the Condominium Records of Harris County, Texas under Clerk's File No. H732031; and

WHEREAS, Article III, Section 3.11(I), of the Declaration provides as follows:

- (I) Rules and Regulations. Non-discriminatory regulations concerning the use of the Condominium Project shall be promulgated from time to time by the Developer or the Board of Directors of the Association and such regulations duly adopted from time to time, shall be binding on all members of the Association unless duly amended by a majority of the percentage of value assigned to the Owners.

and,

WHEREAS, Article XII, Section 12.1, of the Declaration provides, in pertinent part, as follows:

- (12.1) Each owner shall comply strictly with the provisions of this Declaration, the Articles of Incorporation, By-Laws, rules, regulations and resolutions of the Association and any management agreement entered into by the Association as the same may from time to time be in force and effect.

and,

WHEREAS, Section 82.102(a)(7) of the Texas Uniform Condominium Act ("TUCA") provides that, unless otherwise provided in the declaration, the board of directors of a condominium association has the power to "adopt and amend rules relating to the use,

occupancy, leasing, or sale, maintenance, repair, modification, and appearances of the units and common elements to the extent the regulated actions affect common elements or other units"; and

WHEREAS, the Amended and Restated Rules and Regulations for One Ashford Owners Association, Inc. ("**Rules**") were filed in the Official Public Records of Real Property of Harris County, Texas on February 2, 2011 under Clerk's File No. 20110046219.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts the following amendments to the Rules. Any Rules not amended herein remain in full force and effect.

Amendments:

Rule #10 is hereby amended and restated to read as follows:

10. PETS. Owners are responsible for cleaning up after their pets. Pets must at all times be on a leash under the control of a responsible person when outside a Unit. Pets are not permitted to run loose within the Condominium. Pets may not be kept unattended on a patio or on a balcony. Pets are not allowed in the pool or pool enclosure at any time. In the event an Owner fails to clean up after his/her pet, the Board of Directors is authorized to require the Owner to walk his/her pet off of the property (i.e., outside the Condominium).

No pet exceeding thirty pounds (30 lbs.) is permitted within the Condominium at any time. An animal which displays aggressive or threatening behavior toward another animal or a human must be permanently removed from the Condominium upon request by the Board of Directors of the Association.

Exotic animals are strictly prohibited from the Condominium.

Not more than one (1) household pet [that weighs thirty pounds (30 lbs.) or less] may be kept in a Unit at any given time. This Rule applies to a pet owned by the occupant of a Unit and the pet owned by a person visiting the occupant of that Unit.

Rule #11(A) is hereby amended and restated to read as follows:

- 11(A). TENANT SCREENING. Each Owner is obligated to obtain, review, research, and determine the character, criminal background, sex-offender background, prior conviction background, prior landlord referrals, and/or suitability of each prospective tenant and/or other occupant of his or her Unit at the time a lease application is made or a lease is entered into, whichever is the first to occur ("**Tenant Screening**"). Each Owner must provide a written copy of the Tenant Screening to the Association at the time the lease is executed.

In the event that an Owner fails or refuses to perform a Tenant Screening, in addition to the remedies of the Association as set forth in Rule #24 below, the

Owner will be liable to any party who suffers any damage or injury resulting from the acts of the tenant/occupant which would have been reasonably foreseeable as a result of the Tenant Screening and would have caused a reasonably prudent landlord in Houston, Harris County, Texas leasing similar property to have declined the lease application and refused to enter into a lease agreement with such person.

Further, in the event that the Tenant Screening discloses matters which a reasonable and prudent landlord in Houston, Harris County Texas leasing similar property would have considered unfavorable and grounds for declining to enter into a lease agreement, and the Owner nevertheless elects to lease to such tenant, then the Owner will be liable to any party who suffers any damage or injury resulting from the acts of any such tenant.

The Association, the Board of Directors, the officers, and the agents of the Association have no obligation to independently review, research, and/or determine the character, criminal background, sex-offender background, prior conviction background, prior landlord referrals, and/or suitability of any prospective tenant of any Unit in the Condominium.

Rule #11(B) is hereby deleted in its entirety.

Rule #11(D) is hereby deleted in its entirety.

Rule #19 is hereby amended and restated to read as follows:

19. NOISE. No Owner may engage in any activity which unreasonably disturbs surrounding Owners at any time. In the event an Owner performs repair work, remodeling work, or any other type of construction work in his/her Unit, the Owner must comply with all applicable City of Houston noise ordinances. Repair work, remodeling work or any other type of construction work within a Unit is only permitted on the following days/times:

- Monday-Friday from 8:00a.m. - 5:00p.m.
- Saturday from 10:00a.m. - 4:00p.m.
- Construction work is prohibited on a Sunday

The permissible hours are inclusive of staging activities and clean up, meaning no contractor is permitted within the Condominium earlier than the specified start time or later than the specified completion time.

Rule #23.1 is hereby added to read as follows:

- 23.1 OPEN CARRY. The open carrying of firearms is strictly prohibited in the Condominium.

Rule #24 is hereby amended and restated to read as follows:

24. ENFORCEMENT. All violations of the Rules and Regulations of the Association must be verified by a member of the Board of Directors of the Association or the Association's managing agent. Upon verification of a violation of the Rules, the Association must, through its managing agent, forward written notice thereof to the Owner who violated the Rules. If a Rule is violated by a tenant or guest of an Owner, or the guest of a tenant, written notice must also be forwarded to the tenant. All notices of violations must be forwarded to the Owner at the most current mailing address provided to the Association by such Owner. If the Owner has not provided a written notice of the Owner's mailing address to the Association, the mailing address of the Owner is deemed to be the address of the Owner's Unit. The notice must (1) describe the violation, (2) state a reasonable period of time within which the Owner may cure the violation and avoid a fine and (3) notify the Owner that a fine will be levied unless the violation is cured within the stated period of time. The notice must further set forth the amount of the fine to be levied and indicate how frequently the fine will be levied if the violation of the Rule continues to exist. Not later than that 30th day after the date of such notice, the Owner/resident may request a hearing before the Board of Directors to contest the fine. Provided that, the opportunity to cure the violation and avoid the fine need not be given if the Owner was given notice and an opportunity to cure a similar violation within the preceding twelve (12) months. Upon levying the fine, the Association must give written notice to the Owner not later than the 30th day after the date of levy.

The amount of the fine to be levied against an Owner for the violation of a Rule is \$50.00. If a violation continues to exist after the expiration of thirty (30) days from the date the notice to cure the violation was mailed to the Owner, an additional fine in the amount of \$100.00 will thereafter be levied against the Owner. Fines may be collected in the same manner as assessments.

I certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing resolutions were approved as set forth above and now appear in the books and records of the Association.

TO CERTIFY WHICH WITNESS MY HAND on this 14 day of April, 2016.

ONE ASHFORD OWNERS ASSOCIATION, INC.

By: Michael Rodriguez

Printed: Michael Rodriguez

Its: Secretary

THE STATE OF TEXAS

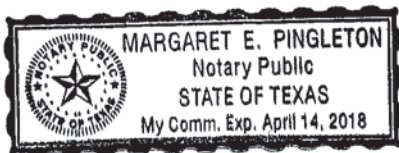
§

COUNTY OF HARRIS

§

§

BEFORE ME, the undersigned notary public, on this 14 day of April, 2016 personally appeared Michael Rodriguez, Secretary of One Ashford Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.



Margaret E. Pingleton
Notary Public in and for the State of Texas

RP-2016-175172
Pages 8
04/27/2016 01:41 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$40.00

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.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2016-175172