

WSMA Board of Directors
Duties, Responsibilities and Procedures

Last Revision - March 23, 2006

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1.0 Duties of The Board of Directors

(Taken from the Bylaws)

It shall be the duty of the Board of Directors to:

(a) cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members, or at any special meeting (when such statement is requested in writing by at least one-fourth (1/4) of the members who are entitled to vote);

(b) supervise all officers, agents and employees of this Corporation, and to see that their duties are properly performed;

(c) enforce the annual maintenance charge on all Lots, as more fully provided in the Restrictions, and in connection therewith to:

(1) fix the amount of the annual assessment against each Lot as provided in the Restrictions;

(2) send written notice of the annual assessment on each Lot to the Owner thereof, or to the lending institution holding a mortgage on such Lot, as soon as practicable after fixing the amount of such assessment; and

(3) foreclose the lien against any property for which assessments are not paid within sixty (60) days after due date, or to bring an action at law or take any other appropriate action against the Owner personally obligated to pay the same;

(d) issue, or to cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid;

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(e) procure and maintain adequate liability and hazard insurance on property owned by or under the jurisdiction of the Corporation;

(f) cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate; and

(g) cause any area or facility under the jurisdiction of the Corporation to be adequately maintained.

1.1 Terms

Board of Directors shall serve for three (3) year terms. These three-year terms shall be effective upon expiration of the terms of currently serving directors. Officers shall serve for one (1) year terms.

There is no statute of limitations on either directors or officers.

1.2 Exclusions

The same person MAY hold the offices of secretary and treasurer. No person shall simultaneously hold more than one of any of the other offices except in the case of offices created to handle specific non-executive Board functions as are included below.

1.3 Management Company

The Board of Directors has contracted with Planned Community Management, Inc. (PCMI) to provide certain administrative services to assist the Board in the performance of their duties as defined above. The services provided are as defined in the "PCMI Administrative Service Provided" document published on the Board Documentation Repository page of the Association web site.

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2.0 Officers

2.1 President

2.1.1 *Responsibility*

The president shall preside at all meetings of the Board of Directors at which he or she is present; shall see that orders and resolutions of the Board are carried out; shall sign all contracts, leases, mortgages, promissory notes, deeds and other written instruments.

2.1.2 *Meeting Management*

2.1.2.1 Setting Agendas

Draft meeting agendas are prepared by PCMI based on its knowledge of ongoing issues and resident requests to address the Board. The draft agenda is emailed to the President and other Board members for review and approval on or prior to the Wednesday preceding the next scheduled Board meeting. Once approved, the agenda is posted on the Board Meetings page of the Association web site.

2.1.2.2 Handling Resident Presentations

Whenever a resident has requested a hearing by the Board of Directors, a time for such hearing will be placed on the agenda and will be communicated to that resident. The President will welcome the resident and is responsible for ensuring that he or she is given a fair hearing. Board discussion and resulting decisions on the subject raised are deferred to the executive session.

2.1.2.3 Conducting of Executive Sessions

In the interests of protecting residents' rights and privacy, at an appropriate time during its regular meetings the Board will hold an executive session. The principal issues discussed at these sessions will be deed restriction violations and residents' financial delinquencies.

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2.2 Vice President

2.2.1 Responsibility

The vice-president shall act in the place and stead of the president in the event of his or her absence, inability or refusal to act and shall exercise and discharge such other duties as may be required by the Board.

2.3 Secretary

2.3.1 Responsibility

The secretary shall record the votes and keep minutes and proceedings of the Board and of the Members; keep the corporate seal of the Corporation and affix it on all papers requiring said seal; serve notice of meetings of the Board and of the Members; keep appropriate current records showing the Members of the Corporation together with their addresses, and shall perform other duties as required by the Board.

2.3.2 Record Keeping

Although record keeping falls under the responsibility of the Secretary, in order to assure a professional and consistent record keeping function over an extended period, this activity is performed under contract by PCMI. For security purposes, however, the secretary is charged with maintaining a backup copy of meeting minutes and other significant documentation. A further backup of meeting minutes is inherent in the Association web site on which the minutes for the current and previous year are maintained.

2.3.3 Meeting Minutes

As for record keeping, the prime role in the documenting of meeting minutes is performed by PCMI. The draft of the minutes is reviewed by the Secretary and other Board members and approved at the following Board meeting. Following their approval, the minutes are posted on the Association web site and published in the Association Newsletter.

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2.4 Treasurer

2.4.1 Responsibility

The treasurer shall supervise the receipt and deposit in appropriate bank accounts of all monies of the Corporation and shall supervise the disbursement of such funds as directed by resolution of the Board; supervise the keeping of proper books of account; cause an annual audit of the Corporation books and records to be made by an independent certified public accountant at the end of each fiscal year; and shall prepare an annual budget and a statement of income and expenditures to be presented to the Members at the regular annual meeting or at a special meeting.

All checks shall be signed by two of the officers of the Corporation, one of whom must be the President or Vice President.

2.4.2 Budgets

The September Board meeting each year is used for establishing the Association budget for the following year. This is a closed working meeting of the full Board under the direction of the Treasurer and is usually conducted at the PCMI offices at which the relevant records are located. This venue provides PCMI with the capability of displaying the actual expenditures for the previous and earlier years via computer display. The projected expenditures in each expense category can then be made, entered and their effect on the total budget evaluated in real-time.

The principal output of the budget process is the establishing of the level of maintenance assessment to take effect as of January 1 of the coming year. This budget must take into account both operational expenditures for the year, and the requirement to maintain an adequate reserve to cover capital expenditures required for the major repair and/or replacement of Association assets.

2.4.3 Maintenance Fee Collection

The procedure for collecting the annual maintenance assessment fees is as follows:

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- November - Statements sent out in November with payment due date of January 15. A sample statement is given in Attachment A on page 23. Accompanying this invoice shall be a letter, which as a minimum, shall include the statement that failure to pay the fee by this date will result in suspension of the resident's trash collection service.
- January 31 -If payment still has not been received by January 31, PCMI will provide a listing of the delinquent residents to the President who will provide authorization to PCMI to send out the final demand letters (the demand letter fee is \$10). These letters shall be mailed on or before February 10. A sample final demand letter is given in Attachment B on page 24.
- If no response has been received by May 1, the matter is turned over to the attorney (Attorney's letter fee is \$90 as of January 1, 2005).
- If still no response within a reasonable period, the Board has the option of filing a lien on the property (lien fee is \$105 as of January 1, 2005) and/or instructs the attorney to take the homeowner to court.

In addition to the above process there is a requirement to continually monitor the collection of maintenance fees. Although this falls under the responsibility of the Treasurer, the task may be performed by another Board member. The issues to be monitored are:

- If a home has changed ownership during the last quarter of the year, the current resident may not be the person to whom the statement was sent. To avoid sending the new owner a demand letter, PCMI provides a list of these homes that have changed hands for review by the Board member who is providing this monitoring function.
- Not all homeowners who are provided the opportunity to pay their fees via payment plans continue to make these monthly payments on time. It is therefore necessary to review the delinquency list each month and present the status of, and make recommendations on, each delinquent

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account at the monthly Board meetings. The results of this process can be the further suspension of the delinquent homeowner's trash collection service, or the referring of the account to the attorney for legal action.

2.4.4 Bookkeeping

In conducting the bookkeeping task throughout the year the Treasurer shall conduct regular audits to verify that expenses being paid are both appropriate and properly classified against the set of account codes that have been established for the collection and budgeting of Association expenses. Such auditing generally takes place at the opportunities defined below.

2.4.4.1 On Payment of Invoices

Whenever PCMI presents the Treasurer with checks for signature the Treasurer, before signing, shall:

- reconcile the amount on the check with the attached invoice,
- confirm that the product or service has been satisfactorily delivered, and
- confirm that the expense has been assigned to the appropriate account code.

2.4.4.2 On Receipt of the Monthly Financial Statements

Each month PCMI prepares for all Board members a financial statement showing the income and expenses for the month and year-to-date. On receipt of this statement the Treasurer shall review it looking for any anomalies or inconsistencies. Any such findings shall be brought to the attention of PCMI for investigation and resolution.

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2.4.4.3 On Receipt of Quarterly Expense Statements

Four times each year, PCMI prepares for the Treasurer a statement of expenses incurred over the preceding quarter. On receipt of this statement, the Treasurer shall review it in detail for any anomalies or unusual spending patterns, referencing the approved budget as necessary. Any required corrections shall be referred to PCMI for resolution, and any unusual spending patterns may, at the Treasurer's discretion, be discussed with the full Board at their next scheduled meeting.

2.4.4.4 Year-End Closing

Prior to closing the books for the year, PCMI prepares a final financial statement providing the Treasurer with a last opportunity for any changes in expense classification. This audit shall also specifically review the assignment of expenses between the Operational and Reserve accounts and make any recommendation to the Board for the reallocation of any surplus funds in the Operational account into the Reserve.

2.4.5 Cash Management

The Association's assets are maintained in two accounts, the Operating account and the Reserve account. The Operating account is interest bearing with checking privileges. This account is the repository of the Association's operating funds which are used to meet its day-to-day cash flow requirements. Sufficient funds are maintained in this account to cover typically two months of operation the balance being invested in Certificates of Deposit or like instruments to maximize the interest earned until the funds are needed to meet operational expenses. The Reserve account is used to hold the funds that are earmarked for the replacement of the Association's capital assets as defined in the annual Reserve Study. As the use of these funds is subject to longer approval cycles, a large portion will typically be invested in longer-term Certificates of Deposit. In all cases, the Treasurer shall ensure that all Association funds are adequately insured to provide protection in the event of insolvency of the financial institution.

The investment of funds into Certificates of Deposit is implemented by PCMI in accordance with the Board's instructions.

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2.4.6 Reserve Study

Each year prior to the September budget meeting, the Board of Directors will either conduct or contract for the conduct of, a reserve study.

The purpose of the study will be to review the Association's capital assets, their expected remaining life and their replacement value at current prices. From this data the amount of money that should be in the Associations Reserve Fund to cover their eventual replacement is computed. This shall be taken into consideration when deciding on the Maintenance Assessment Fee for the following year.

The most recent study is published on the Board Documentation Repository page of the Association web site.

2.4.7 Financial Audit

Each year, the Board shall contract for a financial audit by a qualified CPA. The purpose of the audit is to provide assurance of the integrity of the Associations bookkeeping and finances, and to meet the tax reporting requirements of the Internal Revenue Service.

3.0 Committee Chairpersons

3.1 Architectural Review Committee (ARC)

One Board member shall be assigned the role of chairmanship of the Architectural Review Committee with responsibility for review, approval or rejection of all requests submitted via "Request for Home Improvement Approval" forms by residents for improvements to their respective properties.

3.1.1 ARC Guidelines

The review of each application shall be performed in accordance with a set of specific guidelines. These guidelines are defined in the "ARC Guidelines" document that is published on the Board Documentation Repository page of the Association web site.

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3.1.2 *ARC Violations Process*

In the event that an improvement activity that has not been submitted for review is observed at a home, the following process is invoked:

- PCMI is instructed to send a letter to the homeowner requesting that an application for such work be initiated. A sample of such a letter is given in Attachment C on page 25.
- If no response to this letter is received within 30 days then a second letter similar to that given in Attachment D on page 26 is sent.
- If there is still no response, a third and final (20903) letter containing the 209.007 language is sent and the violation is forwarded to the attorney. A sample of such a letter is given in Attachment E on page 27.

3.2 Deed Restrictions

3.2.1 *Deed Restriction Committee*

To fulfill its obligations to the residents in maintaining standards on the subdivision, and hence protect their property values, a Deed Restrictions committee has been established. A designated Board member chairs this committee.

3.2.2 *Monthly Inspections*

Each month the chairperson, accompanied by one or more members of the committee and a PCMI representative, drive around the subdivision to inspect all properties. The purpose of this drive through is to observe progress on the rectification of any previously reported Deed Restriction violations, as well as to notice if any new violations have occurred since the last inspection.

3.2.3 *Deed Restrictions Violations Process*

Whenever a property condition is observed that is in violation of the Deed Restrictions, a copy of which is posted on the public portion of the web site, PCMI is instructed by the committee chairperson to record the violation in the

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Association records and to initiate communication with the homeowner. As violation of the Deed Restrictions is such an important issue that carries serious legal and financial consequences, every effort is made to encourage a homeowner's compliance through voluntary means.

The process used is as follows:

- On first observing the violation, PCMI is instructed to send out the first notification letter, examples of which are given as Attachments F, G and H on page 28 onward. If there is an off-site address, the computer program that generates these letters will automatically generate one to the current resident and one to the owner. In most cases the resident will respond to and correct the problem and this response will be noted during the subsequent drive through and the violation removed at the next Board meeting.
- If the problem is not addressed within 30 days, PCMI is instructed to send out the second letter, an example of which is given as Attachment I on page 31.
- If there is still no action by the homeowner within a reasonable time, PCMI is instructed to dispatch a third and final letter, an example of which is given in Attachment J on page 32. If this does not produce results, then the matter is forwarded to the Association attorney to pursue the legal remedies.

3.3 Clubhouse and Pool Management

3.3.1 *Clubhouse and Pool Management Committee*

Another important function of the Board of Directors is the management of the clubhouse, pool and associated recreational facilities. This activity is handled by the Clubhouse and Pool Management Committee lead by the Board member who is designated to act as its chairperson.

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3.3.2 *Pool Operation Contract*

The day-to-day operation of the swimming pool is contracted out to a pool management company. This company manages the upkeep, staffing of lifeguards and operation of the pool for a fixed monthly fee, and reports to the Board via the Clubhouse and Pool Committee chairperson.

The current pool management contract defining the respective responsibilities of the Pool Management Company and the Association is published on the Board Documentation Repository page of the Association web site.

3.3.3 *Overseeing of Maintenance and Facility Improvements*

3.3.3.1 Maintenance

The upkeep of the Clubhouse and associated recreational facilities consists of both preventative and emergency maintenance procedures. These are handled in the following manner:

- Preventative Maintenance (PM) – PM on both the swimming and wading pools is covered under the pool management contract. PM on the clubhouse and associated recreational facilities is conducted by routine inspection where items requiring attention are identified, cleaned and/or replaced as necessary.
- Emergency Maintenance (EM) – Whenever emergencies occur, any member of the Board is authorized to act to correct the problem and minimize any damage that might otherwise occur. Any Board member acting in this capacity can authorize the expenditure of up to \$250. If a greater expenditure is required, approval shall be obtained from a majority of the Board members and the incident and associated costs presented at the next Board meeting for formal review and documentation.

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3.3.3.2 Improvements

Recommendations for improvements to the Association facilities are made via the Clubhouse and Pool Management committee to the full Board for review. Although recommendations can occur at any time, the optimum timing for such discussions is that they should occur in sufficient time for cost data to have been collected and hence available during the annual reserve study and subsequent budget meeting. This enables the funding for such considerations to be included in the budget deliberations.

3.3.4 *Rental of Clubhouse and/or Pool*

The rules, procedures and checklists to be used in the renting of either of the rooms in the Clubhouse or the pool shall be as defined in the "Clubhouse and Pool Renting Documentation" also published on the Board Documentation Repository page of the Association web site. A non-Board member volunteer may manage the rental of these facilities.

3.4 Landscaping

3.4.1 *Landscape Contractor Management*

The principal function of the Landscaping committee chairperson is to oversee the landscape management contract, an excerpt from which defining the tasks to be performed is published on the Board Documentation Repository page of the Association web site. In addition to interfacing with the contractor and presenting to the Board any reports on landscape conditions requiring additional expenditures, this Board member also oversees the additional activities addressed in the following subsections.

3.4.2 *Mosquito Spraying*

An annual contract is let for spraying the subdivision to minimize the breeding of mosquitoes during the summer months.

3.4.3 *Subdivision Entrance Flags*

The Landscaping chairperson also arranges for the flying, care and maintenance of the flags that are installed at four of the five entrances to our subdivision. Of special concern is that the flags be lowered whenever there is a problem with the

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lighting which prevents them from being properly illuminated at night, and that they be placed at half staff whenever there is a State or Federal mandate to mark the passing of an important figure or a similar solemn occasion.

3.4.4 *December Holiday Decorations*

Each year the subdivision marks the December holiday season by placing decorations on the monuments at the subdivision entrances. The Landscaping chairperson has responsibility for soliciting volunteers to handle this task and arranging for the acquisition of the decorations required.

3.4.5 *Yard of the Month*

In order to encourage residents to take pride in the appearance of the subdivision the Association sponsors a Yard-of-the-Month program. Details of the program are published on the Yard-of-the-Month page of the Association web site. This program, which may be run by a non-Board member volunteer, is conducted in accordance with the procedure that is published on the Board Documentation Repository page of the Association web site.

3.5 Security

3.5.1 *Liaison with Constables' Office*

One of the Board members is assigned the role of Security Liaison. The role here is to be the prime interface with the Harris County Constables' office and the deputies that patrol our subdivision under our security contract.

3.5.2 *Preparation of Monthly Security Report*

Part of this responsibility is to review the monthly incident report, which is a combined report covering both our subdivision and the Williamsburg Colony subdivision which shares Contract #21 with us, and to produce a report listing the activity on the Settlement. This report is presented at the Board Meeting and is published on the Association web site and in the monthly newsletter.

3.6 Trash Collection Service

A major responsibility of the Board of Directors is to handle the collection of trash and recycling. This activity is performed under contract with a trash collection

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contractor. The provisions of this program are detailed on the Trash and Recycling page of the Association web site.

3.7 Communications

3.7.1 Website

The principal tool available to the Board for timely communication with residents is the Association's web site – www.WSMAonline.org. This site has pages dealing with all items of importance to the membership and includes both the ability for the residents to communicate with each other via a Guest Book facility and to provide feedback and comments to the webmaster on site content and construction. The site encourages all residents to register their email addresses with the site. This provides a mailing list that the webmaster uses to send out notices to alert residents whenever new material which may be of interest to them has been added to the site and to give them immediate notification whenever significant events occur on the subdivision.

3.7.2 Newsletter

The Krenek Printing Company publishes a monthly newsletter to most of the subdivisions in the area. The newsletters are customized for each subdivision providing a publication that allows the Board to communicate with all residents, as well as containing local items of interest to all subdivisions. The newsletter is funded by advertising revenue and is thus produced and distributed at no cost to the Association.

The Communications chairperson is responsible for preparing and or collating each month's customized material and emailing it to the printers by the 25th of each month.

4.0 Other Responsibilities

4.1 Welcoming of New Residents

To welcome new residents to our subdivision, an information package is prepared and delivered to the new homeowner. This person performing this role does not necessarily need to be a Board member. This person is notified of a

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new resident via a list that is produced monthly by PCMI based on information it receives regarding the change in ownership.

4.1.1 Handout Material

As a minimum, the material included in the package includes:

- The Williamsburg Settlement Telephone Directory
- A copy of the Deed Restrictions
- A multi-page welcome packet containing information on the pool and the garbage service, plus a list of important phone numbers and the WSMA web site address.

4.2 Common Area Electrical Repairs

In order to provide a consistent interface with the electrical contractor on repairs and improvements to common area electrical equipment, this responsibility has been assigned to one designated Board member. All requests for such electrical work are channeled via this person, who is responsible for obtaining quotations, presenting them for Board approval, overseeing and signing off on the work performed, and approving the submitted invoices.

An additional responsibility assigned to this person is the re-setting of the lighting timers each month in accordance with the chart in the "Clubhouse and Recreational Area Electrical Area Layout" report published on the Board Documentation Repository page of the Association web site.

4.3 Management of Facility Keys

4.3.1 Overview of Key Management System

To protect the integrity of the Association facilities and equipment, a system has been developed for managing and keeping track of all locks and keys, and one Board member has been assigned the responsibility for maintaining this system.

There are two categories of locks protecting Association property. These are:

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- the Clubhouse itself, including the tennis courts and the gates in the fence segregating the pool from the surrounding area, and
- the various other locks on the property.

The key types and the number and location of each are defined on the “WSMA Key Inventory” document published on the Board Documentation Repository page of the Association web site. Responsibility for maintaining the integrity of this document and the location of all keys rests with the designated Board member, thus this person must also have the responsibility for interfacing with the locksmith who provides most of the services involved.

The two categories of locks are discussed further below.

4.3.1.1 Clubhouse Locks

The locks on the doors and gates in this category are part of a unified set provided by the Association Locksmith. There are 9 different key types K1 through K9, of which the K1 is the master. The key types and the locks they open are also documented in the “Clubhouse Keys Directory” published on the Board Documentation Repository page of the Association web site.

4.3.1.2 Remaining Locks

The remaining locks are the miscellaneous set documented on the right hand side of the “WSMA Key Inventory” sheet. This sheet defines which people or organizations have personal copies of each key. This is based on their need arising from their assigned responsibilities. In addition to these a key box is located in the Clubhouse hall storage closet closest to the restrooms. This box contains one clearly labeled copy of each key type. The designated Board member with responsibility for the key system holds a complete backup set for security purposes. This person is also the temporary custodian of any spares.

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4.3.2 Key Audit

To verify the ongoing integrity of the key management system to prevent any degradation as the composition of the Board changes, an audit of the keys will be conducted periodically and the documentation updated accordingly.

4.4 Resident Directories

For the benefit of the resident community, the Association publishes a directory of residents. Volunteers under the sponsorship and direction of a Board member have traditionally performed the publishing of this directory.

4.4.1 Update Frequency

Due to the expense and effort involved, the directory is typically published only every four years.

4.4.2 Resident Database

Information for each household is based on the current list of occupants obtained from a Microsoft Access database. The Project Leader (currently ex-Board member Angie Moore) maintains this database.

4.4.3 Process

To collect the data for the update the subdivision is divided into 10 sections with one Area Leader assigned to each section. The Project Leader contacts these Area Leaders and gives them the current occupant listing for their assigned section. The Area Leaders contact their respective Block Captains and distribute the listings to them. The Block Captains then proceed from house to house to interview each occupant and solicit names of both adults and children, the children's' dates of birth and the household telephone number.

4.4.4 Participation

Participation in the directory is completely optional. Residents do not have to participate. They can choose to do so, but have their children's' names and or birthdays unlisted if they so desire. A signature by an adult (18 years of age or older) is required to have the information published.

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4.4.5 Advertising

To offset the cost of printing, local businesses are offered advertising space.

5.0 Attachments

The following attachments are sample statements and letters that will be sent out in accordance with the circumstances defined in the foregoing procedures.

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5.1 Maintenance Fee Collection Communications

5.1.1 Attachment A – First Notice

WILLIAMSBURG SETTLEMENT M.A.
 PO BOX 219223
 HOUSTON, TX 77218
 (281)870-0585
 RETURN SERVICE REQUESTED

First Notice

Page 1 of 1

1061707 000381 0401-960 1A-G-E01 000 0001

From: Williamsburg Settlement M.A.
Account: 01-960-02-010-100-02
Date: 10/27/03
Total Due: \$575.00

DATE	DESCRIPTION	AMOUNT
01/01/2004	MAINTENANCE FEE	\$575.00
TOTAL DUE ON OR BEFORE 01/01/2004		\$575.00

INTEREST ACCRUES FROM DUE DATE IF NOT RECEIVED BY JANUARY 15, 2004

Please acknowledge this invoice as notice and advisory, per your covenants and restrictions, that:
 2004 Maintenance Fee Rate is \$575.00

Accounts not paid in full by January 15, 2004 will incur fees and costs. These fees and costs may include without limitation, costs of additional notices, certified postage and handling, affidavit of lien fees, and/or legal fees and costs. As required by Chapter 209 of the Texas Property Code, this is your notification that any such fees and costs incurred will be charged to your account.

This invoice represents monies due your association for the maintenance and operations of common areas, as established in your covenants & restrictions.


Please do not assume that your mortgage company escrows for this fee. However, if they do escrow, please forward this invoice to them for payment.

To insure proper credit, please make a note of the property address or account number with your payment.

FOLD ON PERFORATION, DETACH, AND RETURN THE COUPON WITH YOUR PAYMENT

Make Check Payable To: Williamsburg Settlement M.A. **Amount Due:** \$575.00

01-960-02-010-100-02


 WILLIAMSBURG SETTLEMENT M.A.
 C/O STERLING BANK
 PO BOX 41027
 HOUSTON, TX 77240-1027

WSMA Board of Directors Duties, Responsibilities and Procedures

5.1.2 Attachment B –Final Notice (Demand Letter)

Final Notice

FINAL ASSESSMENT ADVISORY AND INVOICE

Date	Description	Amount
1/01/2004	MAINTENANCE FEE	\$575.00
1/31/2004	INTEREST	\$4.87
2/25/2004	DEMAND LETTER	\$10.00
TOTAL:		\$589.87

YOUR ACCOUNT IS SERIOUSLY DELINQUENT. PLEASE BE ADVISED THAT IF THE ABOVE BALANCE DUE IS NOT PAID IN FULL BY MARCH 25, 2004 A LIEN WILL BE FILED AND/OR YOUR ACCOUNT WILL BE TURNED OVER TO THE ASSOCIATION ATTORNEY FOR LEGAL ACTION. THE COST OF LIEN AND ANY ATTORNEY FEES WILL BE BILLED BACK TO THE ACCOUNT.

POOL TAGS WILL NOT BE ISSUED TO ANYONE WITH A BALANCE.

YOUR COOPERATION IN THIS MATTER IS GREATLY APPRECIATED.

PLEASE MAIL YOUR PAYMENT TO: P.O. BOX 219223 HOUSTON, TX 77218-9223

Please make check payable to: WILLIAMSBURG SETTLEMENT M.A., INC.

NOTICE REQUIRED BY CHAPTER 209 OF THE TEXAS PROPERTY CODE

The delinquent balance described herein constitutes a violation of the governing documents. You are entitled to a reasonable period to cure this violation, unless you were given notice and a reasonable opportunity to cure a similar violation within the preceding six months. You can avoid the Association pursuing its legal remedies regarding this violation provided you cure the violation by paying the delinquent balance in full with in 30 days.

If the delinquent balance described herein is not paid with in 30 days, the Association intends to turn this matter over to an attorney for further handling. If this becomes necessary, you will be responsible for the reasonable attorneys' fees and other reasonable costs incurred, and such fees and costs will be charged to your assessment account.

Pursuant to Chapter 209.007 of the Texas Property Code, you have the right to request a hearing before the Board of Directors regarding this matter. If you desire a hearing, written notice of your request must be received at the address set forth herein within 30 days from your receipt of this letter. Upon receipt of your written request, notice of the date, time, and location of the hearing will be forwarded to you. Please note that if you do not cure the violation by paying the delinquent balance in full or request a hearing in writing within 30 days of receipt of this letter, the Association intends thereafter to pursue its legal remedies regarding this matter.

March 23, 2006

WSMA Board of Directors Duties, Responsibilities and Procedures

5.2 Architectural Review Committee Violation Communications

5.2.1 Attachment C – First ARC Violation Notification Letter

Williamsburg Settlement M.A., Inc.

Date

Current Resident/Owner
Resident's Address
Katy, TX 77449

RE: Inspection Date: Month Day, 200X

Sample First Notice – This letter, code AC01, is sent when unapproved modifications are observed. It requests the resident to submit the improvement for ARC review.

Dear Resident/Owner:

During a recent inspection of your community your property was noted as having the above referenced exterior improvements currently underway or recently completed. Exterior improvements are any exterior changes or modifications and/or changes to the property including patio covers, painting, landscaping, pools, storage buildings, basketball goals.

We have found that many owners are not made aware of the restrictions and requirements of property ownership within their community at the time they purchase their home. The standards of your community are outlined in the covenants and restrictions, a recorded instrument of rules and regulations governing your community.

According to these covenants and restrictions, all exterior improvements and/or changes must be submitted to, and approved by, the Architectural Review Committee prior to being made. This procedure helps ensure the aesthetic quality of the community while protecting property values and establishing a basis for pursuit of those improvements not in compliance with the architectural restrictions of your community.

In reviewing our records we have found that we do not have a signed authorization form from the Architectural Review Committee for the above-mentioned improvement. Therefore, we are requesting that you halt any work in progress, complete the enclosed form and return it to our office at the address listed below. Additionally, please submit the following documents:

1. Lot survey or drawing showing location of proposed improvement.
2. Complete list of specifications including materials, dimensions, color, etc.

The Board of Directors of your association is responsible for the general operations of your incorporated community and the enforcement of deed restrictions and, as such, this communication is sent to request your assistance as a means to best maintain the overall community.

Yours truly,

Dolores Sue, CMCA
Agent for the Association

March 23, 2006

WSMA Board of Directors Duties, Responsibilities and Procedures

5.2.2 Attachment D – Second ARC Violation Notification Letter

Williamsburg Settlement M.A., Inc.

Date

Current Resident/Owner
Resident's Address
Katy, TX 77449

RE: Inspection Date: Month Day, 200X

Sample Second Notice - This letter, code AC02, is sent as a follow up if no response has been received to the first notice.

Dear Resident/Owner:

Previously, we sent a letter requesting your cooperation in bringing the above referenced violation into compliance with your community's deed restrictions by submitting a completed "Request for Home Improvement Approval" form. To date, we have not received this form. We would like to once again request you submit the enclosed form, along with all the necessary information to the address above within fifteen (15) days of the date of this letter, in order to comply with the restrictions and allow time for proper review and written response from the Architectural Review Committee.

As you know, your community is governed by a recorded instrument. According to this instrument, no building, fence, wall or other structure shall be commenced, erected, or maintained upon the property, or shall any exterior addition or change to such structure or the color thereof (including, without limitation, site landscaping and grading plans, patio covers and trellises, plans for off street parking of vehicles, utility layout) be made until the plans and specifications showing nature, kind, shape, height, materials, color and location to structures and geography are approved by the Architectural Review Committee. This committee has the right to request removal or alteration to any structure which has not received approval or is built other than per the approved plans. Your improvements are considered to be an asset to your property, however, the restrictions are most specific regarding the architectural review process.

Please contact our office if there is some reason you are unable to respond to our request or if you have any questions.

Yours truly,

Dolores Sue, CMCA
Agent for the Association

March 23, 2006

WSMA Board of Directors Duties, Responsibilities and Procedures

5.2.3 Attachment E – Final ARC Violation Notification Letter

Williamsburg Settlement M.A., Inc.

RETURN RECEIPT REQUESTED

Date:

Current Resident/Owner
Resident's Address
Katy, TX 77491

RE: Inspection Date: Month Day, 200X

This Is the Final Notice For Anything That Has Happened It Spells The Law Out And It is Coded Ast Gen20903. The Letter Itself Has The 209.007 Language

Dear Owner:

This letter is a follow up to our previous requests that the above noted deed restriction violation be cured. Please contact our office upon receipt of this letter and advise us of when this deed restriction violation will be cured.

You are entitled to a reasonable period of time to cure the violation listed above unless you were given notice and a reasonable opportunity to cure a similar violation within the preceding six (6) months. You can avoid the Association pursuing an enforcement action with regard to this matter provided the violation is cured within thirty (30) days of receipt of this letter.

Pursuant to Section 209.007 of the Texas Property Code you have the right to request a hearing before the Board of Directors regarding this matter. In the event you desire a hearing, written notice of your request must be received at the address below within thirty (30) days of your receipt of this letter. Upon receipt of your written request for a hearing, notice of the date, time and location of the hearing will be forwarded to you.

In the event that you do not request a hearing and the deed restriction violation is not cured within thirty (30) days from the date of this letter, please be advised that the Association intends to refer this matter to an attorney to protect the Association's legal interests. Should this become necessary, you will be responsible for the Association's reasonable attorney's fees and other reasonable costs incurred. Such fees and costs will be charged to your account.

The Association is sensitive to personal situations and is willing to work with you to remedy these situations. However, the Association must have your cooperation in order to do so.

We would appreciate your prompt attention to this request. We look forward to hearing from you.

Yours truly,

Dolores Sue,
CMCA Agent for the Association

WSMA Board of Directors Duties, Responsibilities and Procedures

5.3 Deed Restriction Violation Communications

5.3.1 Attachment F – First Deed Restriction Violation Generic Notification Letter

	Williamsburg Settlement M.A., Inc.
Date	
Current Resident/Owner	
Resident's Address	
Katy, TX 77491	
RE: Inspection Date: Month Day, 200X	
First Notice Sample - Please Do Whatever It Is We Need. We Always Start With Please	
Dear Resident/Owner:	
Your assistance is needed to correct or improve the condition noted above. The recorded restrictions and rules bind all residents in the community and provide a framework for the maintenance and appearance of each residential lot in the community.	
Every property owner is asked to support the Association in its efforts to protect the appearance of the homes in the community. Your support as a good neighbor helps to protect and enhance the property values in the community.	
We recognize that from time to time a personal challenge or hardship may exist that might delay or cause you to be unable to take care of this matter promptly. If this situation exists for you, please contact the Association in writing or by phone to advise us of your particular situation. We are committed to finding mutually beneficial solutions so that our neighborhood is a desirable place to live.	
Many thanks in advance for your cooperation and assistance.	
Yours truly,	
Dolores Sue, CMCA Agent for the Association	

March 23, 2006

WSMA Board of Directors Duties, Responsibilities and Procedures

5.3.2 Attachment G – First Deed Restriction Violation Notification Letter for a Lawn in Need of Attention

Williamsburg Settlement MA., Inc.

Date:

RETURN RECEIPT REQUESTED

Current Resident/Owner
Resident’s Address
Katy, Tx 77449

RB: Inspection Date: Month, Day, 200X

This Is When A Lawn Is Really Bad And We Do Not Have Time For The Series. This Gives The Association The Ability To Force Mow.

Dear Resident/Owner:

Your community is governed by a recorded instrument, which is on file with the County Clerk’s office. According to this instrument, maintenance of lawn and planted areas shall be kept mowed and properly maintained to prevent unsightly appearance for the benefit of protecting neighborhood property values.

During our recent inspection, as of the date referenced above, your property was noted as being in need of lawn maintenance, which may include mowing, edging, weeding or the spreading of topsoil, etc.

In the event of default of any covenants herein by any owner/occupant of any lot and the continuance of such violation after ten (10) days written notice thereof, Declarant or its assigns, may (but not being under any duty to so do and without liability to owner/occupant in trespass or otherwise) enter upon said lot, and cause to be removed such trash/rubbish or do any other thing necessary to assure compliance with these restrictions to place said lot in a neat, attractive, healthful and sanitary condition and may charge the owner/occupant of such lot for the cost. The owner/occupant agrees by the purchase, acquisition or occupation of the lot to pay such costs immediately upon receipt thereof.

While we recognize and are respectful that from time to time circumstances may delay consistent maintenance, your community desires your cooperation toward prompt landscape maintenance within ten (10) days from the date of this letter to preclude the need for contractor assistance and the added expense burden to you. This entire effort is for the benefit of protecting and enhancing property values in your neighborhood.

Yours truly,

Dolores Sue, CMCA
Agent for the Association

March 23, 2006

WSMA Board of Directors Duties, Responsibilities and Procedures

5.3.3 Attachment H – First Deed Restriction Violation Notification Letter for a Barking Dog

Williamsburg Settlement M.A., Inc.

Date:

Current Resident/Owner
Resident's Address
Katy, TX 77449

RE: Inspection Date: Month, Day, 200X

This is if Someone Is Complaining About A Dog Barking All The Time.

Dear Resident/Owner:

The Board of Directors of your community association is responsible for the general operations of your incorporated community and the enforcement of its deed restrictions. As such, general communications are often sent as a courtesy reminder and request for your assistance to best maintain your overall community.

We have received communication regarding a dog(s), which tends to bark on a frequent basis, sometimes keeping neighbors awake. While we are aware many dogs, unfamiliar to a new area, tend to bark more frequently soon after a move, they soon adjust. It has been reported that this situation has been occurring for some time now.

The purpose of this letter is to make you aware that your pet(s) excessive barking is disturbing your neighbors, so that you can remedy the situation and restore peaceful enjoyment to your immediate neighborhood.

We would appreciate your response regarding this matter. Please contact our office or write your response on this letter and return it to us at your earliest convenience.

Yours truly,

Dolores Sue, CMCA
Agent for the Association

March 23, 2006

WSMA Board of Directors Duties, Responsibilities and Procedures

5.3.4 Attachment I – Second Deed Restriction Violation Notification Letter

Williamsburg Settlement M.A., Inc.
Date
Current Resident/Owner Resident's Address Katy, TX 77449
RE: Inspection Date: Month Day, 200X
Second Notice - Please Do Whatever It Is We Need. Again Always Please
Dear Resident/Owner:
This letter is sent as a follow-up to the recent request to correct the above noted deed restriction violation. Please give this matter your immediate attention and remedy the violation or contact our office and advise as to the time frame within which the violation will be cured.
We recognize that from time to time a personal challenge or hardship may exist that might delay or cause you to be unable to take care of this matter. If this situation exists for you, please contact the Association in writing or by phone to advise us of your particular situation. We are committed to finding mutually beneficial solutions so that our neighborhood is a desirable place to live.
Many thanks in advance for your cooperation and assistance.
Yours truly,
Dolores Sue, CMCA Agent for the Association

March 23, 2006

WSMA Board of Directors Duties, Responsibilities and Procedures

5.3.5 Attachment J – Third and Final Notification Letter

Williamsburg Settlement M.A., Inc.

RETURN RECEIPT REQUESTED

Date
Current Resident/Owner
Resident's Address
Katy, TX 77449

RE: Inspection Date: Month Day, 200X

Third And Final Notice- Please Do Whatever You Need Per Your Deed Restrictions. Final Notice.

Dear Resident/Owner:

This letter is a follow up to our previous requests that the above noted deed restriction violation be cured. Please contact our office upon receipt of this letter and advise us of when this deed restriction violation will be cured.

You are entitled to a reasonable period of time to cure the violation listed above unless you were given notice and a reasonable opportunity to cure a similar violation within the preceding six (6) months. You can avoid the Association pursuing an enforcement action with regard to this matter provided the violation is cured within thirty (30) days of receipt of this letter.

Pursuant to Section 209.007 of the Texas Property Code you have the right to request a hearing before the Board of Directors regarding this matter. In the event you desire a hearing, written notice of your request must be received at the address below within thirty (30) days of your receipt of this letter. Upon receipt of your written request for a hearing, notice of the date, time and location of the hearing will be forwarded to you.

In the event that you do not request a hearing and the deed restriction violation is not cured within thirty (30) days from the date of this letter, please be advised that the Association intends to refer this matter to an attorney to protect the Association's legal interests. Should this become necessary, you will be responsible for the Association's reasonable attorney's fees and other reasonable costs incurred. Such fees and costs will be charged to your account.

The Association is sensitive to personal situations and is willing to work with you to remedy these situations. However, the Association must have your cooperation in order to do so.

We would appreciate your prompt attention to this request. We look forward to hearing from you.

Yours truly,

Dolores Sue, CMCA
Agent for the Association