



preceding six months; and (3) inform the Owner that he may request a hearing before the Board of Directors on or before the 30<sup>th</sup> day after the date the Owner received the notice (or 30 days after the date on which the first attempted delivery was made to the Owner).

If the hearing is to be held before a committee, the notice must state that the Owner has the right to appeal the committee's decision to the Board of Directors by written notice to the Board. The Association will hold any hearing not later than the 30<sup>th</sup> day after the date the Board receives the Owner's request for a hearing, and will notify the Owner of the date, time, and place of the hearing at least ten days before the hearing date.

Section 3. **Attorneys Fees**. The Association may assess reasonable attorneys fees to an Owner's account for nonpayment of amounts due or other violations of the Declaration, Bylaws, or rules only if the Lot Owner is provided a written notice that attorneys fees and costs will be charged to the Owner if the delinquency or violation continues after a date certain. Regardless, attorneys fees may not be charged to an Owner's account until after any Owner-requested hearing allowed pursuant to these procedures is held, or, if the Owner does not request a hearing, before the date by which the Owner must request a hearing. For repeat violations within six months, attorneys fees may be assessed to an account after the first hearing request deadline date has passed or after the first hearing, as appropriate.

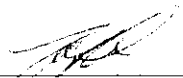
The failure of the Association to enforce any provisions of the Declaration, Bylaws, rules, or procedures shall not constitute a waiver of the right to enforce the same thereafter. All remedies in the Declaration, Bylaws, and rules are cumulative and not exclusive.

This notice and hearing procedure is intended to mirror the requisites of Texas Property Code Chapter 209.

Section 4. **Application of Payments**. The Association in its discretion and without notice to the Owner may apply amounts received from Owners to non-assessment items or other amounts due and owing the association regardless of Owners' notations on checks or otherwise.

Executed on the date noted below. Adopted and effective February 24, 2004.

**The Settlement Section Two Owners Association**

By: 

Title: President

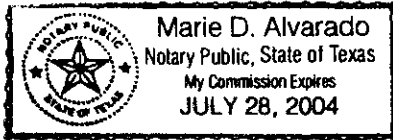
STATE OF TEXAS  
COUNTY OF WILLIAMSON

This instrument was acknowledged before me on the 5<sup>th</sup> day of April, 2004, in the capacity stated above.

*Marie D. Alvarado*  
Notary Public, State of Texas

After recording return to:  
Niemann & Niemann, LLP  
1122 Colorado Street, Suite 313  
Austin, Texas 78701

FileServer: CLIENTS.Settlement:violation adoption 3-29-04.doc



**FILED AND RECORDED**  
**OFFICIAL PUBLIC RECORDS 2004028750**

*Nancy E. Rister*  
04/14/2004 03:50 PM  
CARRILLO \$18.00  
NANCY E. RISTER, COUNTY CLERK  
WILLIAMSON COUNTY, TEXAS