PROPERTY OWNERS' ASSOCIATION MANAGEMENT CERTIFICATE 2nd AMENDED FOR BRIAR MEADOWS PROPERTY OWNERS ASSOCIATION, INC.

This Management Certificate is recorded pursuant to Section 209.004 of the Texas Property Code.
This amends all prior Management Certificates filed for this association:

Per Texas Property Code 209.004 (a-1) (effective September 1,2013) "The County Clerk of each county in which a Management Certificate is filed as required by this section shall record the Management Certificate in the real property records of the county and index the document as a "Property Owners' Association Management Certificate"

State of Texas §

County of Comal §

1. Name of Subdivision: Briar Meadows

2. Subdivision Location: Comal County, TX

3. Name of Homeowners Association: Briar Meadows Property Owners Association, Inc.

4. Governing Documents: Declaration is filed at the county under Doc# 201506004578
See Exhibit B for Plat information

Unanimous Consent of the Directors in Lieu of the Organizational Meeting of the Board of Directors is attached to this Certificate

Certificate of Filing of 1/29/2015 is filed under Document number 201506015648.

The following Resolutions dated 3/15/2016 are filed under Document Number 201606018191:

- Electronic and Telephonic Action Policy
- Revised Payment Plan Policy
- Standby Electric Generator Guidelines
- Solar Energy Device Guidelines

Briar Meadows Property Owners Association, Inc. Billing Policy and Payment Plan Guidelines dated 4/27/2017 are filed with and attached to this Certificate.

5. Mailing Address and Contact Information for the Association and the Managing Agent:
Spectrum Association Management, LP
17319 San Pedro, Suite 318
San Antonio, TX 78232
(210) 494-0659 Fax: (210) 494-0887
contact@spectrumam.com

8. Other information the Association considered appropriate for the governing, administration or operation of the subdivision and homeowner's association:

Prospective purchasers are advised to independently examine the Declaration, Bylaws, and all other governing documents of Association, together with obtaining an official Resale Certificate and performing a comprehensive physical inspection of the lot/home and common areas, prior to purchase.

THE PURPOSE OF THIS CERTIFICATE IS TO PROVIDE INFORMATION SUFFICIENT FOR A TITLE COMPANY TO CORRECTLY IDENTIFY THE SUBDIVISION AND TO CONTACT ITS GOVERNING ASSOCIATION. THIS CERTIFICATE DOES NOT PURPORT TO

IDENTIFY EVERY PUBLICLY RECORDED DOCUMENT AFFECTING THE SUBDIVISION, OR TO REPORT EVERY PIECE OF INFORMATION PERTINENT TO THE SUBDIVISION. NO PERSON SHOULD RELY ON THIS CERTIFICATE FOR ANYTHING OTHER THAN INSTRUCTIONS FOR CONTACTING THE ASSOCIATION IN CONNECTION WITH THE TRANSFER OF TITLE TO A HOME IN THE SUBDIVISION. THE REGISTERED AGENT FOR THE ASSOCIATION IS ON FILE WITH THE TEXAS SECRETARY OF STATE.

Signed this 28th **day of** April **, 2017**

Briar Meadows Property Owners Association, Inc.

By: Gail Jaszcz

Gail Jaszcz (of Spectrum Association Management) Managing Agent

State of Texas §

County of Comal §

This Instrument was acknowledged and signed before me on 28th, April, 2017 by Gail Jaszcz, representative of Spectrum Association Management, the Managing Agent for Briar Meadows Property Owners Association, Inc. on behalf of said Association.

Jessica K. Riegelsberger

Notary Public, State of Texas

After Recording Return To:
Spectrum Association Management, LP
Attn: Transitions
17319 San Pedro, #318
San Antonio, TX 78232

NOTARY PUBLIC STATE OF TEXAS

JESSICA K RIEGELSBERGER
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 2/24/21
NOTARY ID 13102203-4

BRIAR MEADOWS PROPERTY OWNERS ASSOCIATION, INC.
BILLING POLICY AND PAYMENT PLAN GUIDELINES

STATE OF TEXAS §
§
COUNTY OF COMAL §

WHEREAS, the Declaration of Protective Covenants ("Declaration") of Briar Meadows Property Owners Association, Inc. ("Association"), a Texas non-profit corporation, grants the authority to the Board of Directors ("the Board") to establish a budget, set the amount of the assessments, and adopt a procedure to bill and collect assessments and other charges of the Association; and

WHEREAS, pursuant to Chapter 209 of the Texas Property Code, the Board of the Association hereby adopts these Guidelines for the purposes of establishing a procedure to bill for assessments and other charges of the Association and identify the guidelines under which an owner may request an alternative payment schedule for certain assessments and charges; and

WHEREAS, the Board has determined that it is in the best interest of the Association to establish these Guidelines;

NOW, THEREFORE, BE IT RESOLVED THAT the Association does hereby adopt the attached Billing Policy and Payment Plan Guidelines. This Policy replaces any previously recorded or implemented policy that addresses the subjects contained therein.

Certification

I hereby certify that, as President of the Briar Meadows Property Owners Association, Inc., the attached Billing Policy and Payment Plan Guidelines were approved on the 27th day of April, 2017 at a meeting of the Board of Directors at which a quorum was present.

Signature: Stephen K. Raab
Printed Name: Stephen K. Raab
Title: President
Date: April 27, 2017

BRIAR MEADOWS PROPERTY OWNERS ASSOCIATION, INC.
BILLING POLICY AND PAYMENT PLAN GUIDELINES

I. BILLING POLICY

1. ASSESSMENT PERIOD
The Board of Directors ("Board") has the duty of establishing and adopting an annual budget, in advance, for each fiscal year of the Association covering the estimated costs of operation of the Association during each calendar year.

2. NOTICE
The Board shall fix the amount of the assessment against each lot for the following year pursuant to the Declaration and the annual budget each fiscal year. A written notice, or electronic notice allowable pursuant to Chapter 209 of the Texas Property Code, of the assessment may be sent to every owner subject to the assessment. Failure to receive notice will not negate an owner's responsibility or provide an entitlement to reduction or removal of assessments, interest, fines, or costs of collecting past due balances, if such notice was sent via regular mail to the most recent address of the owner according to Association records or sent by electronic means to the device or email address in the Association records when an owner has opted to receive notices by electronic means in accordance with Chapter 209 of the Texas Property Code.

Each owner shall have the obligation to notify the Association in writing of any change in address or change of electronic delivery which shall become effective five days after written notice has been received by the Association. Notices will be deemed delivered to the owner upon depositing the notice with the U.S. Postal Service, or by delivery through a delivery service to the owner or owner's address, or by sending the notice by electronic means as designated by the owner in the Association's records.

3. DUE DATE
All assessments are due and payable the first calendar day of the billing period, or in such a manner determined by the Board in its sole and absolute discretion. If any amount due the Association is not paid on the date when due, then such amounts shall be considered past due. When the account becomes past due, it remains as such until such time as it is paid in full, including assessments, fines, interest, late fees, and costs associated with collecting past due amounts.

4. INTEREST
If the assessment is not paid by the due date, the assessment may bear interest from the due date at the rate set forth in the Declaration until the assessment is paid in full.

5. LATE FEES
If the assessment is not paid by the due date, the Association may levy a late charge pursuant to the amount, if any, provided for in the Declaration until paid in full.

6. COSTS FOR COLLECTING PAST DUE AMOUNTS
Per the Declaration, the owner is responsible for paying the Association any costs of collecting past due amounts. Costs the Association may incur or be responsible for and then add to the owner's account may include, but are not limited to: administrative oversight, hand delivery notification, certified mail, title searches, amounts related to staff servicing past due accounts, ownership mailing address verification, document preparation, amounts related to making staff available for communication with past due owners, file review costs, filing fees, and other costs.

In addition, pursuant to Texas Property Code, the Association may incur or be responsible for third party costs that an owner is then responsible for paying which may include, but are not limited to: attorney's fees and costs, court costs, filing fees, and other costs.

7. PAST DUE NOTIFICATION
In the event an amount remains unpaid after the due date, past due notices may be sent from the Association to the owner(s) each month the amount remains past due. The Association may send written notice on or about every thirty (30) days until such time the account is paid in full.

The Association may choose to cause work to be done in an effort to properly bill the owners and to fulfill the Board's duty to bill and collect all assessments. The Association may state in past due correspondence to the owner the nature of any additional work to be done on the owner's account and the corresponding cost to the Association that will be billed by the Association to the owner's account if the owner fails to pay in full by the due date.

Past due notices will contain a statement that the entire remaining unpaid balance is due and that the owner is entitled to a payment plan. In the event the owner chooses to enter a payment plan, in addition to interest, a monthly charge may be added to the owner's balance for administrative costs related to the payment plan and such additional administrative costs may continue until the entire balance is paid in full.

8. FINAL NOTICE PRIOR TO REFERRAL TO A THIRD PARTY

In the event an amount due remains unpaid for a period of more than one hundred and twenty (120) days beyond the due date set forth on the initial notice of amounts due to the Association, or in the event an owner does not fulfill the terms of a payment plan agreement, the Board may vote in a meeting to send a Final Notice to the owner.

The Final Notice will be sent via certified mail pursuant to Section 209.0064 of the Texas Property Code and will set forth the following information: amounts due, including all past due assessments, interest, late fees, costs and any other amounts outstanding; a period of at least thirty (30) days for the owner to pay the amounts due; the availability of a payment plan if the owner is entitled to a payment plan as described in Section II of this document; notice of the owner's past due amounts being referred from the Association's handling to a third party collection agent or attorney if the amount remains unpaid after the referenced thirty (30) day period; and notice that any attorney's fees and costs will be charged to the owner's account.

9. REFERRAL OF ACCOUNT TO A THIRD PARTY – ESCALATED BILLING STATUS

Past due accounts referred to the Association's attorney for legal action may, per the Declaration of the Association, be charged interest, late fees, costs to the Association related to the administrative monitoring of an owner's account, and costs of the third party attorney's office. The costs for maintaining and monitoring accounts in an escalated billing status may include, but are not limited to: correspondence to and from the attorney, regular updates from the attorney to the Board, coordination with the Board related to the owner's file, processing invoices and partial payments, notary services, periodic review of the file, providing updated monthly statements to the attorney's office; producing documents, and when requested, information requests such as, confirmation of occupancy of property, identification of vehicles, etc.

Upon referral of an owner's account to a third party attorney's office, the attorney is authorized to take whatever action is necessary, in consultation with the Board, including but not limited to: sending demand letters, filing a lawsuit against the past due owner for a money judgment, instituting a foreclosure or expedited foreclosure action; and, filing necessary claims, objections and motions in the bankruptcy court and monitoring the bankruptcy case in order to protect the Association's interests.

10. PAYMENTS RETURNED FOR NON-SUFFICIENT FUNDS

An owner may be charged for costs related to a check that is returned for non-sufficient funds.

11. COMMON AREA

If a hearing is not requested within 30 days from the date the past due notice is mailed to the owner, the owner's use of recreational facilities and common properties may be suspended.

II. PAYMENT PLAN GUIDELINES

The Association hereby establishes an alternative payment schedule by which an owner may make partial payments to the Association for past due regular or special assessments or any other amounts owed to the Association without accruing monetary penalties. Monetary penalties do not include interest or reasonable

costs associated with administering the payment plan. Any late fees imposed prior to a request for a payment plan may be made part of such payment plan at the discretion of the Board. The payment plan schedule and policy is as follows:

1. A payment plan term shall be determined at the discretion of the Board, but shall have a minimum term of not less than 3 months;

2. The Association may use its discretion to determine the maximum term of a payment plan;

3. The Association may set up, without the need for a case by case vote by the Board, a payment plan allowing up to 12 consecutive monthly installments;

4. An owner may submit a request for a payment plan that does not meet the foregoing guidelines and may provide any information they wish the Board to consider. The Board may approve or disapprove such payment plan, in its sole discretion, as long as the minimum term of the payment plan offered by the Association is not less than 3 months;

5. All payments shall be due by the date specified in the payment plan;

6. Failure by an owner to make a payment by the due date specified in the payment plan shall be considered a default of the payment plan;

7. The Association is not required to enter into a payment plan with an owner who failed to honor the terms of a previous payment plan during the two (2) years following the owner's default under a previous payment plan;

8. If an owner requests a payment plan that will extend into the next assessment cycle, the owner may be required to pay future assessments by the due date of those assessments in addition to the payments specified in the payment plan;

9. Pursuant to Section 209.0064(b)(3) of the Texas Property Code the Association is not required to offer a payment plan to an owner after the thirty (30) day period to pay the past due balance in the final notice has expired;

10. The Association is not required to allow an owner to enter into a payment plan more than once in any twelve (12) month period;

11. The Association is not required to allow a payment plan for any amount that extends more than 18 months from the date of the owner's request for a payment plan.

III. General Provisions

1. Independent Judgment
   Notwithstanding the contents of this detailed policy, the officers, directors, and manager of the Association may exercise their independent, collective, and respective judgment in applying this policy.

2. Other Rights
   This policy is in addition to and is not intended to detract from or limit the rights of the Association to bill assessments under the Association's Declaration and the laws of the State of Texas.

3. Application of Payments
   A payment received by the Association shall be applied in accordance with Section 209.0063 of the Texas Property Code. The acceptance of a partial payment on an owner's account does not constitute a waiver of the Association's right to collect the full outstanding balance due on an owner's account.

4. Replacement and Amendment of Policy
   This policy replaces any previously recorded or implemented policy that addresses the subjects contained herein. The Board of Directors may amend this policy from time to time.

Schedule of Billing Procedures

Collection Action *	Late Charge	Administrative Fee	Other Fees
1st Notice: Courtesy Notice 30 Days Letter generated and mailed to owner with deadline to pay.	Per governing documents	$20	N/A
2nd Notice: Notice of intent to hand deliver 60 Days Letter generated and mailed to owner with deadline to pay.	Per governing documents	$20	N/A
3rd Notice: Notice to hand deliver 90 days Letter generated and mailed to owner with deadline to pay. Letter also sent via courier to hand deliver to resident. If resident is outside established delivery areas, FedEx utilized to hand deliver bill to resident.	Per governing documents	$20	$90 Hand Delivery charged to owner's account
4th Notice: Notice of Escalated Property Processing 120 days Letter generated and mailed to owner with deadline to pay. PACER search done looking for all listed owners of the property. All pending bankruptcies or active litigation involving owner researched for financial situation of owner and to determine if the property is at risk for foreclosure by another entity superior to HOA.	Per governing documents	$20	$120 Escalated Property Processing fee charged to owner's account.
Board Approval needed to send to attorney 209 Notice: 209 compliant notice generated. Balance forwards, if necessary, attached to billing statement. Statute of limitations removal completed prior to sending notice if applicable.	Per Property Code 209	$20	$30 Statutory Notice fee charged to owner's account

Sent to attorney Title search completed to confirm ownership and mailing address for property. 209 notice checked for accuracy. Tracking information and signature for 209 notice pulled and provided to attorney. Search for any existing liens against the property. Transaction history pulled and provided to attorney. Legal work order generated to provide attorney any pertinent information on the owners file. Correspondence reviewed for any contact with owner regarding payments, pending sales and refinances, or pending payment plan requests. Account coded to attorney so that attorney can access real time information on the CINC portal.	Per governing documents	$20	$90 fee to process file to third party debt collector. Owner is responsible for all attorneys' fees/court costs paid by and/or charged to the Association.

Filed and Recorded
Official Public Records
Bobbie Koepp, County Clerk
Comal County, Texas
05/01/2017 02:41:02 PM
TERRI 8 Pages(s)
201706022976

County Court of Comal County Texas

Bobbie Koepp