

STATE OF TEXAS §

COUNTY OF COMAL §

Amendment to Policy for Deed Restriction Violations
Lantana Ridge Property Owners Association, Inc.

WHEREAS the Lantana Ridge Unit 1 Property Owners Association, Inc (aka The Lantana Ridge Property Owners Association) (the "Association") is the property owners association for all units in Lantana Ridge, including all of those lots covered by the Declarations listed in Document No. 200606013903 in the Official Records of Comal County, Texas;

WHEREAS the Association filed of record a Policy for Deed Restriction Violations as Exhibit "A" to that certain instrument dated May 1, 2005, filed as Document No. 200506022742 in the Official Records of Comal County, Texas (the "Prior Violation Rules");

WHEREAS the Association desires to amend the Prior Violation Rules as provided herein; and

WHEREAS, at a properly noticed and held meeting of the Association's Board of Directors, the amendment contained herein received the requisite votes to be adopted;

THEREFORE the Prior Violation Rules have been, and by these present are, amended as follows:

By DELETING all of the language contained in the Prior Violation Rules and REPLACING same with the language contained in Exhibit "A," attached hereto and made a part hereof.

AGREED TO and ADOPTED this 11th day of June, 2007.

LANTANA RIDGE PROPERTY OWNERS ASSOCIATION, INC.



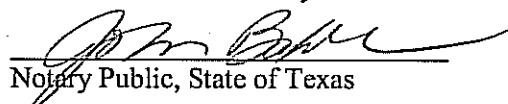
By: Ed Bierschenk
Title: President

Acknowledgement

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This instrument was acknowledged before me on the 11th day of June, 2007,
by EDWARD BIRSCHENK in the capacity stated above.


Notary Public, State of Texas

After recording, please return to:
Niemann & Niemann, L.L.P.
Attorneys At Law
Westgate Building, Suite 313
1122 Colorado Street
Austin, Texas 78701

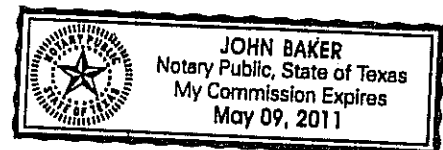


EXHIBIT "A"

Policy for Deed Restriction Violations

The Board of Directors may levy a reasonable fine for any violation of the Association Bylaws, Declaration of Covenants, Conditions, and Restrictions, and Rules and Regulations committed by such Member or any occupant of the property owned by the Member. The Board reserves the right to alter its policy on a case-by-case basis, so long as said policy complies with state law.

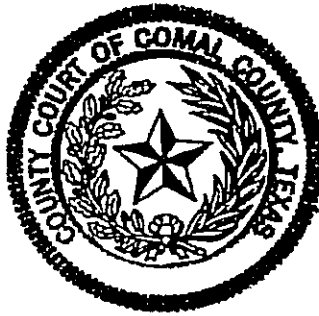
Each day the violation continues after written notice thereof shall be deemed a separate and distinct violation and, hence, subject to a separate daily fine of \$50.00, up to a maximum of thirty (30) daily fines per violation; and the Board may require the Member to post a bond or other form of security to ensure future compliance.

The Member shall be liable for all attorney's fees and costs incurred by the Association incident to the levy and collection of fines, including appellate proceedings. Any such fine shall constitute a personal obligation of the Member, as well as a lien upon the property, and all such amounts described herein may be collected in the same manner as other amounts for which the Association has a lien, as further described in Article VII of the Declaration of Covenants, Conditions and Restrictions.

The Association shall apply all payments to the outstanding balance in the following order: attorney's fees and costs, fees and interest, fines, special assessments, and regular assessments, with payment being applied to the oldest balance first. No partial payment will waive the Association's right to pursue full payment and/or enforce its Bylaws, Declaration, and Rules and Regulations.

Violation Procedure

- **Courtesy Notice.** For a first time violation or a violation that is not the same or substantially similar to a violation within the preceding 12 months, the Association shall send the Member a Courtesy Notice via regular U.S. mail noting the violation and requesting that it be corrected within 10 days of the date shown on the Courtesy Notice.
- **Enforcement Notice.** If the violation is not corrected within the 10-day period provided in the Courtesy Notice, the Association shall send the Member an Enforcement Notice via certified U.S. mail, return receipt requested, requiring that the violation be corrected within 30 days of the date shown on the Enforcement Notice. The Enforcement Notice will note that a fine of \$50.00 per day will automatically be levied against the Member and his lot for each day that the violation continues after the stated correction period. The Enforcement Notice will also contain all notices prescribed under Section 209 of the Texas Property Code or similar state statutes. At the time of adoption of this Violation Procedure, those statutory notices include: (i) the right of the Member to request a hearing before the Association's Board to discuss and verify facts concerning the violation within 30-day of receipt of the Enforcement Notice; and (ii) the right of the Association to levy against the Member and his lot collection expenses and attorneys' fees incurred after the date of the hearing or the date by which it must be requested, whichever is later. If a hearing is held and the Board overturns the violation, then all accrued fine (if any) shall be forgiven. If a hearing is held and the violation is upheld, all accrued fines shall be immediately due and payable. If the violation is not cured within 10 days after the hearing, the matter will be referred to the Association's attorney.
- **Repeat Violations.** If a Member receives a notice of violation (e.g., a Courtesy Notice or an Enforcement Notice) and thereafter commits the same or a substantially similar violation within the following 12 month period, the Member shall be sent an Enforcement Notice as prescribed above, except that the correction period shall be seven days from the date shown on the Enforcement Notice. (NOTE: The Board interprets Section 10.04 of the Declaration as requiring a 30-day correction period only for first time violations, the rationale being that Members should be provided a longer grace period to correct actions that they may not have been aware were violations.)
- **Notice to Association.** Members are obligated to provide notice to the Association that a violation has been corrected so as to stop fines from accruing.



This page has been added to comply with the statutory requirement that the clerk shall stamp the recording information at the bottom of the last page.

This page becomes part of the document identified by the file clerk number affixed on preceding pages.

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Lantana Ridge POA
PO Box 92649
Austin, TX. 78709

Doc# 200706025347
Pages 3
06/18/2007 8:55AM
Official Records of
COMAL COUNTY
JOY STREATER
COUNTY CLERK
Fees \$20.00



Joy Streater