

AFTER RECORDING, PLEASE RETURN TO:

Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201

**SECOND SUPPLEMENTAL CERTIFICATE
AND MEMORANDUM OF RECORDING OF
ASSOCIATION DOCUMENTS FOR
AUBURN SPRINGS HOMEOWNERS' ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

The undersigned, as attorney for the Auburn Springs Homeowners' Association, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instruments affecting the owners of property described on Exhibit B attached hereto, hereby states that the dedicatory instruments attached hereto are true and correct copies of the following:

- ***Auburn Springs Homeowners' Association, Inc. - Payment Plan Policy*** (Exhibit "A-1");
- ***Auburn Springs Homeowners' Association, Inc. - Records Retention and Production Policy*** (Exhibit "A-2");
- ***Auburn Springs Homeowners' Association, Inc. - Guidelines for Solar Energy Panels and Certain Roofing Materials*** (Exhibit "A-3");
- ***Auburn Springs Homeowners' Association, Inc. - Guidelines for Rain Barrels/Collection Devices*** (Exhibit "A-4"); and

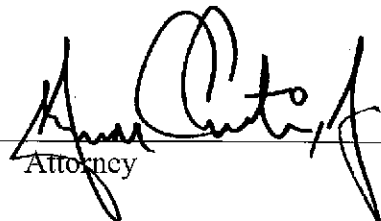
- ***Auburn Springs Homeowners' Association, Inc. - Guidelines for the Installation of Flags and Flag Poles*** (Exhibit "A-5").

All persons or entities holding an interest in and to any portion of property described on Exhibit B attached hereto are subject to the foregoing dedicatory instruments until amended by the Board of Directors.

IN WITNESS WHEREOF, Auburn Springs Homeowners' Association, Inc. has caused this Second Supplemental Certificate and Memorandum of Recording of Association Documents to be filed with the Collin County Clerk's Office and serves to supplement that certain Certificate and Memorandum of Recording of Association Documents for Auburn Springs Homeowners' Association, Inc. filed on September 6, 2005, and recorded in Volume 5996, Page 0719 of the Official Public Records of Collin County, Texas, and that certain First Supplemental Certificate and Memorandum of Recording of Association Documents for Auburn Springs Homeowners' Association, Inc. filed on June 11, 2010, and recorded as Instrument No. 2010-0611-000596240 in the Official Public Records of the Collin County Clerk.

**AUBURN SPRINGS
HOMEOWNERS' ASSOCIATION, INC.**

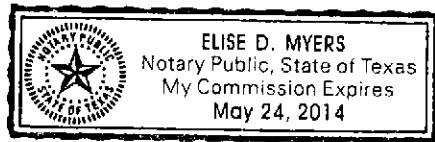
By:
Its:


Attorney

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Judd A. Austin, Jr., attorney for the Auburn Springs Homeowners' Association, Inc., known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 1st day of December, 2011.



Elise D. Myers

Notary Public, State of Texas

Auburn Springs Homeowners Association, Inc. Payment Plan Policy

Purpose: The purpose of this policy is to provide a uniform and consistent way to manage homeowner's requests for payment plans to address their delinquent assessments and fees due to the Association.

It is the intention of the Board of Directors to work with homeowners to satisfy their obligation to the Association.

Therefore, in an effort to assist those homeowners in the payment of their obligations to the Association, the Board of Directors has established the following policy.

Payment Plans:

- 1) The Association will allow payment plans for repayment of delinquent amounts with a minimum of three (3) months' duration.
- 2) Terms for repayment of delinquent amounts shall not exceed twelve (12) months.
- 3) Assessments that become due and are added to the homeowner's account during the term of the payment plan must be paid in a timely manner in addition to repayment of delinquent amounts or must be addressed in the payment plan.
- 4) The Association will charge a fee to negotiate, establish and initiate a payment plan for the owners' delinquent balance and charge a monthly fee to administer the plan for the duration of the payment plan.
- 5) The plan must include the total debt owed to the Association, including late fees, interest, fines and other collection costs.
- 6) There shall be no waiver of any charges on the homeowner's account unless the owner submits a request for consideration of a full or partial waiver.
- 7) Interest on the unpaid balance on the homeowner's account will be suspended during the payment plan, as long as the homeowner remains current on the plan. If the homeowner defaults, late interest charges will again be charged.
- 8) The plan must contain a schedule setting forth the date that each payment will be made and the exact amount of each payment to be made.
- 9) Payment plans approved after the account has been turned over to the Association's attorney for collection must be paid in certified funds.
- 10) Payment plans approved after notice has been given to a homeowner that the property is in foreclosure must include a minimum amount established by the Board of Directors in the individual payment plan request and the initial payment must be received on or before the deadline established by the Association's attorney.

Settlements:

The Board of Directors will consider offers to settle an account once the homeowner is at the foreclosure stage. Settlements must be paid in certified funds and are subject to the deadlines established by the Association's attorney. Settlements must include all "hard charges" that the Association is required to pay in its collection efforts for the delinquent account.



Default:

The Board of Directors shall herein establish criteria for determining what constitutes "default" on payment plans.

"Default" may include one or all of the following:

- 1) Failure of an owner to make a payment by the proposed date in accordance with the approved payment plan.
- 2) Failure of an owner to make the full amount of a payment as stated in the approved payment plan.
- 3) Failure of an owner to make a timely payment of any additional assessments that come due during the term of the payment plan, unless they are included in the plan schedule.

Should the homeowner default on a payment plan:

- 1) The Board of Directors, at their sole discretion, reserves the right to add suspended interest from the date the plan was approved.
- 2) The Board of Directors, at their sole discretion, can declare the outstanding balance due and payable immediately in certified funds.
- 3) The Board of Directors reserves the right to proceed with appropriate collection measures in accordance with the Association's Collection Policy in order to secure payment of amounts due to the Association.

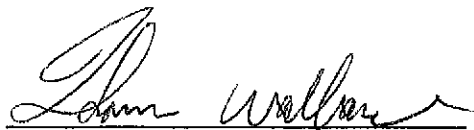
Priority of Payments:

Except as otherwise provided for and authorized by law, the Association will apply partial payments from owners in accordance with state statute, in other words, in the following order:

- 1) Delinquent assessments
- 2) Current assessments
- 3) Attorney fees and collection costs associated solely with delinquent assessments, and any other charge that could provide the basis for foreclosure
- 4) Other attorney fees not associated with the collection of assessments
- 5) Fines
- 6) Other amounts owed the Association which are unsecured

However, should an owner default on a payment plan, the Association will then apply partial payments from that owner from the date of default in the order determined by the Application of Payments policy previously filed of record by the Association.

Approved at Board Meeting on November 29, 2011.



President



Secretary

Auburn Springs Homeowners Association, Inc.
Records Retention and Production Policy
Effective January 1, 2012

The Association, in accordance with State law, will retain and produce records as detailed below.

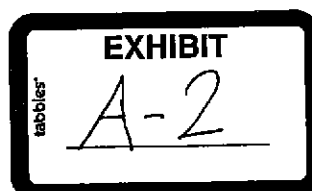
Retention of Records

The Association will maintain records in the following categories for the duration stated for each category:

<u>Category</u>	<u>Retention Period</u>
Account Records of Current Owners	Five (5) Years
Contracts for Terms of at Least One (1) Year	Four (4) Years after Expiration of Contract
Minutes of Owner Meetings / Board Meetings	Seven (7) Years
Tax Returns and Audits	Seven (7) Years
Financial Books and Records	Seven (7) Years
Governing Documents	Permanently

Production of Records

- Owners may have access to Association records, upon submission of a written request to the Association or its representative by certified mail to the mailing address of the Association or authorized representative as listed in the current management certificate.
- The written request must identify the records requested and indicate whether the owner wants to inspect the records or have the Association forward copies.
- The Association will respond to the written request within ten (10) business days from receipt of the request to, as appropriate:
 - (i) provide written notice of dates on which records may be inspected, or
 - (ii) provide the requested copies, or
 - (iii) provide the owner written notice that it is unable to produce the records within the ten (10) day period and provide a date, within fifteen (15) business days from the date of the Association's response, by which the records will be sent or made available to the owner for inspection



- Owners are responsible for the costs of producing and copying Association records in accordance with the cost schedule below. The Association will estimate the costs for producing records.
- Payment must be made in advance.

Cost Schedule

Standard Paper Copy (either 8.5" x 11" or 8.5" x 14") – ten cents (\$.10)

Oversized Paper Copy (up to 11" x 17") – fifty cents (\$.50)

Rewritable CD or Non-rewritable CD – one dollar each (\$1.00)

Programmer – twenty-eight dollars and fifty cents (\$28.50) per hour

Labor- fifteen dollars (\$15.00) per hour

Overhead – 20% of the labor and/or programmer charge


Labor charge will be applied whenever it is necessary to locate, compile, manipulate data and reproduce the requested information if the request exceeds fifty (50) pages. The Labor charge will apply regardless of the number of pages if the documents requested are in a remote storage facility.

A programmer charge will be applied if a particular request requires the service of a programmer to execute an existing program so that the requested information may be accessed and copied.

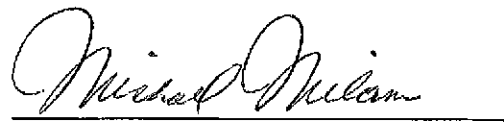
Records Which Will Not Be Produced. The Association will keep certain records confidential and decline to make them available. These specifically include:

- (i) violation histories of owners
- (ii) owners' personal financial information
- (iii) owners' contact information other than address
- (iv) association personnel files

Approved at Board Meeting on November 29, 2011.



President



Secretary

Auburn Springs Homeowners Association, Inc.
Guidelines for Solar Energy Panels and Certain Roofing Materials
Effective June 17, 2011

For purposes of the Association, the term "Solar Energy Panel" means a panel device or system designed primarily to collect solar energy, and collect and subsequently use solar energy as thermal, mechanical, or electrical energy. Solar energy panels may not be installed without prior written approval of the Architectural Control Committee (ACC).

The installation of Solar Energy Panels will not be allowed if:

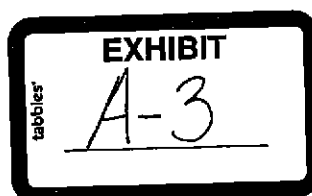
- (i) They are in violation of any law
- (ii) They are on property owned or maintained by the Association
- (iii) They are in common areas
- (iv) They are located anywhere but on the owner's roof or in his/her fenced-yard or patio
- (v) the device extends beyond the roofline or does not conform to certain allowed design guidelines
- (vi) They are taller than the fence line if they are mounted in the yard
- (vii) They are installed in a manner that voids material warranties
- (viii) They are installed without prior approval by the Association or its designated Architectural Control Committee and/or
- (ix) the device would "substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities." However, this finding will be reconsidered by the Association or its designated Architectural Control Committee if the owner obtains written approval of the installation from all neighboring owners.

The intent of this restriction is to allow the installation of Solar Energy Panels while maintaining, to the greatest extent possible, the aesthetics of the community and the harmony established by the plan of development for the Association.

Certain Roofing Materials: Shingles that are designed primarily to (i) resist wind and hail, (ii) provide heating/cooling efficiency greater than ordinary composite shingles, or (iii) generate solar energy may be installed with prior written approval of the ACC so long as the shingles aesthetically resemble approved shingles within the Association, are more durable or of better quality than "normal" shingles allowed within the subdivision, and aesthetically match the owner's and surrounding properties.

Additional Restrictions Which are Allowed by Statute and Which are Adopted by the Association:

- In all circumstances where roof installation is contemplated, Solar Energy Panels shall conform to the slope of the roof and the top edge of the Solar Energy Panel shall be parallel to the roof ridge.
- Solar Energy Panel frames, support brackets, or any visible piping or wiring must be of a silver, bronze or black tone, whichever blends most effectively with the roof.
- Color or finish of the panel must blend to the greatest extent possible with existing roof color.

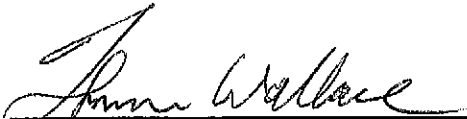


- Panels, mounting devices, etc. must be repaired or replaced within 120 days of date of damage.
- Ground mounted system(s) shall be as small as possible, located in rear or side yards and screened from neighboring properties by fencing or landscaping.
- No Solar Energy Panels may be placed on the front elevation of the home.

Submission Requirements:

- A copy of the existing site plan for lot showing the house and any accessory structures, significant vegetation and hardscape, property lines and the proposed location of the Solar Energy Panels.
- A drawing or photographs showing the proposed location of the Solar Energy Panels and description of any visible auxiliary equipment.
- Catalog photographs or manufacturer's "cut sheets" of all components including dimensions, colors, materials, etc.
- Plans of proposed landscaping or screening for ground mounted Solar Energy Panels.

Approved at Board Meeting on November 29, 2011.



President



Secretary

Auburn Springs Homeowners Association, Inc.
Guidelines for Rain Barrels/Collection Devices
Effective September 1, 2011

The association, in accordance with State law, will permit owners to install rain barrels/collection devices if they meet architectural requirements as outlined by the association. However, the following also applies:

The association prohibits owners from installing rain barrels/collection devices on any common area or property owned by the association.

General Considerations

Owner must submit request and receive approval from the Architectural Control Committee (ACC) prior to installing a rain barrel/collection device.

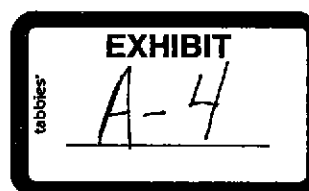
Rain barrels/collection devices should be generally designed to be unobtrusive in location and appearance and must not cause drainage problems to the property or its neighbors.

The location should take advantage of screening provided by existing or proposed structures and/or vegetation.

The installation of rain barrels/collection devices in attached housing shall be in accordance with the approved project standards established by the association for location, color, screening, etc.

Specific Guidelines

1. The preferred location is in the rear or side yard; rain barrels/collection devices may be permitted in front yards with proper screening and approval.
2. The rain barrel/collection device must be installed at the base of an existing downspout. Only one rain barrel/collection device may be installed per downspout.
3. The overflow from the rain barrel/collection device shall discharge to the same location as the current downspout.
4. The size of a rain barrel/collection device bin is generally limited to 36" in height and 24" in diameter.
5. The container must be designed for the purpose of collecting rainwater; a converted trash can is not an acceptable alternative.
6. The bin must be sturdily constructed of durable plastic in black, brown, green, simulated wood with a screened cover and a splash block provided for the overflow.
7. Other colors which are consistent with the trim, siding or overall color scheme of the home will be reviewed on a case by case basis.
8. The rain barrel/collection device should be set into a landscaped area, so that its appearance will be softened by plant material. Additional landscaping or screening may be required to diminish the visual impact on other properties or from the street.
9. The rain barrel/collection device should be an enclosed device to avoid becoming a breeding ground for mosquitoes and maintained so that it does not create a visual nuisance.



Submission Requirements

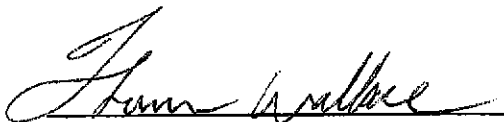
Homeowners are required to submit for consideration:

A copy of the existing site plan for their lot showing the location of the house, any accessory structures, significant vegetation and hardscape, property lines, and the proposed location of the rain barrel/collection device.

A catalog photograph or manufacturer's "cut sheet" of the rain barrel/collection device, including dimensions, material, and color.

A planting plan indicating the type and location of vegetation or other screening, existing or proposed.

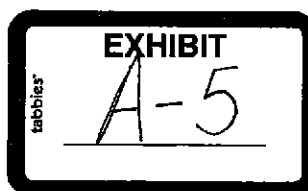
Approved at Board Meeting on November 29, 2011.


President


Secretary

Auburn Springs Homeowners Association, Inc.
Guidelines for the Installation and Display
of Flags and Flagpoles
Effective June 17, 2011

1. The only flags which may be displayed are: (i) the flag of the United States of America; (ii) the flag of the State of Texas; (iii) an official or replica flag of any branch of the United States armed forces; and (iv) a college or professional sports team flag. No other types of flags, banners, kites or similar types of displays are permitted on a Lot if the display is visible from a street or Common Area.
2. The flag of the United States must be displayed in accordance with 4 U.S.C Sections 5-10.
3. The flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code.
4. Any freestanding flagpole, or flagpole attached to a dwelling, shall be constructed of permanent, long-lasting materials. The materials used for the flagpole shall be harmonious with the dwelling and have a finish appropriate to the materials used in the construction of the flagpole. The diameter of a freestanding flagpole may not exceed five inches (5").
5. The display of a flag, and the location and construction of the supporting flagpole, shall comply with applicable zoning ordinances, easements, and setbacks of record.
6. A displayed flag, and the flagpole on which it is flown, shall be maintained in good condition at all times. Any flag that is deteriorated must be replaced or removed. Any flagpole that is structurally unsafe or deteriorated shall be repaired, replaced, or removed.
7. Only one flagpole will be allowed per Lot. A flagpole can either be securely attached to the face of the dwelling (no other structure) or be a freestanding flagpole. A flagpole attached to the dwelling may not exceed five feet (5') in length. A freestanding flagpole must be between twelve feet (12') and twenty feet (20') in height. Any freestanding flagpole must be located in either the front yard or backyard of a Lot, and there must be a distance of at least five feet (5') between the flagpole and the property line.
8. Any flag flown or displayed on a freestanding flagpole must be of an appropriate size. The flag length is not to exceed one-third (1/3) the height of the flagpole. The flag width must be proportionate for the particular flag.
9. Any flag flown or displayed on a flagpole attached to the dwelling may be no larger than three feet (3') by five feet (5').
10. Any freestanding flagpole must be equipped to minimize halyard noise. The preferred method is through the use of an internal halyard system. Alternatively, swivel snap hooks must be covered or "Quiet Halyard" Flag snaps installed. Neighbor complaints of



noisy halyards are a basis to have a flag removed until the Owner resolves the noise complaint.

11. The illumination of a flag is allowed so long as it does not create a disturbance to other residents in the community. Solar powered, pole mounted light fixtures are preferred as opposed to ground mounted light fixtures. Compliance with all municipal requirements for electrical ground mounted installations must be certified by the Owner. Flag illumination may not shine into another dwelling. Neighbor complaints regarding flag illumination are a basis to prohibit further illumination until the Owner resolves complaint.
12. Flagpoles shall not be installed in Common Area or property maintained by the Association except by the Association, as approved by the Board of Directors.
13. All flagpole installations must receive prior written approval from Architectural Review Committee or the Modifications Committee.


These Design Guidelines are promulgated pursuant to and in accordance with Section 202.0011 of the Texas Property Code.

Submission Requirements:


Owners are required to submit for consideration:

- A copy of the existing site plan for their lot showing the house and any accessory structures, significant vegetation and hardscape, property lines and the proposed location of the flag pole.
- Catalog photographs or manufacturer's "cut sheets" of all components including:
 - Flag pole size
 - Flag pole color
 - Any embellishments (such as ball or ornament on top)
 - Halyard and snaps
 - Illumination, if any
- Information about the flag that will be flown – which flag, size, material.
- For free-standing flag poles, information about installation method.
- For free-standing flag poles, planting plan indicating the type and location of vegetation for screening the base, if any, existing or proposed.

Approved at Board Meeting on November 29, 2011.



President



Secretary

EXHIBIT B

Those tracts and parcels of real property located in the City of Allen, Collin County, Texas and more particularly described as follows:

- (a) All lots and tracts of land situated in **AUBURN SPRINGS, PHASE ONE, an Addition to the City of Allen, Collin County, Texas, according to the Plat recorded as Instrument No. 2001-0165098 of the Map Records of Collin County, Texas; and**
- (b) All lots and tracts of land situated in **AUBURN SPRINGS, PHASE TWO, an Addition to the City of Allen, Collin County, Texas, according to the Plat recorded in Volume O, Page 127 of the Plat Records of Collin County, Texas; and**
- (c) All lots and tracts of land situated in **AUBURN SPRINGS, PHASE THREE, an Addition to the City of Allen, Collin County, Texas, according to the Plat recorded in Volume O, Page 131 of the Map Records of Collin County, Texas.**



Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
12/01/2011 09:52:49 AM
\$68.00 DLAIRD
20111201001295670