

AFTER RECORDING, PLEASE RETURN TO:

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

**THIRD SUPPLEMENTAL CERTIFICATE
AND MEMORANDUM OF RECORDING OF
DEDICATORY INSTRUMENTS 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 instrument affecting the owners of property described on Exhibit B attached hereto, hereby states that the dedicatory instrument attached hereto is a true and correct copy of the following:

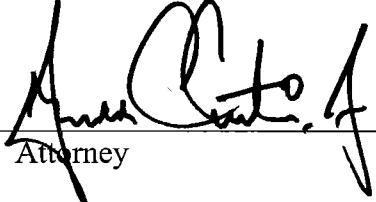
- ***Amended and Restated Auburn Springs Homeowners' Association, Inc. - Collection and Payment Application Policy***
(Exhibit "A").

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 instrument until amended by the Board of Directors.

IN WITNESS WHEREOF, Auburn Springs Homeowners' Association, Inc. has caused this Third 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, 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, Texas, and that certain Second 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, Texas.

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

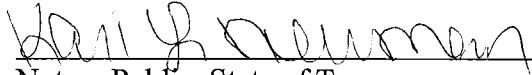
By: 
Its: Attorney

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 10th day of August, 2012.

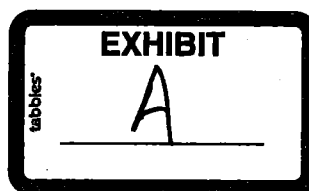



Notary Public, State of Texas

**Amended and Restated
Auburn Springs Homeowners Association, Inc.
Collection Policy and Payment Application Policy**

The following is the established Collection Policy followed at Auburn Springs:

1. Assessment billing dates January 1st, April 1st, July 1st, and October 1st of each year.
2. Thirty (30) days after the due date of any unpaid assessment (that is, January 31st, May 1st, July 31st and October 31st), a late fee of \$25.00 shall be charged to the delinquent homeowner's account. A \$25.00 late fee shall be charged each month thereafter when the portion of the account balance that is delinquent is equal to or greater than the amount of one quarter's assessment.
3. Thirty (30) days after the due date of any unpaid assessment (that is, January 31st, May 1st, July 31st and October 31st), unpaid amounts owed to the Association on a delinquent account shall bear interest from the date due until paid at the rate of eighteen percent (18%) per annum, but not in excess of the maximum rate allowed by applicable law.
4. The professional Management Company for the Association shall mail a demand letter sixty (60) days after the due date.
5. The Attorney shall mail a demand letter ninety (90) days after due date.
6. Suspension of Privileges: The homeowner amenity privileges may be suspended, after receiving notice and an opportunity for a hearing under Section 209.006 of the Texas Property Code, upon failing to pay assessments due for at least two (2) quarters.
7. Lien Process: The homeowner must be two (2) quarters delinquent before the Board will proceed with a lien.
8. Foreclosure Process: The Board of Directors shall review each account on a case-by-case basis prior to initiating foreclosure proceedings.



Subject to the Payment Plan Policy recorded as an exhibit to that certain dedicatory instrument filing recorded as Instrument No. 2011-1201-001295670 in the Official Public Records of Collin County, Texas, the following is the established Payment Application Policy followed at Auburn Springs upon the default or breach of a payment plan:

When authorized and provided for by applicable law, any payment received by the Auburn Springs Homeowners Association, Inc. from an Owner whose account reflects an unpaid balance shall be applied to the outstanding balance in the following order:

- First—Violation fines and Special assessments
- Second—Cost of collection, including attorney's fees
- Third—Late fees
- Fourth—Accrued, but unpaid interest
- Fifth—Other costs of collection
- Sixth—Quarterly HOA assessments

* This policy shall supercede any written or verbal instruction or direction received from an Owner as to the application of payments made to the Auburn Springs Homeowners Association, Inc.

** Special assessments are those that are required to pay for urgent situations such as pool or irrigation repairs, or major improvements to the common property. For example, if the community swimming pool develops a large crack requiring \$50,000 to repair, The Board can vote to enact special assessments. Homeowners would be required to pay an additional fee to cover this cost.

Adopted by the Board of Directors of the Auburn Springs Homeowners Association, Inc. at its meeting held on August 7, 2012.

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
08/10/2012 02:33:34 PM
\$32.00 CJAMAL
20120810000990240

Stacey Kemp