

# RIVER OAKS PROPERTY OWNERS INC.

## CORPORATE POLICIES

- 1. EXAMINATION OR RELEASE OF THE CORPORATION'S FINANCIAL STATEMENTS AND OTHER INFORMATION**
- 2. DELINQUENT MAINTENANCE FEE POLICY**
- 3. CARE AND CUSTODY OF PARKS, ESPLANADES AND GREEN SPACES IN THE RIVER OAKS NEIGHBORHOOD**
- 4. POLICY RELATED TO DOOR TO DOOR SOLICITATIONS**

**RIVER OAKS PROPERTY OWNERS INC.  
POLICY RELATING TO  
EXAMINATION OR RELEASE OF THE CORPORATION'S  
FINANCIAL STATEMENTS AND OTHER INFORMATION**

As required by applicable law, River Oaks Property Owners Inc. ("ROPO") maintains certain books and records and must allow certain of such books and records to be examined and to release other information under various circumstances to entitled persons. Subject to applicable law, this Policy shall elaborate the procedures ROPO shall use in release of such records. This Policy conforms with Section 207 and Section 209 of the Texas Property Code and Article 1396-2.23 of Vernon's Texas Civil Statutes (Texas Non-Profit Corporation Act), as of the date hereof, and ROPO's bylaws.

**SECTION 1:**

**Financial Books and Records:**

Any "Member" of the Corporation (as such term is defined in ROPO's bylaws) shall have the right to examine and copy ROPO's financial books and accounting records and the minutes of the meetings of ROPO's Board of Directors. This right shall be exercised only by written request from the Member (which, for the purposes of Section 1 of this Policy, includes his or her agent, accountant or attorney) and such notice must: (i) state a valid purpose for the request, (ii) the financial books and accounting records or meeting minutes the Member desires to examine, and (ii) propose a date and time convenient to the member that is more than fifteen (15) business days from the date on which the Member's written request is received by ROPO. ROPO shall have the right to refuse an incomplete request. ROPO shall reply in writing within seven (7) days and shall provide the date and time convenient for ROPO's staff for the Member to come to ROPO's office to conduct the examination; and such reply shall include the fee schedule. The Member shall reply whether such date or time are suitable or propose another date and time. If the Member fails to confirm the date by reply, such failure shall be deemed to be the Member's withdrawal of the request. A written request from a Member's agent, accountant or attorney must include the Member's approval of the request by the agent, accountant or attorney. A Member shall not have the right to examine the financial books and records and minutes of meetings more than six times per calendar year.

The Member shall only have the right to examine the financial books and accounting records for the years in which audited financial statements have been approved by ROPO's independent auditors and the Board of Directors and for the period not exceeding five (5) years prior to the year in which the Member's request is made. A Member shall have the right to examine the then current operating budget and the then current balance sheet; provided, no other then current year information will be provided if

it is unaudited. The Member shall have the right to examine the accounting records and ledgers that relate to each audited financial statement (within the above period); however, a Member shall not have to right to examine any work papers or notes or the work conducted by ROPO's independent auditors. No original financial books and accounting records or any other records or information shall be allowed to be taken from the ROPO office. Upon payment of the applicable fees, the Member shall be permitted to make a copy of all or requested parts of the financial books and accounting records and meeting minutes the Member is permitted to examine in accordance with this Policy.

Payment of the applicable fees for this service shall be made at the time of the examination of the records.

Fees and payment terms for this service are set forth in Section 3 below.

#### Other Books and Records:

ROPO shall not disclose or release or allow a Member to examine any other ROPO information, including without limitation, ROPO correspondence with other Members, ROPO's payroll or benefits, police and security files or records on matters not affecting a Member, and architectural, engineering, landscape or other types of plans or specifications submitted by any other Member or proposed Member.

#### **SECTION 2:**

##### Resale certificate:

ROPO shall issue a Resale Certificate when requested in writing by a Member, a Member's agent, or title insurance company (or its agent). The request must include the address and property description of the residence or lot for which the Resale Certificate is requested and for which an earnest money contract or other agreement of purchase and sale has been executed by the member or proposed member. Payment for the Resale Certificate must be made in advance. ROPO shall issue the Resale Certificate within ten (10) days of receipt of the payment for the Resale Certificate, unless a shorter issue date is requested and the appropriate fee is paid in advance.

ROPO shall have the right to refuse to issue a Resale Certificate if ROPO believes Resale Certificate is not for a bona fide purchase and sale of a residence or lot within River Oaks.

The Resale Certificate issued by ROPO shall include the requirements set forth in section 207.003 (b) of the Texas Property Code, and as may be amended from time to time or in successor statutes.

Fees and payment terms for this service are set forth in Section 3 below

**SECTION 3:**

**Fees and Payment Terms:**

ROPO shall be entitled to charge a member for the following services:

*Records Examination:*

1. No charge for review of records in ROPO's Office
2. Photocopies - \$1.00 per page

*Resale Certificate:*

1. Resale Certificate - Regular 10 Day Pickup - \$250.00  
*If needed in less than 10 days:*
  - 9 Days - \$300.00
  - 8 Days - \$350.00
  - 7 Days - \$400.00
  - 6 Days - \$450.00
  - 5 Days - \$500.00
  - 4 Days - \$550.00
  - 3 Days - \$600.00
  - 2 Days - \$650.00
  - 1 Day - \$700.00
2. Courier Fee (if requested) - At Cost plus \$25.00

Payment in full must be received by ROPO in advance by cash or check before ROPO will copy or deliver any of the above to the member (or as applicable, his or her agent, attorney, accountant or title insurance company (or its agent)).

The above fees are adopted and approved by the Board of Directors as of the date below; however; the Board of Directors or the General Manager may from time to time instate any fee or increase any or all of the above fees as deemed necessary.

***Approved:*** by the Board of Directors of ROPO at a meeting held on August 10, 2005.

**RIVER OAKS PROPERTY OWNERS INC.  
DELINQUENT MAINTENANCE FEE POLICY**

BACKGROUND

The Board of Directors of River Oaks Property Owners Inc. (“ROPO”) has determined that it is in the best interest of the Corporation and its members if ROPO endeavors to enforce collection of the annual Maintenance Fees established from time to time by ROPO. In that regard, where ROPO’s efforts to collect such Fees from some members or property owners is unsuccessful, ROPO shall be entitled to reduce or eliminate some or all of the services provided by ROPO.

POLICY

It shall be the Policy of ROPO that upon property owner’s or member’s failure to remit annual Maintenance Fees (Fees) to ROPO, the Board of ROPO, may in its discretion, reduce or eliminate some or all of the services which are otherwise available to River Oaks’ members or property owners in good standing.

The Board shall have the right to reduce or eliminate such services if (i) Fees owed by a member or property owner are past due by one year, and (ii) ten days have lapsed without payment of such Fees in full to ROPO, after the member or property owner received ROPO’s written notification that Fees are due and that certain services shall be reduced or eliminated if the Fees are not paid in full in ten days.

If after such notice, the Fees remain unpaid, the Board shall have the right to reduce or eliminate some or all of the services until such time as the Fees are paid in full. Such services shall include, but are not limited to, back-door trash pick-up; notification of neighborhood meetings or other matters of general interest; obtaining required ROPO approval for real estate improvements; pursuit of deed restriction complaints by delinquent member or property owner; 24 hour a day patrol and security service (including alarm monitoring and responding to alarm calls from other service providers, house checks, home escort, and newspaper pick up); and any other such services as may be added by ROPO at a future date.

Emergency calls are exempted from any restrictions that may otherwise be imposed in respect of such member or property owner.

A member or property owner with past due Fees (including less than one year), shall not have rights provided to other members under the ROPO bylaws, including but not limited to the right to vote on matters coming before the Corporation.

On a case by case basis, the Board (or the General Manager of ROPO) may agree that a service fee of \$250.00 per call can be paid by any such member or property owner in the

event that a security issue needs to be temporarily addressed. This fee will not reduce the outstanding balance owed by the member or property owner.

All members or property owners (that is, the last owner(s) of record as reflected upon ROPO's current records) with Fees that are past due by one year, may, at the Board's discretion, have their name or address posted on the ROPO website and at the ROPO office.

Upon payment of all past due Fees in full, the member or property owner will be entitled to receive the full level of service provided by ROPO to all River Oaks' residents in good standing and their name or address will be removed from any lists identifying members or property owners with a delinquent Maintenance Fee account balance.

**Approved:** by the Board of Directors at a meeting held on November 9, 2005.

RIVER OAKS PROPERTY OWNERS, INC.  
POLICY RELATING TO THE CARE AND CUSTODY OF  
PARKS, ESPLANADES AND GREEN SPACES  
IN THE RIVER OAKS NEIGHBORHOOD

The Board of Directors of River Oaks Property Owners Inc. (“ROPO”) has a formal agreement with the City of Houston (“COH”) dated June 24, 1999 to maintain and upgrade as well as the right (at its expense) to improve - the various parks, esplanades and green spaces in River Oaks, all of which are listed on Annex A to this memorandum (“green space”). In addition, under this agreement ROPO is obligated to maintain these various green spaces and their irrigation systems and, when necessary, upgrade the irrigation system(s) to COH standards. These obligations reside with ROPO and therefore ROPO shall have the right for first review of all improvements proposed by an applicant, group, organization or individual (“applicant”) for each and every green space under this agreement.

If any improvements are approved by ROPO in writing, ROPO will issue written permission to allow the applicant to pursue final approval from COH. In no event shall an applicant seek COH approval to improve or upgrade (or otherwise modify) a green space without prior approval of ROPO. In the event that ROPO should issue a written approval that varies from existing COH rules, ordinances or regulations, ROPO in conjunction with the applicant, shall seek approval from COH jointly. All green space irrigation plans that receive written approval from ROPO shall be submitted by ROPO to COH for approval (and not by the applicant).

ROPO shall also have the right to inspect and monitor the installation of all improvements and shall have the authority to require that the applicant (or its contractor or agent) comply with the plans approved by ROPO or COH. If applicant (or its contractor or agent) fails or refuses to comply, ROPO shall have the right to rescind all approval(s) and all construction will cease immediately.

**Approved:** by the Board of Directors at a meeting held on April 13, 2005.

#### Annex A

#### PARKS, ESPLANADES AND GREEN SPACES

1. Del Monte at West Lane (3900 Block of Del Monte Drive - small triangular park)
2. Del Monte Park (3800 Block of Del Monte Drive)
3. Olympia Park (3600 Block of Olympia Drive)
4. Inwood at Willowick (3600 Block of Inwood Drive)
5. Ella Lee Park (Intersection of Ella Lee Lane & Larchmont)
6. Sleepy Hollow Park (3300 Block of Chevy Chase Drive)
7. Briarwood Parks (3300 Block of Ella Lee Lane)
8. River Oaks Boulevard Esplanades (1600 to 2400 Block of River Oaks Blvd.)
9. Rebecca Meyer Park (3200 Block of Reba Park)
10. Mary Elliott Park (3000 Block of Chevy Chase Drive)
11. Homewoods Parks (2900 Block of Lazy Lane)
12. Kirby Drive Esplanades (900 to 1900 Block of Kirby Drive)
13. Kirby Drive at Pelham (1900 Block of Kirby Drive – small island)
14. Kirby Drive at Del Monte (1800 Block of Kirby Drive – small island)
15. Kirby Drive at Lazy Lane (1500 Block of Kirby Drive)
16. Kirby Park (900 Block of Kirby at South Shepherd Drive)
17. Pine Valley Courts (2400 Block of Pine Valley Drive)
18. Troon Falls Park (2100 Block of Troon Road)

**RIVER OAKS PROPERTY OWNERS, INC.  
Policy Related to Door to Door Solicitations**

Whereas on the 12<sup>th</sup> day of February, 2003, the Board of Directors of the River Oaks Property Owners Inc. met at its regular monthly meeting: and

Whereas the Board discussed enacting a policy restricting solicitors from door-to-door solicitation in all sections of River Oaks governed by the River Oaks Property Owners Inc; and

Whereas the Board reviewed the need for such a policy and approved a policy restricting door-to-door solicitations in the sections governed by the River Oaks Property Owners Inc; and

Whereas the Board has determined it is in the best interest of the residents of River Oaks that there be uniform enforcement thereof:

Now, therefore, The Board of Directors of River Oaks Property Owners, Inc does hereby adopt a policy prohibiting door-to-door sales or solicitations for commercial purposes in all sections of River Oaks: