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Denton County
Cynthia Mitchell
County Clerk

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Parties:

Direct- STONE CREEK (FLOWER MOUND) HO
Indirect-

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***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.



THE STATE OF TEXAS)
COUNTY OF DENTON)

I hereby certify that this instrument was FILED in the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

C. Mitchell

County Clerk
Denton County, Texas

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 STONE CREEK (FLOWER MOUND) HOMEOWNERS' ASSOCIATION, INC.

STATE OF TEXAS §
 §
COUNTY OF DENTON §

The undersigned, as attorney for the Stone Creek (Flower Mound) 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:

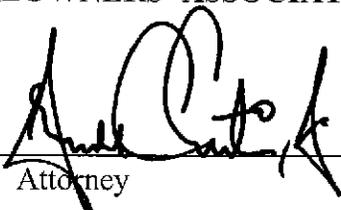
- ***Resolution of the Board of Directors of Stone Creek III Homeowners Association Establishing Policy for the Retention, Inspection and Production of Books and Records*** (Exhibit "A-1"); and
- ***Stone Creek (Flower Mound) Homeowners Association, Inc. - Architectural Standard No. 5: Standards for Exterior Windows, Window Film and Window Screens*** (Exhibit "A-2").

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.

IN WITNESS WHEREOF, Stone Creek (Flower Mound) Homeowners' Association, Inc. has caused this Third Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments

to be filed with the Denton County Clerk's office and serves to supplement that certain Certificate and Memorandum of Recording of Association Documents for Stone Creek (Flower Mound) Homeowners' Association, Inc., filed on December 28, 1999, and recorded in Volume 4494, Page 0205, *et seq.* of the Official Records of Denton County, Texas, that certain First Supplemental Certificate and Memorandum of Recording of Association Documents for Stone Creek (Flower Mound) Homeowners' Association, Inc., filed on December 27, 2005, and recorded as Instrument No. 2005-159072 in the Official Public Records of Denton County, Texas, and that certain Second Supplemental Certificate and Memorandum of Recording of Association Documents for Stone Creek (Flower Mound) Homeowners' Association, Inc., filed on January 5, 2012, and recorded as Instrument No. 2012-1168 in the Official Public Records of Denton County, Texas.

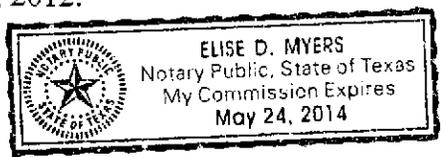
**STONE CREEK (FLOWER MOUND)
HOMEOWNERS' ASSOCIATION, INC.**

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 Stone Creek (Flower Mound) 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 26th day of November, 2012.




Notary Public, State of Texas

**RESOLUTION OF THE
BOARD OF DIRECTORS OF THE
STONE CREEK III HOMEOWNERS ASSOCIATION
ESTABLISHING POLICY FOR THE
RETENTION, INSPECTION AND PRODUCTION OF BOOKS AND RECORDS**

WHEREAS, the Stone Creek III Homeowners Association (the "*Association*") keeps correct and complete books and records of accounts and minutes of the proceedings of its members and Board of Directors (collectively, the "*Association Records*"); and,

WHEREAS the members of the Association shall have the right, during reasonable business hours, to inspect and obtain copies of the Association Records; and,

WHEREAS it is desirable to impose certain reasonable restrictions on the process of book and record inspecting and copying Association Records;

NOW THEREFORE BE IT RESOLVED that the following requirements are hereby established for the inspection and copying of Association Records:

1. An owner, or a person designated in writing by the owner as the owner's agent, attorney, or certified public accountant, may make a request to inspect or obtain copies of Association Records.
2. A request to inspect Association Records must be submitted in writing via certified mail, return receipt requested, to the Association and/or its duly authorized agent by certified mail to Stone Creek III Homeowners Association, Inc. whose address is P.O. Box 191185, Dallas, Texas 75219.
3. The request must identify with sufficient detail the Association Records requested and contain an election to either receive copies of identified Association Records or to inspect the Association Records requested at a location designated for inspection. The Association's governing documents, its membership register, its books of account, and the minutes of the meetings of the members, the Board, and committees may be inspected.
4. The *Association*, within ten (10) business days from receipt of a request under paragraph 2, will provide as appropriate:
 - (i) if an inspection is requested, notice of dates which during normal business hours the Association Records requested can be inspected and the location where they can be inspected, to the extent they are in the possession, custody or control of the Association, or as provided under Statute may be inspected, or
 - (ii) if copies are requested, produce copies of the requested Association Records to the extent they are in the possession, custody or control of the Association (only when prior payment for such records has been received), or
 - (iii) if the Association is unable to produce the Association Records requested, which are in the possession, custody or control of the Association, written notice that it is unable to produce the records within the 10-day period and set forth a date, within 15 business days of the notice provided under this paragraph 4(iii), by which the Association Records will be made available for inspection to the owner.



5. The Association will send the requesting party an estimate of the costs to respond, compile, produce, and reproduce information requested. The Association shall require advance payment, in certified funds, of the estimated costs. The requesting party shall be responsible for any costs above the estimate and the full amount due will be added to the requesting party's account as an assessment if not paid in full upon request.
6. Persons requesting to inspect Association Records shall not disrupt the ordinary business activities of the office where Association Records are kept during the inspection.
7. Certain Association Records shall remain confidential and will not be provided in response to a request for copies or inspection of Association Records, to wit: violation histories of owners, owners' personal financial information (including records of assessment payment history), owners' contact information other than address, and Association personnel files. Association Records described in this paragraph 7 shall only be made available with the owner's written approval or a court ordering the Association to release the information.
8. No original books or records may be removed from the premises without the express written consent of the Board.
9. Owners are responsible for the costs of producing and copying Association Records under the provisions of the Texas Property Code and Applicable Law, the costs are \$.10 per page, \$.50 for oversize page, \$15.00 per hour for personnel time spent in responding to a request, overhead of 20% of personnel charge, and must be paid in advance. A personnel charge and overhead charge will not be made for complying with requests that are for 50 or fewer pages of paper records, unless the records are located in a remote storage facility or in two or more separate buildings. To the extent that retrieval of documents from a remote storage facility results in a charge, the Association shall charge the costs of such services to the requesting owner. The costs of producing and copying Association Records are subject to change as authorized by applicable law.
10. The Association is under no obligation to provide any additional information other than that which is required by law.

This Policy shall supersede and replace any and all previously adopted policies adopted by the Board, if any, addressing the inspection and copying of books and records.

This Policy shall remain in effect until revoked, modified or amended by the Board of Directors.

This is to certify that the foregoing resolution was adopted by a majority of the entire Board of Directors at a meeting of same held or by electronic means on NOVEMBER 13, 2012, and has not been modified, rescinded or revoked.

Stone Creek III
Homeowners Association, Inc.

By: 
Board President

RECORD STORAGE POLICY - EXHIBIT "A"

RECORD/DOCUMENT	RETENTION/STORAGE PERIOD	
	STATUTE REQUIREMENTS	HOA POLICY
<u>Accounting/Financial</u>		
Financials (Balance Sheet/Income Statement)	(7yrs Plus Current Year)	Permanent
Disbursement/Aging Reports, Accts Payable, etc.	(7yrs Plus Current Year)	Permanent
Financial Audits	(7yrs Plus Current Year)	Permanent
Federal/State Tax Returns	(7yrs Plus Current Year)	Permanent
General Ledgers	(7yrs Plus Current Year)	Purge after 7yrs
Vendor Invoices/disbursement stub	(7yrs Plus Current Year)	Purge after 7yrs
Bank Statements	(7yrs Plus Current Year)	Purge after 7yrs
Cancelled Checks	(7yrs Plus Current Year)	Purge after 7yrs
Copies of Payments Received	(7yrs Plus Current Year)	Purge after 7yrs
IRS Notices/Federal Tax ID	N/A	Permanent
Texas Notice of Franchise Exemption	N/A	Permanent
Federal/State Tax Returns	N/A	Permanent
Signature Cards	N/A	Shred/Purge after account close
<u>Master File Records</u>		
CCR's, Bylaws, Articles Inc., Amendments, Resolutions	Permanent	Permanent
Plats/Maps (if any)	N/A	File Copy Stored
Easements	N/A	File Copy Stored
Insurance Policies	(7yrs Plus Current Year)	Permanent
Insurance Claims	(7yrs Plus Current Year)	Permanent
Lawsuits/General	N/A	Purge after 7 Years
HOA Contracts (short/long term service/projects)	(Expiration + 4yrs)	(Expiration + 4yrs)
Minute of Meetings	(Permanent)	(Permanent)
Member Meeting/Voting/Sign-In/Proxies, Etc.	N/A	Shred after 4 years
Budgets	N/A	Permanent
Warranties	N/A	Shred after Warranty
Agendas/Reports	N/A	Shred after 7 years
Committee Reports/Minutes - as provided by Comm.	N/A	Shred after 7 years
Contract Bid Specifications	N/A	Shred after 4 years
Proposals/Bids/Photos	N/A	Shred after 4 years
Utility Agreements	N/A	Shred after 4 years
Loan Documentation	N/A	Shred after 7 years
Legal Opinions	N/A	Permanent
Engineering/Structural Reports	N/A	Permanent
Newsletters/Publications	N/A	Permanent
Irrigation/Landscape Reports	N/A	Shred after 2 years
Work Orders/Service Requests	N/A	Shred after 2 years
Reserve Studies/Component Studies	N/A	Permanent
<u>RECORD/DOCUMENT</u>		
<u>Master File/Property Owner Records</u>		
General Owner Information	No Specific Retention Requirement for Master/Owner Files*	
Owner Correspondence	(Ownership Period + 5 Years after) Purge Files After	
Property Deeds	(Ownership Period + 5 Years after) Purge Files After	
Violation Correspondence	(Ownership Period + 5 Years after) Purge Files After	
ACC Modification/Submissions, etc.	Permanent	Permanent
Collection Correspondence	(Ownership Period + 5 Years after) Purge Files After	
Judgments/Release of Judgments	(Ownership Period + 5 Years after) Purge Files After	
Liens/Release of Liens	(Ownership Period + 5 Years after) Purge Files After	
Legal Collection Correspondence	(Ownership Period + 5 Years after) Purge Files After	
Dispute of Debt	(Ownership Period + 5 Years after) Purge Files After	
Lawsuits/Legal Correspondence Property Specific	Permanent	
Individual House Plans (if any)	Shred after 5 years OR Return to Owner/ACC	

*The new state statute does not specify and record retention requirements for Master File/Property Owner Records.

Therefore, under this program we will keep these records for the Ownership Period plus 5 Years and purge/shred them after this period.

Architectural Standard No. 5

**Standards for Exterior Windows,
Window Film and Window Screens**

Whereas: Article V of the Declaration of Covenants, Conditions and Restrictions for Stone Creek Addition Phase III (hereinafter referred to as "Stone Creek (Flower Mound) Homeowners' Association, Inc.," or "Association") establishes an Architectural Review Committee (hereinafter called the "Committee"), whose purpose and authority is established in Article V; and

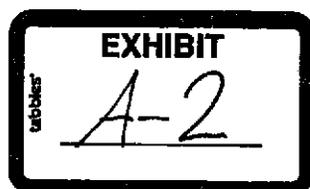
Whereas: Article V, Section 5.2 establishes that "No building, fence, wall, parking area, swimming pool, spa, pole, mailbox, driveway, fountain, pond, tennis court, sign, exterior color or shape, or new or modification of a structure shall be commenced, erected...nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing nature, kind, shape, height, materials and location of the same are submitted to and approved by the Committee..." and furthermore, Article V, Section 5.3 provides that "...The Committee may approve any deviation from these covenants and restrictions as the Committee, in its sole and absolute discretion, deems consistent with the purpose hereof, except to the extent specifically prohibited or limited by this Declaration or Town ordinance or regulation"; and

Whereas: Technical advances and improvements in home building applications have been made since the inception of the Association, to provide for improvement for such items as roofing, windows, siding, etc. as it pertains to weatherproofing, insulation, thermal performance and improved energy efficiency in homes; and

Whereas: The Committee has and exercises its authority under both Article V & VI of the Declaration of Covenants, Conditions and Restrictions to regulate improvements or modifications to a Lot or Home, including items which represent an improvement to the energy efficiency and/or overall value of the home;

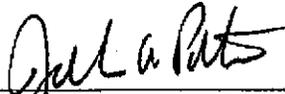
Now, Therefore Let It Be Resolved That:

The Committee deems the replacement of windows with windows that require "divided light" (grids) to be an outdated requirement that no longer best represents the community and its homeowners in increasing the aesthetic appeal and value of their property. Additionally, the Committee deems that allowance for advancements in construction methods and materials, as well as energy efficient enhancements such as "Low-E" glass coatings, application of tinted solar window film and installation of window solar screens is also in the best interest of our Members who wish to increase the value or energy efficiency of their homes. The Committee hereby adopts the following standards for replacement of windows, application of tinted window film, and installation of solar window screens, to include windows that are both visible from the street as well as any other window that may not be visible from the street. Standards for acceptable windows include:



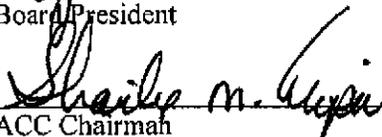
1. Windows that represent quality construction, utilizing materials that may include wood, aluminum, vinyl, fiberglass, composites, or other suitable materials consistent with quality home design and construction.
2. Windows do not have to be divided light (grid) panel windows. However, if divided light windows are used, they will have a baked on painted finish or be transparent.
3. Windows may be constructed with glass which is tinted, have a baked in color, or "Low-E" coating that provides solar efficiency for the home.
4. Acceptable window screen colors are medium brown, dark brown or black. No white, off-white or beige color solar screens are allowed.
5. Acceptable solar tint film colors are brown, bronze, black, bluish-gray or silver hues. Decorative colors including but not limited to yellows, greens, reds, purples, pinks or other hues are not acceptable.
6. Replacement of any exterior window, application of tinted solar film, or installation of solar screens requires prior written approval of the Architectural Review Committee. Submission of an Architectural Modification Request, including product literature, design details, color choice and photos, will be required for review and acceptance.
7. Windows, tinted window solar film and solar screens must be maintained in good condition. Solar film which is bubbling, blistering, delaminating, discoloring or otherwise damaged, or window screens which are worn, torn, excessively faded, sagging or otherwise damaged may require repair or replacement at the sole discretion of the Committee.

This Architectural Standard will be effective immediately upon its execution and publishing to the membership of the Stone Creek (Flower Mound) Homeowners' Association, Inc. Provided they are in good condition, all previously installed windows, window tint or solar screens installed as of the date of this resolution are considered acceptable to the Committee and approved.



Board President

11/13/12
Date



ACC Chairmah

11/13/12
Date

EXHIBIT B

Those lots, blocks, tracts and parcels of real property located in the Town of Flower Mound, Denton County, Texas more particularly described as follows:

- (i) All property subject to the Declaration of Covenants, Conditions and Restrictions for Stone Creek Addition Phase III, recorded in the Real Property Records of Denton County, Texas under Denton County Clerk's Instrument Number 028170 , including any supplements thereto; and

- (ii) **Stone Creek Addition Phase III, an Addition to the Town of Flower Mound, Denton County, Texas, according to the Plat recorded in Cabinet M, Page 100, Plat Records, Denton County, Texas.**