

CERTIFICATE OF SECRETARY
of
RIVER OAKS COUNCIL OF CO-OWNERS
adopting
RULES AND REGULATIONS
regarding
RESOLUTION OF BOARD OF DIRECTORS
regarding
RESPONSIBILITY FOR SUBFLOORS

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, Laura Hunter Pottle, Secretary of River Oaks Council of Co-Owners, a Texas non-profit corporation (the "Council"), do hereby certify at a duly called meeting of the Board of Directors of the Council ("Board") held on the 6 day of June, 2012 with at least a majority of the Board being present thereat and remaining throughout and being duly authorized to transact business, the following resolutions were duly made and approved:

WHEREAS, on or about August 17, 1978, that certain instrument entitled "River Oaks Gardens Declaration of Condominium" was duly recorded in Volume 76, Page 91, *et seq.* of the Condominium Records of Harris County, Texas thereby creating the River Oaks Gardens Condominium (hereinafter referred to as "Declaration");

WHEREAS, Article IV (3) of the Articles of Incorporation of the Council provides one of the purposes of the Council is to exercise all the powers and perform all duties of the Council as agent for all members in accordance with the Declaration;

WHEREAS, Article III, Section 3.1 of the Declaration likewise provides the affairs of River Oaks Gardens shall be administered by the Council and further that the "business and affairs of the Council shall be managed by its Board of Directors";

WHEREAS, Section 82.102(a)(7) of the Texas Uniform Condominium Act (the "TUCA") provides the board of directors of a condominium unit owner's association (unless otherwise provided in its declaration) has the power to "adopt and amend rules relating to the use, occupancy, leasing, or sale, **maintenance, repair**, modification, and appearances of the units and common elements to the extent the regulated actions affect common elements or other units" (emphasis added); and

WHEREAS, the Council has historically maintained subfloors of Units to some degree and the Board believes it to be in the best interests of the Council to make such practice and policy uniform.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts the following guidelines:

1. As of the date this Resolution is filed of record in the Official Public Records of Real Property of Harris County, Texas, the Council will be responsible for repairing significant cracks or structural defects in all subfloors in all Units, regardless of the style of the Unit.
2. Under no circumstances shall such repairs include "floating" or "leveling" of a subfloor in preparation for the installation of any floor covering, including but not limited to tile, hardwood, laminate or carpet.
3. The guidelines and responsibilities set forth in this Resolution are prospective only and do not apply to repairs made by any Owner or the Council prior to the date of this Resolution.

I certify that I am the duly elected, qualified and acting Secretary of the Council and that the foregoing resolutions were approved as set forth above and now appear in the books and records of the Council.

TO CERTIFY WHICH WITNESS MY HAND on this 6 day of June, 2012.

RIVER OAKS COUNCIL OF CO-OWNERS

By: Laura Hunter Pottle

Printed: LAURA HUNTER POTTE

Its: Secretary

THE STATE OF TEXAS

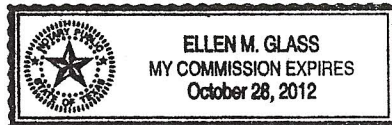
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COUNTY OF HARRIS

BEFORE ME, the undersigned, notary public, on this 6 day of June, 2012 personally appeared Laura Hunter Pottle, Secretary of River Oaks Council of Co-Owners, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.

Ellen M. Glass
Notary Public in and for the State of Texas

Return To:
Butler | Hailey
8901 Gaylord, Suite 100
Houston, Texas 77024



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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 HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas

SEP 21 2012



Stuart Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS