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**SECOND SUPPLEMENTAL
NOTICE OF DEDICATORY INSTRUMENTS
FOR
WESTCHESTER OWNERS COMMITTEE, INC.**

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The undersigned, being the authorized representative of Westchester Owners Committee, Inc., a property owner's association as defined in Section 202.001 of the Texas Property Code (the "Association"), hereby supplements the "Notice of Dedicatory Instruments for Westchester Owners Committee, Inc." ("Notice") recorded in the Official Public Records of Real Property of Harris County, Texas on May 29, 2009 under Clerk's File No. 20090231005, and the "First Supplemental Notice of Dedicatory Instruments for Westchester Owners Committee, Inc." recorded in the Official Public Records of Real Property of Harris County, Texas on April 13, 2010 under Clerk's File No. 20100145386 which documents were filed for record for the purpose of complying with Section 202.006 of the Texas Property Code.

1. Additional Dedicatory Instruments. In addition to the Dedicatory Instruments identified in the Notice and the First Supplemental Notice, the following document is a Dedicatory Instrument governing the Association:

- **Records Production Policy**
- **Payment Plan Policy**
- **Records Retention Policy**
- **Fee Collection Policy**
- **Westchester Swim and Tennis Club Pool User Rules**
- **Westchester Swim and Tennis Club Tennis User Rules**

20100145386

This Second Supplemental Notice is being recorded in the Official Public Records of Real Property of Harris County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Second Supplemental Notice is true and correct and the attached documents are true and correct copies of the originals.

Rick S. Butler


Rick S. Butler, authorized representative of
Westchester Owners Committee, Inc.

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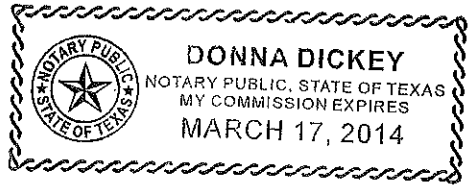
THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §


BEFORE ME, the undersigned notary public, on this day personally appeared Rick S. Butler, authorized representative of Westchester Owners Committee, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 25th day of April, 2012, to certify which witness my hand and official seal.



Notary Public in and for the State of Texas



Return to: 
Mr. Rick S. Butler
Butler | Hailey
8901 Gaylord Drive, Suite 100
Houston, Texas 77024

204904

Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS
2012 APR 25 PM 2:46
FILED

WESTCHESTER OWNER'S COMMITTEE, INC.
RECORDS PRODUCTION POLICY

This Records Production Policy was approved by the board of Trustees for Westchester Owners Committee Inc., on the 20 day of SEPTEMBER 2011.

The Association records will be available to all Owners upon their proper request and at their own expense. A proper request:

- a. is sent certified mail to the Association's address as reflected in its most recent management certificate;
- b. is from an Owner, or the Owner's agent, attorney, or certified public accountant; and
- c. contains sufficient detail to identify the records being requested.

II. Owners may request to inspect the books and records or may request copies of specific records.

- If the owner makes a request to inspect the books and records, then the Association will respond within 10 business days of the request, providing the dates and times the records will be made available and the location of the records. The Association and the owner shall arrange for a mutually agreeable time to conduct the inspection. The Association shall provide the owner with copies of specific documents upon the owner paying the Association the cost thereof.
- If an owner makes a request for copies of specific records, and the Association can provide the records easily or with no cost, then the Association will provide the records to the owner within 10 business days of the owner's request.
- If the owner makes a request for copies of specific records, the Association shall send a response letter advising on the date that the records will be made available (within 15 business days) and the cost the owner must pay before the records will be provided. Upon paying the cost to provide the records, the Association shall provide the records to the owner.

III. The Association hereby adopts the following schedule of costs:

COPIES _____

15 cents per page, for a regular 8.5" x 11" page
50 cents per page, for pages 11" x 17" or greater
Actual cost, for specialty paper (color photo,
Map, etc.) \$1.00 for each CD or audio
Cassette, \$3.00 for each DVD

LABOR
records

\$15.00 per hour for actual time to locate, compile and reproduce the

(can only charge if request is greater than 50 pages in length)

OVERHEAD

20% of the total labor charge (can only charge if request is greater
than 50 pages in length)

MATERIALS

actual costs of labels, boxes, folders, and other supplies used in
producing the records, along with postage for mailing the
records

**IV. The Association hereby adopts the following form of response to Owners who
request to inspect the Association's Books and Records:**

WESTCHESTER OWNERS COMMITTEE, INC.
RESPONSE TO REQUEST FOR ASSOCIATION RECORDS

DATE

Dear Homeowner:

On _____, the Association received your request to inspect the books
and records of the Association. The books and records of the Association are available for you to
inspect on regular business days, between the hours of 9 a.m. and 5 p.m., at the office of Best
Fit Solutions, 11152 Westheimer, Suite 705, Houston, Tx 77042.

Please contact the Association manager at 713-598-3022 to arrange for a mutually
agreeable time for you to come and inspect the books and records. Please be advised that if you
desire copies of specific records during or after the inspection, you must first pay the associated
costs before the copies will be provided to you. A schedule of costs is included with this
response.

Very Truly Yours,

Westchester Owners Committee, Inc.

- V. The Association hereby adopts the following form of response to Owners who request copies of specific records:

<p>WESTCHESTER OWNERS COMMITTEE, INC. <u>RESPONSE TO REQUEST FOR ASSOCIATION RECORDS</u> DATE</p>	
<p>Dear Homeowner:</p>	
<p>On _____, the Association received your request for copies of specific Association records. We are unable to provide you with the requested records within 10 business days of your request. However, the requested records will be available to you no later than 15 business days after the date of this response.</p>	
<p>In order to obtain the records you must first pay the Association the cost of providing the records to you. The estimated cost to obtain the records you requested is \$. Upon receiving payment, the Association will mail the requested documents to you. You may also make payment and pick up the documents in person at the office of Best Fit Solutions, 11152 Westheimer, Suite 705, Houston, Tx 77042.</p>	
<p>Very Truly Yours,</p>	<p>Westchester Owners Committee, Inc.</p>

- VI. If the estimated cost provided to the Owner is more or less than the actual cost of producing the documents, the Association shall, within 30 days after providing the records, submit to the owner either an invoice for additional amounts owed or a refund of the overages paid by the Owner.
- VII. Unless authorized in writing or by court order, the Association will not provide copies of any records that contain the personal information of an owner, including restriction violations, delinquent assessments, financial information, and contact information.

WESTCHESTER OWNERS COMMITTEE, INC.

CERTIFICATION

"I, the undersigned, being the President of Homeowners Association, Inc. , hereby certify that the foregoing Resolution was adopted by at least a majority of the Board of Trustees."

By:

Print name:

Robin Motley
ROBIN MOTLEY

ACKNOWLEDGEMENT

WESTCHESTER OWNER'S COMMITTEE, INC.
PAYMENT PLAN POLICY

This payment plan policy was approved by the board of Trustees for Westchester Owners Committee Inc. on the 20 day of SEPTEMBER 2011.

Owners are entitled to one approved payment plan to pay their annual assessments.

- 1) All payment plans require a down payment and monthly payments.
- 2) Upon request, all Owners are automatically approved for a payment plan consisting of 25% down, with the balance paid off in 3 monthly installments.
- 3) If an owner defaults on the payment plan, or presents an insufficient check, the payment plan is automatically terminated and the Association is not obligated to make another payment plan with the owner for the next two years.
- 4) Alternative payment plan proposals must be submitted to and approved by the Association. The Association is not obligated to approve alternative payment plan proposals. No payment plan may be shorter than 3 months or longer than 18 months.
- 5) The Association cannot charge late fees during the course of a payment plan, but can charge interest at the rate it is entitled to under its Governing Documents and can charge reasonable costs of administering the payment plan. The term of a payment plan cannot be less than 3 months or more than 18 months.

WESTCHESTER OWNERS COMMITTEE, INC.

CERTIFICATION

"I, the undersigned, being the President of Westchester Owners Committee, Inc., hereby certify that the foregoing Resolution was adopted by at least a majority of the Association Board of Trustees."

By: Robin Motley, President

Print name: ROBIN MOTLEY

ACKNOWLEDGEMENT

WESTCHESTER OWNERS COMMITTEE, INC.
RECORDS RETENTION POLICY

This Records Retention Policy was approved by the board of Trustees for Westchester Owners Committee, Inc., on the 20 day of SEPTEMBER, 2011.

The Association shall maintain its records as follows:

RECORD	RETENTION PERIOD
Certificate of Formation/ Articles of Incorporation, Declarations and Bylaws, all amendments to those documents.	PERMANENT
Association Tax Returns and Tax Audits	SEVEN (7) YEARS
Financial Books and Records	SEVEN (7) YEARS
Account Records of Current Owners	FIVE (5) YEARS
Contracts with a term of more than one year	FOUR (4) YEARS AFTER CONTRACT EXPIRES
Minutes of Member Meetings and Board Meetings	SEVEN (7) YEARS

Records not listed above are not subject to retention. Upon expiration of the retention date, the applicable record will be considered not maintained as a part of the Association books and records.

WESTCHESTER OWNERS COMMITTEE, INC.

CERTIFICATION

"I, the undersigned, being the President of Westchester Owners Committee, Inc. , hereby certify that the foregoing Resolution was adopted by at least a majority of the Board of Trustees."

By: Robin Motley

President

Print Name ROBIN MOTLEY

WESTCHESTER OWNER'S COMMITTEE, INC.
FEE COLLECTON POLICY

This fee collection policy was approved by the board of Trustees for Westchester Owners Committee Inc on the 20 day of September 2011.

- 1) All maintenance fee statements are to be mailed to owners no later than December 5 each year.
- 2) Maintenance fees are due in full January 1 each year and are delinquent February 1 each year.
- 3) Owners who have not paid their maintenance fees in full before February 1 each year, and are not on an approved payment agreement, will be sent a reminder notice no later than February 10 each year. A penalty fee of \$15.00 will be assessed to owner's account in addition to finance charges.
- 4) Owners who have not paid their maintenance fees in full before March 1 each year, and are not on an approved payment agreement, will be send a certified letter notice, with a copy by regular mail, no later than March 10 each year. A penalty fee of \$25.00 will be assessed to owner's account in addition to finance charges.
- 5) Accounts which remain delinquent after April 1 each year will be reviewed by the Trustees of the Westchester Owners Committee for referral to the Association's attorney for collection. All legal fees incurred will be assessed to delinquent owner's account.

WESTCHESTER OWNERS COMMITTEE, INC.

CERTIFICATION

"I, the undersigned, being the President of Westchester Owners Committee, Inc., hereby certify that the foregoing Resolution was adopted by at least a majority of the Westchester Owners Committee Board of Trustees."

By: Robin Motley, President

Print name: ROBIN MOTLEY

ACKNOWLEDGEMENT

WESTCHESTER SWIM AND TENNIS CLUB POOL USER RULES

MEMBERSHIP: Westchester Residents \$235 (\$225 by April 15)
All others \$400 (\$395 by April 15)
Any fee may be doubled for a two-year membership.

1. Residents of Westchester, Nottingham VIII and Westchester Villas must pay user fees to use the pool and tennis facilities.
2. Westchester, Nottingham VIII and Westchester Villas residents who are not paid user-members of the Westchester Swim and Tennis Club are **not** permitted as guests.
3. No person may swim or play as a member of a Westchester team unless that person is a paid member of the Westchester Swim and Tennis Club.
4. Membership is not valid until paid in full each year. A current signature sheet must be on file with the Board for membership verification and emergency information.
5. Members and their children over 10 years old may bring two guests with each pool tag up to a maximum of six guests per family at any time.
6. If the guest maximum is exceeded, a party fee must be paid and advanced notification provided.
7. Pool tags will be strictly enforced. Members must bring their tags to the pool. Lifeguards will verify tags and send notice of violations to the Board trustee in charge of the pool.

SAFETY:

1. Children under 10 years of age must be accompanied and supervised by an adult. Older siblings are not considered supervisors unless they are age 18 or older. Children who cannot swim must have an adult within arm's reach at all times, even if the child is wearing a flotation device.
2. Children ages 10 to 17 years old may be asked to pass a swimming competency test by lifeguards. Lifeguards have the authority to require adult supervision if swimming competency is not established.
3. Adult swim will be called 10 minutes before the hour. During this time, all children must exit the pool, and only adults may swim. Adults are anyone 18 and over.
4. Lifeguards are employed to ensure the safety of swimmers. They have the authority to remove anyone from the pool who is disobeying the rules, disturbing other users or endangering anyone's safety.
5. No running, rough play or ball playing in the pool area.
6. No jumping or diving in the shallow end of the pool within three feet from the steps.
7. Only one person at a time on the diving board.
8. No swimming in the deep end while the diving board is open for diving.
9. Divers must jump straight out and not toward the sides of the pool.
10. The diving board is open when the rope is across the deep end. Swimmers must make their way to the nearest ladder after using the board and the next swimmer must wait until the previous swimmer has reached the steps before diving. No jumping or diving from the side of the deep end when the diving board is open.
11. Divers and slide users must obey additional posted rules and any directions from the lifeguards.
12. When the rope is down, the diving board is closed and swimming is allowed in the deep end.
13. No sitting, standing or hanging on the ropes at any time.
14. Glass is prohibited inside the pool area at any time.
15. Loud music is prohibited.
16. Profanity and loud or abusive language is prohibited.

INCLEMENT WEATHER POLICY

1. The pool will be closed for 30 minutes after each audible thunder or visible lightning activity in the area.
2. Upon closure of the pool area, members must immediately leave the pool and pool deck area. Members may remain under the pavilion until notice from the lifeguards.
3. If bad weather persists or becomes dangerous, the lifeguards will require everyone to leave the fenced area upon their request.
4. The lifeguards have full authority to enforce this policy and take any actions they feel necessary.

GENERAL:

1. Proper swimming apparel is required for all swimmers. This means no cut-offs or non-swim attire.
2. Swim diapers are required for babies and toddlers not toilet trained.
3. Skates, bicycles or skateboards are prohibited in the pool area.
4. Smoking is prohibited at the Westchester Swim and Tennis Club.
5. Cocoa butter, baby oil and heavy suntan oil are prohibited.
6. Littering is prohibited.
7. Flotation items in the pool are restricted to small-size tubes and floats.
8. Eating and drinking are to be confined to the grassy and pavilion areas, and trash must be disposed of in the proper containers.
9. Cooking and grilling are restricted to the pavilion area. Prior authorization may be required.
10. Pets are prohibited except for service animals.
11. Bikes are to be parked in the bike racks. Do not ride on the grassy areas inside the fence.
12. If swim lessons, stroke lessons or swim team are in progress, please avoid that area of the pool.
13. Do not climb over or on any fence at any time.
14. Do not talk to the lifeguards while they are on duty.
15. Lifeguards are not permitted to keep the pool open for any members after closing time unless the member has previously booked and paid for a private party and has arranged for lifeguard services.
16. Members or their children who have been removed from the pool on more than two occasions are subject to suspension of member privileges without refund. The WOC pool management reserves the right to suspend privileges if behavior warrants such action at any time.
17. Trespassers and vandals will be prosecuted.
18. From 7 p.m. to close Tuesdays through Fridays a lap lane will be available for swimmers 18 years or older if there is sufficient interest.
19. Lifeguards have the authority to eject any person from the pool and pool area for the remainder of the day if the offender refuses to obey any of the pool rules or if the safety of other people is in jeopardy. Offense slips will be sent home and must be returned, signed by a parent, before the offender will be allowed back in the pool. Continued offenses may result in suspension of pool privileges for the remainder of the season, pending Westchester Board review.
20. Private parties may be scheduled when the pool is closed. Please contact the pool representative on the Westchester Board for a reservation form and to schedule lifeguards.

"I, the undersigned, being the President of Westchester Owners Committee, Inc. hereby certify that the foregoing resolution was adopted by at least a majority of the Association Board of Trustees."

By: Robin Motley President

Print Name: ROBIN MOTLEY
SEPTEMBER 20, 2011

**WESTCHESTER SWIM AND TENNIS CLUB
TENNIS USER RULES**

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

1. Courts are for use by members, their families and guests only. Guests may play only when accompanied by an inviting paid member.
2. Bicycles, skates, pets or other play are prohibited on the tennis courts. Only soft rubber (flat soled) tennis shoes are permitted on the court.
3. Proper tennis attire is to be worn by all players. Male players are required to wear shirts. Swimsuits are not acceptable tennis attire.
4. Smoking is prohibited on the tennis courts in order to prevent damage to the court surface. No more than four players are allowed on an individual court at one time.
5. Tennis courts are open from 7 a.m. to 10 p.m. every day. Prime time is considered to be all day on Saturday, Sunday and holidays, and after 7 p.m. on weekdays. Non-prime time is 7 a.m. to 7 p.m. on weekdays, excluding holidays.
6. The maximum reserved playing time for members and guests, 18 years of age or older, is as follows:
 - a. Two hours during non-prime time.
 - b. One and one-half hours during prime time.
7. Reservations may be made up to seven days in advance by signing the sign-up sheet, which will be posted by 8:30 p.m. on each Sunday on the tennis bulletin board on Chadbourne.
8. No individual or organization will be able to block out court time in advance of playing time. Court time must be obtained according to the approved sign-up policy in No. 7 above. There are two exceptions to this policy:
 - a. Club sponsored tennis tournaments.
 - b. League matches conducted in accordance with officially sanctioned Houston tennis leagues.
9. All members 18 years of age or older may sign up for prime time for themselves or a member of their own family. Members under 18 may sign up or stand in line for their parents or anyone else for prime time if accompanied by an adult member. If a member wishes to also sign up for another family member, he/she must go to the back of the sign-up line.
10. Courts cannot be reserved for individual practice during prime time.
11. If a court is not in use or reserved, walk-on play is permitted.
12. Members finding that they are unable to play at a previously reserved time should erase their reservations as soon as possible so that other members may reserve the court. If the adjacent court has been reserved, but no one shows up, please contact the Tennis Director.
13. Failure to show up for a reserved court time within 15 minutes after the scheduled time forfeits the reservation. Play at this time is on a first-come, first-served basis.
14. The reservation system will be operated all year on an honor basis. The intent is that no member, family or group of members will monopolize the courts.
15. As a courtesy to other players, please do not bring young children to the courts.
16. If play is in progress, wait until the point has been played before attempting to walk behind the occupied court. Please ask permission of the players occupying the other court before proceeding.
17. Any suggestions, complaints, offers of assistance or ideas are welcomed. Please contact the Tennis Director or any Westchester Board member.

I, the undersigned, being the President of Westchester Owners Committee, Inc. hereby certify that the foregoing resolution was adopted by at least a majority of the Association Board of Trustees."

By: Robin Motley President

Print Name: ROBIN MOTLEY

SEPTEMBER 20, 2011

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 herein by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas

APR 25 2012



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS