



Rocky Creek Maintenance Corporation

(Rocky Creek Ranch Property Owners Association)

Resale Certificate Policy

Effective May 24, 2024

Affidavit

Not later than the 10th business day after the date a written request for subdivision information is received from an owner, owner's agent, purchaser, purchaser's agent or title insurance company or its agent acting on behalf of the owner and/or the purchaser, the property owners' association will deliver to the requestor:

1. A copy of each dedicatory instrument currently governing the establishment, maintenance and or operation of the Rocky Creek Ranch Property Owners Association, to include:
 - a. Articles of Incorporation
 - b. Deed Restrictions
 - c. Bylaws
 - d. Rules and regulations of the Association
 - e. Any amendments to the restrictions, bylaws, rules or regulations.
2. A Resale Certificate, prepared not earlier than the 60th day before the certificate is delivered, containing:
 - a. a statement of any right of first refusal or other restraint contained in the restrictions or restrictive covenants that restricts the owner's right to transfer the owner's property;
 - b. the frequency and amount of any regular assessments;
 - c. the amount and purpose of any special assessment that has been approved before and is due after the Resale Certificate is delivered;
 - d. the total of all amounts due and unpaid to the property owners' association that are attributable to the owner's property;
 - e. capital expenditures, if any, approved by the property owners' association for the property owners' association's current fiscal year;
 - f. the amount of reserves, if any, for capital expenditures;
 - g. the property owners' association's current operating budget and balance sheet;
 - h. the total of any unsatisfied judgments against the property owners' association;
 - i. the style and cause number of any pending lawsuit in which the property owners' association is a party, other than a lawsuit relating to unpaid ad valorem taxes of an individual member of the Association;
 - j. a copy of a certificate of insurance showing the property owners' association's property and liability insurance relating to the common areas and common facilities;
 - k. a description of any conditions on the owner's property that the property owners' association board has actual knowledge are in violation of the restrictions applying to the subdivision or the bylaws or rules of the property owners' association;
 - l. a summary or copy of notices received by the property owners' association from any governmental authority regarding health or housing code violations existing on the preparation date of the certificate relating to the owner's

- property or any common areas or common facilities owned or leased by the property owners' association;
- m. the amount of any administrative transfer fee charged by the property owners' association for a change of ownership of property in the subdivision;
 - n. the name, mailing address, and telephone number of the property owners' association's managing agent, if any;
 - o. a statement indicating whether the restrictions allow foreclosure of a property owners' association's lien on the owner's property for failure to pay assessments; and
 - p. a statement of all fees associated with the transfer of ownership, including a description of each fee, to whom each fee is paid and the amount of each fee.

Rocky Creek Ranch Property Owners' Association will charge a reasonable fee to assemble, copy, and deliver the information required by this section and will charge a reasonable fee to prepare and deliver an update of a resale certificate. This fee is payable in advance of beginning the process of providing a Resale Certificate but the payment will not be processed until the Resale Certificate is available for delivery.

The property owners' association will deliver the Resale package to the person specified in the written request. A written request that does not specify the name and location to which the information is to be sent is not effective. The property owners' association may deliver the information and any update to the resale certificate by mail, hand delivery, electronic transmission or alternative delivery means specified in the written request.

The property owners' association or its agent will not routinely inspect a property before issuing a resale certificate or an update to a resale certificate.

Requests for an updated resale certificate must be made within 180 days of the date a resale certificate is issued. The update request may be made only by the party requesting the original resale certificate.

Much of the Association's information which is required for the Resale Certificate is on its website: www.rockycreektexas.org. This information may be downloaded and printed out at no cost. This will result in a lower fee for providing the Resale Certificate. In any event, a dated acknowledgment of receipt will be required.

A current listing of our fees is available on our website - shown under the heading "Schedule of Assessments, Charges, Fees and Fines".

IN WITNESS WHEREOF, the undersigned has executed this certificate on the 7 day of

June, 2024.

Lori Steed

Lori Steed, RCMC Secretary Treasurer

STATE OF TEXAS

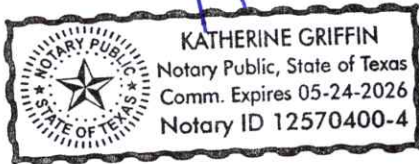
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BEFORE ME, the undersigned Notary Public, appeared Lori Steed, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, on behalf of said corporation

This instrument was given to me under my hand and seal of this office this 7th day of June, 2024.

Katherine Griffin

Notary Public



Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
06/11/2024 01:44:53 PM
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Bobbie Koepf