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Affidavit



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Rocky Creek Maintenance Corporation

(Rocky Creek Ranch Property Owners Association)

Alternative Payment Plan and Priority of Payments Guidelines

Effective as of December 9, 2015

This document replaces the current Alternative Payment Policy Guidelines dated January 1, 2012

Any member who is delinquent in payment of any annual assessments, charges, fees or fine due to the Rocky Creek Maintenance Corporation (the "Association") or who cannot pay a billed amount by the stated due date may request an alternative payment schedule (a "Payment Plan"). The request must be made in writing and mailed to the Association at 2005 Rocky Ridge Loop, Canyon Lake, Texas 78133 or be delivered to the Association at that address.

Payment Plans for accounts with past due balances of \$150 or less shall provide for three more or less equal monthly payments.

Payment Plans for accounts with past due balances of more than \$150 shall provide for monthly payments of \$50 per month, up to a maximum of 18 months total. The final payment will be the remaining balance due.

Any additional assessments, fees, or fines that may become due during the term of the member's Payment Plan shall be rolled into the Payment Plan balance and the number and/or amount of monthly payments will be adjusted so that the term of the payment plan does not exceed 18 months.

Payments must be received in the Association's office on or before the 10th day of each month starting with the calendar month following the effective date of the Payment Plan. Failure to make any payment when due will be considered a default and will result in the termination of the Payment Plan. Upon such default, all remaining amounts will become immediately due and payable and the regular late payment fees of the Association will apply from the date of default until the account is paid in full.

A Payment Plan for a member who has defaulted on a Payment Plan within the 2 year period prior to the date of the request will be denied unless specifically approved by the Board of Directors. The Board of Directors has total discretion over whether to approve or deny such request. Multiple payment plans within a 12 month period must be approved by the Board of Directors.

Late fees posted to the member's account prior to the written request for a Payment Plan will be included in the balance due. No further late fees will be added to the member's account after the effective date of the Payment Plan as long as the member is not in default. Interest will continue to accrue until the member's account is paid in full.

These Payment Plan Guidelines may be changed by the Board of the Association at any time provided a new Payment Plan Guideline is filed in the Real Property Records of Comal County. Any changes to these guidelines will apply only to Payment Plans entered into after the change is made and filed of record.

Priority of Payments:

Payments will be in accordance to the following:

- (a) Except as provided by Subsection (b), a payment received by a property owners association from the owner shall be applied to the owner's debt in the following order of priority:
 - 1. any delinquent assessment;
 - 2. any current assessment;
 - 3. any attorney's fees or third party collection costs incurred by the association and associated solely with assessments or any other charge that could provide the basis for foreclosure;
 - 4. any attorney's fees incurred by the association that are not subject to subdivision 3;
 - 5. any fines assessed by the association; and
 - 6. any other amount owed to the association.
- (b) If, at the time the property owners association receives a payment from a property owner, the owner is in default under a payment plan entered into with the association:
 - 1. the association is not required to apply the payment in the order of priority specified by Subsection (a); and
 - 2. in applying the payment, a fine assessed by the association may not be given priority over any amount owed to the association."

Ref: Texas Property Code, Section 209.0062-3

IN WITNESS WHEREOF, the undersigned has executed this certificate of the 30th day of December, 2015.

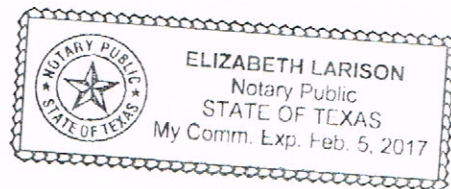
Myra Zumwalt
Secretary/Treasurer

STATE OF TEXAS
COUNTY OF COMAL

BEFORE ME, the undersigned Notary Public on the 30 day of December, 2015, by Myra Zumwalt, President of Rocky Creek Maintenance Corporation, Inc. a Texas non-profit corporation, know 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 30 day of December, 2015.

Elizabeth Larison
Notary Public Signature



Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
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Bobbie Koepf