



STATE OF TEXAS	§	RESOLUTION ADOPTING PAYMENT PLAN
	§	FOR DOLPHIN POINT
COUNTY OF CALHOUN	§	PROPERTY OWNERS ASSOCIATION, INC.

**RESOLUTION OF THE BOARD OF DIRECTORS OF
DOLPHIN POINT PROPERTY OWNERS ASSOCIATION, INC.
REGARDING PAYMENT PLAN POLICY**

Pursuant to Section 209.0062 of the Texas Property Code, Dolphin Point Property Owners Association, Inc., hereinafter referred to as the "Association", acting by and through its Board of Directors, has adopted the following alternative payment policy to set forth guidelines for a payment plan of assessments and fees, to wit:

WHEREAS, the Association is required under Texas Property Code §209.0062 to create and record an alternative payment schedule for the Association governing Dolphin Point Subdivision located in Calhoun County, Texas in order to establish an alternative payment schedule by which an owner may make partial payments to the property Owners association for delinquent regular or special assessments or any other amount owed to the association without accruing additional monetary penalties; and

WHEREAS, the Association has adopted the following alternative payment plan for all Association dues and fees;

WHEREAS, all terms used herein shall have the same meaning as set forth in the Master Declaration of Covenants, Conditions and Restrictions for Dolphin Point Subdivision, filed in the Official Records of Calhoun County, Texas, hereinafter *referred* to as the "Declaration".

NOW THEREFORE, the Association declares that the following is the alternative payment plan adopted:

1. The Due Date for all Annual Assessment Fees shall be January 31st of each year. The Due Date for all Special Assessments shall be 30 days after an Owner receives notice of the Special Assessment. The due date for all other charges shall be the last day of the month in which the invoice or statement is dated unless otherwise specified in this document.
2. All documents, correspondence, invoices, statements, and notices relating to the charges shall be mailed or emailed to the Owner's address which appears on the books of the Association or to such other address as designated in writing by the Owner.
3. All payment plans must be in writing, signed by one or more Owners of the property associated with the delinquent balance, approved by the signature of the President of the Association or the Association Manager, and provide that the Owner shall pay future assessments when due, in addition to any arrearage payment due under a payment plan.

4. No monetary penalties shall accrue on balances while a payment plan is in effect, but reasonable cost associated with administering the plan and interest shall continue to accrue. Monetary penalties do not include reasonable costs associated with administering the payment plan or interest.

5. Any qualified Owner who owes a delinquent balance of \$500.00 or less shall be allowed, without deliberation by the Board, to pay the balance in three equal consecutive monthly installments, with the first payment due within the first thirty-day period following the approval of the payment plan.

6. Any qualified Owner who owes a delinquent balance of more than \$500.00 shall be allowed, without deliberation by the Board, to pay the balance by paying twenty-five percent of the balance during the first thirty-day period following the approval of the payment plan, with the remaining delinquent balance to be paid in five equal consecutive monthly installments.

7. Any Owner may submit a request for a payment plan that does not meet the foregoing guidelines, along with whatever information they wish the Board to consider, and the Board may approve or disapprove such payment plan, in its sole discretion; however, no payment plan shall exceed eighteen months or be shorter than three months.

8. The Association reserves the right to refuse to offer a payment plan to an Owner during a two (2) year period following an Owner's default under a previous payment plan.

9. If an Owner who is not qualified to receive a payment plan asks for a payment plan, the Board shall be entitled to approve or disapprove a payment plan, in its sole discretion.

10. Payments will be posted by the Association staff in a timely manner. A payment received by the Association from the Owner shall be applied to the Owner's debt in the following order of priority:

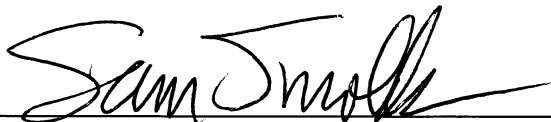
- (1) any delinquent assessment;
- (2) any current assessment;
- (3) any attorney's fees or third party collection costs incurred by the Association associated solely with assessments or any other charge that could provide the basis for foreclosure;
- (4) any attorney's fees incurred by the Association that are not subject to 10 (3) above;
- (5) any fines assessed by the Association; and

(6) any other amount owed to the Association.

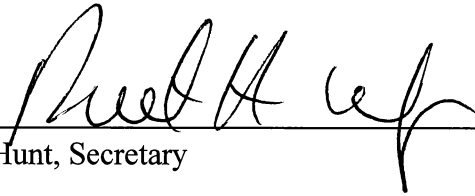
By their signatures below the President and the Secretary of the Association certify that the foregoing resolution was approved by the Board of Directors of the Association at a duly-called meeting of the Board of Directors at which a quorum of Directors was present, or by signed, unanimous written consent in lieu of a meeting.

PASSED, ADOPTED AND APPROVED on this the 15th day of April 202~~3~~.

DOLPHIN POINT PROPERTY OWNERS ASSOCIATION, INC.

By: 
Sam Smolik, President

ATTEST:

By: 
Rob Hunt, Secretary

THE STATE OF TEXAS §

§

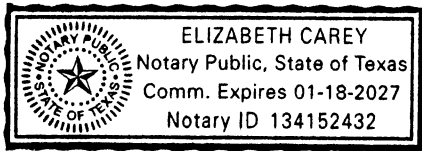
COUNTY OF Calhoun §

CERTIFICATE OF ACKNOWLEDGMENT

Before me, the undersigned Notary Public, on this day personally appeared Sam Smolik who is personally known to me (or proved to me through a federal or state issued ID with photo

and signature of person identified) to be the person whose name is subscribed to the foregoing instrument, and who has acknowledged to me that he is the President of Dolphin Point Property Owners Association, Inc. and that by authority duly given and as the act of Dolphin Point Property Owners Association, Inc. executed the instrument for the purposes and considerations expressed.

Given under my hand and seal of office on this the 1st day of April 2024.



Elizabeth Carey
Notary Public in and for The State of Texas

AFTER RECORDING, RETURN TO:

Dolphin Point Property Owners Association, Inc.

P.O. Box 426

Port O'Connor, Texas 77982

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2024-01056

RL Fee: \$37.00
04/15/2024 01:20 PM ksmith



Anna M. Goodman

Anna Goodman, County Clerk
Calhoun County, Texas