

2003-130660

449-10-0328

3

INSTRUMENT TO RECORD  
DEDICATORY INSTRUMENTS  
(subdivision and townhome)

**INSTRUMENT TO RECORD DEDICATORY INSTRUMENTS**

This Instrument is being recorded by Enclave at Mill Point Townhome Association, Inc., a Texas nonprofit corporation (the "Association") pursuant to Section 202.006 of the Texas Property Code.

Section 202.006 of the Texas Property Code requires a property owners' association to record each dedicatory instrument in the real property records of the County in which the property to which the dedicatory instrument relates is located, if such instrument has not previously been recorded; and

Restrictive covenants and other matters concerning the Subdivision are set forth in Declaration previously recorded as follows: Montgomery County Clerk's File No. 2002-094754.

The Association is currently subject to the following additional dedicatory instruments which have not previously been recorded, to-wit:

Policy Resolution: Insurance Deductible

Pursuant to Section 202.006 of the Texas Property Code, the Association does hereby record such additional dedicatory instruments, copies of which are attached hereto in the order set forth hereinabove.

Executed on the 30 day of September, 2003.

ENCLAVE AT MILL POINT TOWNHOME  
ASSOCIATION, INC., by its managing agent,  
Association Management, Inc.

By:  
Name:  
Title:

Loretta Talley  
Loretta Talley  
Managing Agent

THE STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

This instrument was acknowledged before me on Sept. 30, 2003,  
by Loritta Lally, as Managing Agent of Association Management, Inc.  
as managing agent for Enclave Mill Point Townhome Association, Inc., a Texas nonprofit  
corporation, on behalf of such corporation.



Gina N. Sprinkle  
Notary Public, State of Texas

WHEN RECORDED RETURN TO:

Sarah Ann Powers  
Hoover Slovacek LLP  
5847 San Felipe, Suite 2200  
Houston, Texas 77057

**POLICY RESOLUTION: INSURANCE DEDUCTIBLE**

WHEREAS, the Council has insured the buildings and common elements of the property;

AND, WHEREAS, the Board of Administrators, having considered all relevant factors, and based on its business judgment, has agreed to a deductible, presently an amount of \$5,000.00

AND, WHEREAS, the Board of Administrators is of the opinion that it is necessary to adopt and enforce an equitable policy in regard to the liability for payment of the deductible;

NOW, THEREFORE, BE IT RESOLVED that the following policy be and is hereby adopted by the Board of Administrators:

- 1. In the event that the loss or damage is caused by the negligence of an owner, his/her tenants, invitees or guests, such owner will be liable for the full amount of any deductible on the Council's policy.
- 2. In the event that -
  - 2.1 The loss originates or is caused by the homeowner, his/her tenants, invitees or guests, or from within or due to his/her unit without any negligence being attributable; and,
  - 2.2 The cause of the loss is not attributable to any common element,

The first 50% of the deductible on the insurance policy will be paid by the homeowner and the balance of the deductible in excess of 50% shall be paid by the Council.

- 3. In all other situations, the Council shall pay the deductible which shall be regarded as a common expense.

ATTEST:

RECORDED & 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 black-outs, additions and changes were present at the time the instrument was filed and recorded.

7-24-03  
Date

[Signature]

FILED FOR RECORD

2003 OCT 23 AM 9:17

[Signature]  
COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY  
I hereby certify 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 at Montgomery County, Texas.

OCT 23 2003



[Signature]  
County Clerk  
Montgomery County, Texas