

MARY LOUISE GARCIA

COUNTY CLERK



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PREMIER COMMUNITIES MANAGEMENT COMPANY  
3102 OAK LAWN AVE STE 202  
DALLAS, TX 75219

Submitter: CARRIAGE GATE  
HOMEOWNERS ASSOCIATION  
INC

**DO NOT DESTROY**  
**WARNING - THIS IS PART OF THE OFFICIAL RECORD.**

Filed For Registration: 12/21/2011 3:03 PM

Instrument #: D211308215

OPR 3 PGS \$20.00

By: Mary Louise Garcia

D211308215

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY  
BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

Prepared by: CAMADDOCK

*Carriage Gate Homeowner's Association, Inc.*

**Policy for Priority of Payments**

**WHEREAS**, the Board of Directors (the "Board") of *Carriage Gate Homeowner's Association, Inc.* (the "Association") wishes to establish a Policy for Priority of Payments which shall govern the method in which payments received by the Association from owners are applied; and

**WHEREAS**, the Board wishes to adopt this policy in compliance with Section 209.0063 of the Texas Property Code; and

**WHEREAS**, the Board intends to file this policy in the real property records of each county in which the subdivision is located, in compliance with Sections 209.0063 and 202.006 of the Texas Property Code; and

**NOW, THEREFORE, IT IS RESOLVED** that the following Policy for Priority of Payments is established by the Board:

- A. Except as provided by Section (B), a payment received by the Association from an 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 Subsection (3) above;
  5. any fines assessed by the Association;
  6. any other amount owed to the Association.
  
- B. If, at the time the Association receives a payment from an owner and the owner is in default under an Alternative Payment Schedule entered into with the Association, the Association is not required to apply the payment in the order of priority outlined in Section (A), in accordance with Section 209.0063 of the Texas Property Code. Instead, in the event that an owner is in default under an Alternative Payment Schedule at the time the Association receives a payment from the property owner, then the payment received by the Association from an owner shall be applied to the owner's debt in the following order of priority:

1. 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;
2. any attorney's fees incurred by the association that are not subject to the immediately previous Subsection (1);
3. any delinquent assessment;
4. any current assessment;
5. any other amount owed to the Association.
6. any fines assessed by the Association.

This policy shall supersede and render null and void any previously adopted priority of payment/payment plan policy to the extent that the terms of such policy are contradictory.

This is to certify that the foregoing Policy for Priority of Payments was adopted by the Board of Directors, in accordance with Section 209.0063 of the Texas Property Code.

Virginia D Henley

Name: Virginia D Henley

Title: President

Date: 10/7/2011

STATE OF TEXAS §  
 COUNTY OF Tarrant §  
 §

This instrument was acknowledged before me on the 7<sup>th</sup> day of October 2011, by Virginia Henley of Carriage Gate HOA, a Texas non-profit corporation, on behalf of said corporation.

Tera E Bellemare  
 Notary Public, State of Texas

AFTER RECORDING RETURN TO:  
 Premier Communities  
 3102 Oak Lawn Avenue, Suite 202  
 Dallas, Texas 75219

