

**SECRETARY'S CERTIFICATE
OF CORPORATE RESOLUTION****FOR****THE PINES CONDOMINIUM ASSOCIATION, INC.**
A Texas Non-profit corporation**FILED**

11/17/2008

8:00 AM

*Brenda R. Hoffman***COUNTY CLERK
HARRIS COUNTY**

This Resolution amends the Rules and Regulations for **The Pines Condominium Association, Inc.**, as filed in the Real Property Records of Harris County, Texas on June 26, 2002, under County Clerk's file No. V894327.

The undersigned, being the duly acting and qualified Secretary of THE PINES CONDOMINIUM ASSOCIATION, a Texas non-profit corporation (the "Association"), the Association set forth and described in that certain "Condominium Declaration for The Pines Condominiums," recorded in Volume 48, Page 38 of the Condominium Records of Harris County, Texas, together with all amendments thereto (said recorded documents and all exhibits and amendments thereto being referred to as the "Declaration"); the undersigned Secretary further being the keeper of the minutes and records of said corporation, does hereby certify that the following is a true and correct copy of the resolution of this Association amending the Rules and Regulations adopted by the Board of Directors (the "Board") of the Association at a duly called and constituted meeting of the Board of Directors held on November 14, 2007:

WHEREAS, the Association is responsible for governance and maintenance of THE PINES CONDOMINIUM as described in the Declaration and applicable law; and

WHEREAS, the Association exists pursuant to State Law and its governing documents; and

WHEREAS, the Association is authorized to adopt, amend, and enforce reasonable rules and regulations in the use, occupancy, maintenance, repair, modification, and appearance of the units and common elements, to the extent the regulated actions affect common elements or other units; and

WHEREAS, on June 26, 2002, a "Secretary's Certificate of Corporate Resolutions (for) The Pines Condominium Association, Inc. was filed under County Clerk's File Number V894327, which had attached the RULES AND REGULATIONS FOR THE PINES CONDOMINIUM, as revised and as in effect as of April, 2002 (the "Rules and Regulations"), which continue to be in full force and effect; and

WHEREAS, the Board has deemed it desirable and necessary to amend the Rules and Regulations, effective immediately, by adding thereto a new Section "F" titled "Modifications to Interior Flooring;"

NOW, THEREFORE, BE IT RESOLVED, that the Board, on behalf of the Association, hereby amends the Rules and Regulations of the Association as follows and makes this policy a matter of record:

Effective Immediately, the Rules and Regulations of the Association shall be deemed amended by adding to the existing Rules and Regulations, a new Section "F", titled "Modifications to Interior Flooring," as follows:

"F. Modifications to Interior Flooring.

1. These Rules shall apply to modifications, from and after the effective date hereof, to certain flooring within living/family rooms, bedrooms, and dining rooms (generally all such interior rooms with the exception of bathrooms, utility rooms, and kitchens) in all Condominium Units located on a second story which are situated above a separate downstairs Condominium Unit.
2. These Rules shall not apply to first floor Condominium Units.
3. The original build-out standard for flooring within living/family rooms, bedrooms, and dining rooms (generally all such interior rooms with the exception of bathrooms, utility rooms, and kitchens) of Condominium Units at The Pines, as built and installed by the original Declarant/developer and as originally conveyed to buyers of Condominium Units was carpeting over padding. This original build-out standard of carpeting over padding resulted in, and/or accomplished, certain noise abatement between the floor/ceiling assemblies between the upstairs and downstairs dwelling units and acted to mitigate noise transmission between the floor/ceiling assemblies to reasonably acceptable levels.
4. While these Rules are not intended to require the continued use of, and/or to limit flooring materials utilized in the living/family rooms, bedrooms, and dining rooms of upstairs Condominium Units to carpeting over padding, it shall be REQUIRED that any Owner who hereafter intends to remove any such existing carpeting over padding within their living/family rooms, bedrooms, and dining rooms and replace same with any material other than carpeting over padding (including, hard surfaced flooring; whether wood, tile, laminates, linoleum, etc.) MUST COMPLY with this Rule.
5. Each Owner of an upstairs Condominium Unit who hereafter installs any hard surfaced flooring (whether wood, tile, laminates, linoleum, etc.) SHALL CAUSE TO BE INSTALLED acoustical cushions, separations, sound barriers, or sub-flooring of a type and quality, and generally having specifications for noise abatement substantially equivalent to the noise abatement qualities of carpeting over padding, between any such new hard surfaced flooring (whether wood, tile, laminates, linoleum, etc.) and the existing light-weight concrete over plywood decking sub-floor.
- [6. Unless a different specification is required by (i) the building code(s) adopted and in force by the City of Houston from time to time, or (ii) any other governmental agency (including FHA), the MINIMUM specifications for sound transmission must comply with the minimum specifications established and/or amended from time to time by the International Building Code ("IBC") allowed for sound transmission through floor/ceiling assemblies separating dwelling units. As of the date of the adoption of this Rule, the IBC standards (IBC Section 1207) are as follows:

CG:8684

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

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

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas on

10/11/17

- (a) Section 1207.2. Air-borne Sound. Floor/ceiling assemblies separating dwelling units from each other shall have a sound transmission class (STC) of not less than 50 (45 if field tested) for air-borne noise when tested in accordance with ASTM E90

(Note: STC, or "Sound Transmission Class," is a single-number rating that indicates the sound transmission loss of a partition or ceiling system between adjacent closed rooms. The higher the STC number, the better the sound insulation quality of the partition or ceiling system. Qualified flooring manufacturers, dealers, and installers should be familiar with the STC ratings of their products and be knowledgeable as to the necessary method and manner of installation and the type and quality of acoustical cushions, separations, and sub-flooring necessary to achieve the minimum STC rating. Carpeting over padding installed over the existing upstairs flooring system at The Pines should meet or exceed this minimum STC rating).

- (b) Section 1207.3. Structure-borne Sound. Floor/ceiling assemblies between dwelling units shall have an impact insulation class (IIC) rating of not less than 50 (45 if field tested) when tested in accordance with ASTM E 492

(Note: IIC, or "Impact Insulation Class" is a single number rating that indicates the amount of impact noise isolation provided by the floor/ceiling assembly. The higher the number, the quieter the floor/ceiling assembly. Qualified flooring manufacturers, dealers, and installers should be familiar with the IIC ratings of their products and be knowledgeable as to the necessary method and manner of installation and the type and quality of acoustical cushions, separations, and sub-flooring necessary to achieve the minimum IIC rating. Carpeting and padding installed over the existing flooring system at The Pines should meet or exceed this minimum IIC rating).]

7. The Association shall not undertake any review or approval of any proposed re-flooring and no prior approval shall be required prior to any installation provided that any such flooring is installed pursuant to these Rules. Provided, however, that any Owner intending to modify his/her flooring may seek and obtain pre-approval from the Association as to the proposed flooring to be installed in accordance with this Rule.
8. Any Owner who performs any modification to any portion of his/her flooring which is subject to this Rule shall, within ten (10) days following written demand (whether such demand is prompted by complaints of excessive noise transmission or otherwise), furnish to the Association evidence reasonably satisfactory to the Board as to the type and quality and specifications for noise abatement actually installed between the new hard surfaced flooring (whether wood, tile, laminates, linoleum, or other hard surfaced flooring) and the existing light-weight concrete over plywood decking sub-floor[, including the STC rating and IIC rating of such flooring and flooring assemblies as supplied by the manufacturer, dealer, and/or installer of such flooring.] If the Owner



Deputy County Clerk
COUNTY CLERK
HARRIS COUNTY TEXAS

falls or refuses to furnish such evidence, it shall be presumed that the flooring does not meet the standards imposed by this Rule.

9. Any Owner who fails or refuses to comply with the requirements of this Rule shall be liable to the Association or any other Unit Owner damaged as a result of such failure to comply with this Rule, and shall be subject to appropriate Injunctive relief to mandate the removal of any flooring not meeting the minimum specifications established by this Rule and shall be required to re-install flooring meeting such minimum specifications, all at the expense of such Owner."

The above Rule is being recorded in the Public Records of Harris County, Texas pursuant to the requirements of Section 202.006 of the Texas Property Code.

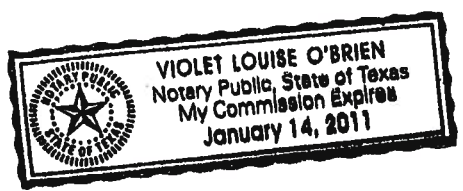
The undersigned has hereunto set his/her hand at Houston, Texas this 22ND day of APRIL, ~~2007~~ 2008

Kim K. Kelley
(signature)
Kim K. KELLEY
(name printed)
Secretary of THE PINES CONDOMINIUM
ASSOCIATION, a Texas non-profit
Corporation

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

(u) This Instrument was acknowledged before me on the 22nd day of April, 2008, by Kim K. Kelley, Secretary of THE PINES CONDOMINIUM ASSOCIATION, a Texas non-profit corporation, on behalf of said corporation.



Violet L. O'Brien
Notary Public in and for the State of Texas

RECORDER'S 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 blackouts, additions and changes were present at the time the instrument was filed and recorded.