



The State of Texas
Secretary of State

OCT. 10, 2000

ARTHUR FANT
1900 WEST LOOP SOUTH, SUITE 1100
HOUSTON, TX 77027

RE:
TIMBERCREST HOMEOWNERS ASSOCIATION, INC.

CHARTER NUMBER 01601133-01

IT HAS BEEN OUR PLEASURE TO APPROVE AND PLACE ON RECORD THE ARTICLES OF INCORPORATION THAT CREATED YOUR CORPORATION. WE EXTEND OUR BEST WISHES FOR SUCCESS IN YOUR NEW VENTURE.

AS A CORPORATION, YOU ARE SUBJECT TO STATE TAX LAWS. SOME NON-PROFIT CORPORATIONS ARE EXEMPT FROM THE PAYMENT OF FRANCHISE TAXES AND MAY ALSO BE EXEMPT FROM THE PAYMENT OF SALES AND USE TAX ON THE PURCHASE OF TAXABLE ITEMS. IF YOU FEEL THAT UNDER THE LAW YOUR CORPORATION IS ENTITLED TO BE EXEMPT YOU MUST APPLY TO THE COMPTROLLER OF PUBLIC ACCOUNTS FOR THE EXEMPTION. THE SECRETARY OF STATE CANNOT MAKE SUCH DETERMINATION FOR YOUR CORPORATION.

IF WE CAN BE OF FURTHER SERVICE AT ANY TIME, PLEASE LET US KNOW.



VERY TRULY YOURS,

A handwritten signature in black ink, appearing to read "Elton Bomer".

Elton Bomer, Secretary of State



The State of Texas
Secretary of State

CERTIFICATE OF INCORPORATION

OF

TIMBERCREST HOMEOWNERS ASSOCIATION, INC.
CHARTER NUMBER 01601133

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS,
HEREBY CERTIFIES THAT THE ATTACHED ARTICLES OF INCORPORATION FOR THE
ABOVE NAMED CORPORATION HAVE BEEN RECEIVED IN THIS OFFICE AND ARE
FOUND TO CONFORM TO LAW.

ACCORDINGLY, THE UNDERSIGNED, AS SECRETARY OF STATE, AND BY VIRTUE
OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW, HEREBY ISSUES THIS
CERTIFICATE OF INCORPORATION.

ISSUANCE OF THIS CERTIFICATE OF INCORPORATION DOES NOT AUTHORIZE
THE USE OF A CORPORATE NAME IN THIS STATE IN VIOLATION OF THE RIGHTS OF
ANOTHER UNDER THE FEDERAL TRADEMARK ACT OF 1946, THE TEXAS TRADEMARK LAW,
THE ASSUMED BUSINESS OR PROFESSIONAL NAME ACT OR THE COMMON LAW.

DATED OCT. 6, 2000

EFFECTIVE OCT. 6, 2000



A handwritten signature in black ink, appearing to read "Elton Bomer".

Elton Bomer, Secretary of State

**ARTICLES OF INCORPORATION
OF
TIMBERCREST HOMEOWNERS ASSOCIATION, INC.**

FILED
In the Office of the
Secretary of State of Texas

OCT 06 2000

**ARTICLE I
Corporate Name**

Corporations Section

The name of the corporation is TIMBERCREST HOMEOWNERS ASSOCIATION, INC., referred to as the "Association".

**ARTICLE II
Legal Status**

The Association is a non-profit corporation organized pursuant to the Texas Non-Profit Corporation Act.

**ARTICLE III
Duration**

The period of the duration of the Association is perpetual.

**ARTICLE IV
Purposes**

The purposes for which the Association is formed are:

- (a) Specifically and primarily to provide an organization consisting of the owners of property within a residential addition in order to provide for the management, maintenance, preservation and architectural control of the addition located in Harris County, Texas and more particularly described in the Declaration recorded in the Office of the County Clerk of Harris County, Texas.
- (b) Generally:
 - (i) To promote the welfare of the owners of the Association.
 - (ii) To exercise all of the powers and privileges and to perform all of the duties and obligation of the Board of Directors as set forth in the Declaration and Bylaws.
 - (iii) To fix, levy, collect, and enforce payment of any charges or assessments as set forth in the Declarations governing the community and to pay all expenses in connection with such charges or assessments, all office expenses, and all other expenses incidental to the conduct of the business of the

Association, including all licenses, taxes, or governmental charges levied or imposed against the property of the Association.

- (iv) To acquire (by gift, purchase, or otherwise), own, hold, improve, build on, operate, maintain, convey, sell, lease, transfer, dedicate for public use, or otherwise dispose of real or personal property in connection with the affairs of the Association.
 - (v) To borrow money, mortgage, pledge, deed in trust, or hypothecate any or all of the Association's real or personal property as security for money borrowed or debts incurred.
 - (vi) To have and to exercise any and all powers, rights, and privileges that a corporation organized under the Texas Non-Profit Corporation Act by law may now or at a later time have or exercise.
 - (vii) To act in the capacity of principal, agent, joint venturer, partner, or otherwise.
- (c) Notwithstanding any of the above statements or purposes, the Association shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purposes of the Association.

ARTICLE V

ANY SUBDIVISION GUARDS, PATROLMEN, ACCESS CONTROL PERSONNEL, AND ACCESS CONTROL GATES AND WALLS WILL BE PROVIDED TO THE MEMBERS AS A COURTESY ONLY AND THEIR EXISTENCE SHALL NOT BE CONSTRUED AS ANY PROMISE, WARRANTEE, GUARANTEE OR REPRESENTATION OF ANY TYPE OR NATURE OF THE SECURITY OF THE SUBDIVISION OR THAT SUCH SERVICE WILL PREVENT, DETER OR OTHERWISE STOP ANY CRIME, VANDALISM, UNAUTHORIZED ACCESS OR OTHER UNWANTED CIRCUMSTANCE OR EVENT.

BY ACCEPTING TITLE TO THEIR LOT OR TRACT OF LAND, EACH OWNER FOR HIMSELF, HIS FAMILY, GUESTS, INVITEES, TENANTS, SUCCESSORS, AND ASSIGNS HEREBY RELEASES THE ASSOCIATION, THE ASSOCIATION BOARD OF DIRECTORS, ALL MANAGEMENT COMPANIES, ALL GUARD PATROL OR ACCESS CONTROL SERVICES AND ALL BUILDERS OF ANY AND ALL LIABILITY AND ANY AND ALL CLAIMS OF WHATSOEVER NATURE, HOWSOEVER OCCURRING, KNOWN OR UNKNOWN, FORESEEABLE OR UNFORESEEABLE, NEGLIGENCE, GROSS NEGLIGENCE, OR INTENTIONAL CONDUCT, INCLUDING, BUT NOT LIMITED TO, CLAIMS FOR DAMAGE, INJURY OR LOSS TO PERSONS OR PROPERTY, RESULTING FROM CRIMINAL ACTIVITY, VANDALISM, UNAUTHORIZED ACCESS OR ANY OTHER EVENT GUARDS, PATROL SERVICE, OR ACCESS CONTROL SERVICE, OR ACCESS CONTROL GATES ARE DESIGNED TO DETER, IT BEING AGREED THAT THE ASSOCIATION AND ITS CONTRACT VENDORS CANNOT PREVENT SUCH OCCURRENCES AND THAT EACH LOT OWNER, THEIR FAMILY, GUESTS, INVITEES, AND TENANTS SHALL BE RESPONSIBLE

FOR THEIR OWN SAFETY AND THE SAFETY OF THEIR PROPERTY AND HAS THE OPTION OF OBTAINING THIRD PARTY INSURANCE FOR SAME.

ARTICLE VI

Initial Registered Office and Agent

The street address of the initial registered office of the Association is 3448 Binz Street, Houston, Texas 77004, and the name of its initial registered agent is Addis Johannes.

ARTICLE VII

Board of Directors

The affairs of the Association shall be managed by a Board of Directors. The number of Directors constituting the initial Board is three (3). The number of Directors may not be increased.

The names and addresses of the persons who are to serve as the initial Directors are:

<u>Name</u>	<u>Address</u>
Addis Johannes	3448 Binz St. Houston, Texas 77004
Fred Peavy	3318 Calumet St. Houston, Texas 77004
TaShara Fontain	3437 Prospect Street Houston, Texas 77004

ARTICLE VIII
Incorporator

The name and street address of the incorporator of this Association is:

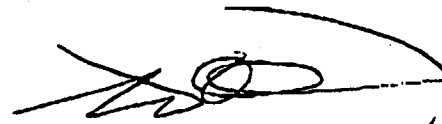
Name

Address

Victor A. Davis

DiCecco, Fant & Burman, LLP
1900 West Loop South, Suite 1100
Houston, Texas 77027

IN WITNESS WHEREOF, I have set my hand, this 6th day of October, 2000.


_____, *incorporator*
VICTOR A. DAVIS, Incorporator