

SPRING CREEK FOREST CIVIC ASSOCIATION

COMMUNICATIONS POLICY

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, the property encumbered by this Communications Policy (this "Policy") is that property included in the Spring Creek Forest subdivision, a subdivision located in Harris County, Texas and consisting of several sections, the first of which was recorded under Harris County Clerk's File No. D479336 of the Official Real Property Records of Harris County, Texas, and any other property that is annexed thereto and made subject to Spring Creek Forest Civic Association's (the "Association") authority.

NOW THEREFORE, in accordance with the dedicatory instruments governing the Association, the Board of Directors of the Association (the "Board") hereby adopts this Policy to establish rules and procedures for Owners' use of the Association's communications outlets (including social media). This Policy runs with the land and is binding on all Owners within the Association. This Policy replaces any previously recorded or implemented policy that addresses rules or procedures for Owners' use of the Association's communications outlets.

Communications Policy

1. Definitions

- 1.1. **Declaration's Definitions.** Any capitalized terms used in this Policy have the meanings set forth in the Declaration, unless otherwise specified in this Policy.
- 1.2. **Content.** "Content" means content, written communication, material, suggestions, feedback, images, photographs, pictures, or otherwise graphical information.

2. Association's Social Media Websites or Newsletters

- 2.1. **Authority.** The Association may employ social media on behalf of the Association.
- 2.2. **Purpose.** Any website, form of social media, newsletter or other publication created on behalf of the Association shall be for informational and communication purposes only.
- 2.3. **Unauthorized Social Media.** An Owner shall not create a website, form of social media, newsletter or other publication that appears to be authorized by the Association or the Board, unless:

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- a. the Association has provided the Owner written authorization to create or form such a website, social media, newsletter, and/or other publication.
- b. the Owner prominently states on the website, social media, newsletter and/or other publication that it is "not an official SCF site" and "not approved by the Association".

3. Authorized Users

- 3.1. **Owners.** Only Owners of the Association are permitted to post on the Association's social media websites. By posting Content, the user represents and warrants that he or she is a current Owner of the Association in good standing. All Owners must request permission from the Association in writing to join a website or form of social media by providing information regarding the property owned within the Association.
- 3.2. **Revoking Access.** If the Association deems in its sole discretion that a user of any of its social media websites is not an Owner, or is an Owner that is not in good standing, the Association may revoke the user's access to the Association's social media websites.

4. Permitted Uses

- 4.1. **Permitted Content.** All Content on the Association's social media websites, shall be respectful, constructive, and in good taste. An Owner **shall not** publish any Content that:
 - a. the Owner does not have the right to publish;
 - b. is for the purpose of advertising a commercial business or proposition (not including business referrals or residential classifieds);
 - c. is in connection with pyramid schemes, chain letters, junk email, spamming, or any duplicative or unsolicited messages (commercial or otherwise);
 - d. is profane, obscene, indecent, discriminatory, hateful, abusive, or otherwise inappropriate;
 - e. is defamatory, illegal, infringing, or otherwise tortuous;
 - f. attempts to identify or identifies potential infractions of the law and/or governing documents of the Association;
 - g. may be perceived as violating another person's right to privacy, including but not limited to Owner addresses and/or license plate numbers; or

h. attempts to address or addresses Association business.

4.2. **Other Users' Legal Rights.** An Owner shall not use the Association's social media websites to abuse, harass, stalk, or threaten another person, or to otherwise violate the legal rights (such as rights of privacy and publicity) of another person.

5. Moderation by the Association

5.1. **Moderating Activity.** The Association may but is not required to monitor or moderate Content posted on the Association's social media websites.

5.2. **Deleting Content.** Upon a report or other notice to the Association that any Content violates the Association's governing documents, including this Policy, the Association, in its sole discretion, may delete the Content without notice to the user who posted it.

5.3. **Revoking Access.** If the Association, in its sole discretion, determines that an Owner has violated the Association's governing documents, including this Policy, the Association may revoke the Owner's access to the Association's social media websites.

6. **No Representations.** The Association makes no representations about the accuracy or veracity of Content published on its social media websites by Owners or third parties. The Association does not guarantee that any information on its social media websites published by Owners or third parties is current, exhaustive, complete, or suitable for any purpose.

7. **The Association's Printed Newsletter.** The printing of the newsletter is handled by the Communications Committee chairperson. All articles submitted for publishing in the newsletter will be reviewed for appropriate content by the board members. The Board has the authority to accept, reject, or suggest changes to any submitted article. There is no guarantee that any article will be printed. In order to be considered for printing, articles submitted by Owners must:

7.1. Comply with the applicable requirements of the rest of this document (specifically section 4).

7.2. Other than Association Board or committee chairperson's updates, be no longer than ½ page (standard 8.5" x 11" paper, size 12 font - Times New Roman, standard WORD margins).

7.3. Be submitted to the Communications Committee chairperson no later than the 8th day of the month preceding the publication month (e.g., May 8th for a June newsletter).

7.4. Be related to the subdivision in some way, or pertinent to the residents of the subdivision

8. Board (and General) Meeting Guidelines for Members to Speak. Board meetings are generally held at 7:00 P.M. on the last Tuesday of every month at the Spring Creek Forest Clubhouse. General Meetings are generally held twice per year, in April and October. A schedule for all normal meetings is published on the community's website Calendar of Events Page early in the year; and reminders are posted in the monthly Community Newsletter and the Marquee in front of the subdivision. All Members of the Association are encouraged to attend the meetings. Additional special meetings may be scheduled as necessary and will be communicated to the community as required in the Bylaws. It is important for the Board to hear from residents who have information, concerns, and/or suggestions concerning our community. A Member may request a formal presentation and be placed on the agenda by working with the SCFCA President at least 10 days prior to the meeting date. Alternatively, the Board has dedicated the first order of business of each meeting for residents to address the Board in a less formal manner. Members who wish to address the board this way must sign-in no later than 6:50 (ten minutes before the meeting starts), and must provide the information topic when signing in. Board and General Meetings must be conducted in an orderly and productive manner. Members are required to adhere to the following guidelines.

- 8.1. Any Member wishing to address the Board shall speak no more than three minutes from the specified location in the meeting area.
- 8.2. Remarks must be addressed to the Board and not to the audience.
- 8.3. The audience shall not be permitted to interrupt nor question the speaker.
- 8.4. After the speaker has finished addressing the Board, a member of the audience may request permission to respond to the speaker's remarks.
- 8.5. Members of the audience will not be permitted to engage in side discussions that could disrupt the Board meeting.
- 8.6. The Board has the right, but not the requirement, to record or videotape any appearance before the Board.
- 8.7. Any supplemental written communication may not be distributed directly to the audience without prior notification of the Board, and shall comply with all applicable sections of this document.

Exceptions to this policy: During any meeting, residents may be given the floor to comment on any topic that is under immediate discussion by the Board. When given the floor, the resident is required to speak only on the topic currently under discussion and is limited to 3 minutes.

9. Emergencies. All Association safety and/or emergency issues should immediately be reported to local authorities at 911.

10. **Compliance and/or Service Requests.** Violations of the Declaration and/or any governing documents of the Association shall not be reported through the Association's social media website. Service requests shall not be submitted through the Association's social media website.
11. **Subpoena.** All content from a website or any form of social media may be subject to a subpoena and discoverable in litigation or in preparation for litigation.
12. **Disclaimer.** The Association does not control or endorse the content, messages, or information submitted or posted by Owners or third parties. As such, the Association disclaims any liability in connection with the use of its social media websites or from Owners' participation in such use. The Association specifically disclaims any liability for offensive, inappropriate, obscene, unlawful, or otherwise objectionable content or information an Owner may encounter on the Association's social media websites. The Association disclaims any liability in connection with the proliferation of users' Content.
13. **Limitation of Liability.** The Association neither assumes nor authorizes any other person to assume for it any other liability in connection with the use of its social media websites. In no event will the Association be liable to any Owner or third party for (a) any lost profits or revenue, incidental or consequential damages (including, indirect, special, punitive, or exemplary damages) arising out of the use or inability to use the Association's social media websites, or (b) any claim by any other party, even if the Association has been advised of or had (or should have had) any knowledge (whether actual or constructive) of the possibility of such damages. The Association is not liable for the effects of any service outages, breach of servers (server or client side), or the resulting effects of such occurrences. The Association's liability under this Policy to any particular Owner in any particular year will not exceed an amount equal to: [the amount of any assessments paid to the Association by the Owner in that year] x [(the amount the Association remitted to the relevant social media website in that year) / (the Association's total expenses that year)].
14. This limitation will not limit any liability for gross negligence or damages that may not be limited by law.

CERTIFICATE OF SECRETARY

I hereby certify that the foregoing Communications Policy of Spring Creek Forest Civic Association was approved on October 30th, 2018, at meeting of the Board of Directors at which a quorum was present.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 26 day of December, 2018.

Spring Creek Forest Civic Association

Rachel Lanchar
Print Name: Rachel Lanchar
Title: Secretary

STATE OF TEXAS

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COUNTY OF HARRIS

BEFORE ME on this day personally appeared Rachel Lanchar, the Secretary of Spring Creek Forest Civic Association., known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purpose and in the capacity herein expressed.

Given under my hand and seal of office, this 26th day of December 2018.

[Signature]
Notary Public - State of Texas



After Recording Please Return To:
Sipra S. Boyd
Roberts Markel Weinberg Butler Hailey PC
2800 Post Oak Blvd., Suite 5777
Houston, TX 77056

RP-2019-41191

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Pages 7
01/31/2019 11:50 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
DIANE TRAUTMAN
COUNTY CLERK
Fees \$36.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.



Diane Trautman

COUNTY CLERK
HARRIS COUNTY, TEXAS

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