

PANDEMIC POLICY
For
SPRING CREEK FOREST CIVIC ASSOCIATION
(Amenity Use Guidance Pursuant to Chapter 148, Texas Civil Practice & Remedies Code)

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, Erin S Maxwell, the Secretary of Spring Creek Forest Civic Association (the "Association"), do hereby certify that at a meeting of the Board of Directors of the Association (the "Board") duly called and held on the 16 day of November, 2021, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Pandemic Policy ("Policy") was duly approved by a majority vote of the members of the Board:

RECITALS:

1. Article V, Section 1, of the "Amended and Restated Bylaws of Spring Creek Forest Civic Association, Inc." recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk's File No. RP-2021-515962, grants the Board the power to adopt rules, regulations and/or guidelines regarding the use of the Common Areas and amenities situated thereon.

2. On June 14, 2021, Chapter 148 of the Texas Civil Practices & Remedies Code was amended to state that a person (as the term is defined in Section 311.005(2) of the Texas Government Code) is not liable for injury or death caused by exposing an individual to a pandemic disease during a pandemic emergency unless the claimant establishes certain facts, including a failure to implement or comply with government-promulgated standards, guidance, or protocols intended to lower the likelihood of exposure to the disease that were applicable to the person's business.

3. Definition of Pandemic Disease: A Pandemic Disease is an infectious disease that spreads to a significant portion of the population of the United States and that poses a substantial risk of a significant number of human fatalities, illnesses, or permanent long-term disabilities.

4. The Association has taken affirmative steps to comply with applicable state, local, and federal guidance throughout the pendency of the COVID-19 pandemic by limiting capacity at events and meetings, hosting outdoor events and posting signage warning Owners about the risk of exposure to the virus.

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5. The Association has also utilized and may continue to utilize electronic meeting capabilities for Spring Creek Forest Civic Association meetings in lieu of in-person meetings at the Spring Creek Forest clubhouse facility.

6. The Centers for Disease Control (“CDC”) and State of Texas have issued guidance and recommendations for avoiding the spread of COVID-19 (collectively, the “Government-Promulgated Guidance”).

7. The fluid nature of a Pandemic Disease requires flexibility. Should Government-Promulgated Guidance change, the Association will implement these suggested changes and expect that Owners will comply with such altered guidelines without further action by the Association.

8. The Board wishes to adopt this Policy in order to implement the relevant Government-Promulgated Guidance with respect to Association amenities and other Common Areas.

9. In an effort to comply with the terms of Chapter 148 of the Texas Civil Practices & Remedies Code and the Government-Promulgated Guidance, the Board adopts the following Policy.

POLICY:

**Amenity Use Guidance Pursuant to
Chapter 148, Texas Civil Practice & Remedies Code**

1. Warning Regarding Use of Amenities and Other Common Areas. **THERE ARE INHERENT RISKS INVOLVED IN THE USE OF THE ASSOCIATION’S AMENITIES AND OTHER COMMON AREAS DUE TO THE INABILITY TO CLEAN AFTER EACH USE, HIGH FOOT TRAFFIC AND CLOSE PROXIMITY TO OTHERS. THESE RISKS INCLUDE BUT ARE NOT LIMITED TO BODILY INJURY, SICKNESS, DISEASE, AND DEATH RESULTING FROM EXPOSURE TO THE DECLARED PANDEMIC DISEASE (INCLUDING BUT NOT LIMITED TO COVID-19).**

2. Residents and their guests are encouraged to practice all Government-Promulgated Guidance including but not limited to the following precautionary measures when visiting Association amenities or when entering other Common Areas:

- a. Wear a face covering over your nose and mouth;
- b. Practice social distancing by maintaining six feet (6’) of distance from others who are not a member of your household;
- c. Frequent hand washing; and
- d. Self-Isolation and/or quarantine for all Symptomatic Individuals in accordance with current CDC guidance for anyone who may begin to

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exhibit symptoms of the Pandemic Disease (including but not limited to COVID-19).

- While the recommendations in this Policy are current as of the date of this Policy, individuals are strongly encouraged to visit the following websites for guidance on continually changing protocols :

- d. Centers for Disease Control and Prevention
(CDC): <https://www.cdc.gov/coronavirus/2019-ncov/index.html>; and
- e. Texas Department of State Health
Services (DSHS): <https://www.dshs.texas.gov/coronavirus/opentexas.aspx#protocols>; and
- f. Harris County: <https://covid-harriscounty.hub.arcgis.com>

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The provisions of the foregoing Policy are in addition to any other applicable rules or policies. To the extent the provisions of this Policy conflict with any other applicable rules or procedures (other than those contained in the Bylaws or Declaration), the provisions of this Policy control.

TO CERTIFY which witness my hand this the 16 day of November, 2021.

SPRING CREEK FOREST CIVIC ASSOCIATION

By: *Erin S Maxwell*

Printed: Erin S Maxwell

Its: Secretary

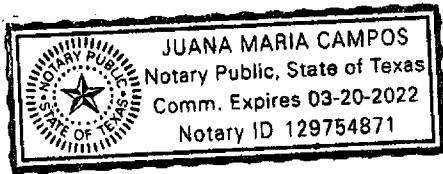
THE STATE OF TEXAS §

§

COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 18 day of November, 2021 personally appeared ERIN SMAXWELL, the Secretary of Spring Creek Forest Civic Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purpose and in the capacity therein expressed.

Juana Maria Campos
Notary Public in and for the State of Texas



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