PI145-201209526-37

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RECORD OF DEDICATORY INSTRUMENTS (PURSUANT TO PROPERTY CODE § 202.006)

SUMMERSET ESTATES PROPERTY OWNERS ASSOCIATION INC.

Number of Units 288
Declaration File Code 2003031932
Declaration Film Code 272-10-2567

Items attached to be filed:
- ✓ Management Certificate
- ✓ By – Laws
- ✓ Rules and Regulations
- ✓ Articles of Incorporation
- ✓ Architectural Control Guidelines
- ✓ Other Payment Plan Policy, Collection + Fine Policy, Records Retention and Productio

TOTAL # OF PAGES TO BE FILED: _____

AFFIDAVIT IN COMPLIANCE WITH SECTION 202.006 OF TITLE 11 OF THE TEXAS PROPERTY CODE

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared John M. Hughes, who, being duly sworn according to law, stated the following under oath:

"My name is John M. Hughes. I am fully competent to make this Affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.

I am President of JDH Association Management, the management team for Summerset Estates Property Owners Association, Inc., a Texas Non-profit Corporation (the "Association"). I am also a custodian of the records for the Association and I have been authorized by the Association's Board of Directors to sign this Affidavit.

The Association is a "property owners' association" as that term defined in *Title 11 of the Texas Property Code.* The Association's jurisdiction includes, but may not be limited to the tract or parcel of land consisting of that certain tract of land known as "SUMMERSET ESTATES SECTION ONE" being a Subdivision of 129.849 acres of land situated in the T. & N.O.R.R. Survey, A-785, Montgomery County, Texas, according to the plat ("Plat") of said Summerset Estates Section One, recorded in the office of the County Clerk of Montgomery County, Texas, after having been approved as provided by law, and being recorded in the Map Records of Montgomery County, Texas at Cabinet T, Sheets 130 through 135, Map Records of Montgomery County, Texas (hereinafter referred to as the "Property" or the "Subdivision").

Attached hereto are the originals of, or true and correct copies of, the following dedicatory instruments, including known amendments or supplements thereto, governing the Association, which instruments have not previously been recorded. The documents attached hereto are subject to being supplemented, amended or changed by the Association. Any questions regarding the dedicatory instruments of the Association may be directed to the Association at 15201 East Freeway, Suite 205, Channelview, Texas 77530 phone number: 281-457-5341.

SIGNED on this the 8th day of December, 2011.

John M. Hughes, President
JDH Association Management

VERIFICATION

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority, on this day personally appeared John M. Hughes, who, after being duly sworn stated under oath that he has read the above and foregoing Affidavit and that every factual statement contained therein is within his personal knowledge and is true and correct.

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this the 8th day of December, 2011.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

G MARIE BARAJAS
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES
MAY 7, 2016

Return to:
SDH Association
1776 Woodstead Ct #103
The Woodlands, TX 77380

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BYLAWS OF

SUMMERSET ESTATES PROPERTY OWNERS ASSOCIATION

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ARTICLE 1
OFFICES

1.01 Principal Office. The principal office of the Association shall be at located at 19221 South 1-45, Suite 320 Conroe, Texas 77385. The Association may have such other offices, either in Texas or elsewhere, as the Board of Directors may determine. The Board of Directors may change the location of any office of the Association. Meetings of Members and the Board of Directors may be held at such places within Montgomery County, Texas as may be designated by the Board of Directors.

1.02 Other Offices. The corporation may also have offices at such other places both within and without the State of Texas as the Board of Directors may from time to time determine or the business of the corporation may require.

ARTICLE 2
DEFINITIONS

2.01 "Association" shall mean and refer to "Summerset Estates Property Owners Association," its successors and assigns.

2.02 "Subdivision" shall mean and refer to that certain real property being a Subdivision of 129.849 acres of land situated in the T. & N.O.R.R. Survey, A-785, Montgomery County, Texas, according to the plat ("Plat") of said Summerset Estates Section One, recorded in the office of the County Clerk of Montgomery County, Texas as described in the Declaration of Covenants, Conditions and Declarations (the "Declaration"), filed with the County Clerk of Montgomery County, Texas, under Clerk's File No. 2003-031932 as may be amended in the Official Public Records of Montgomery County, Texas, and such additions thereto as may hereafter be brought within the jurisdiction of the Association pursuant to said Declaration or subsequent Declarations filed of record by the Declarant.

2.03 "Common Area" shall mean all real property designated on the plat of the Subdivision and owned by the Association for the common use and enjoyment of the Owners of property in the Subdivision~

2.04 "Lot" shall mean and refer to the lots of land shown upon the recorded plat of the Subdivision and described in the Declaration.

2.05 "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Subdivision, including contract purchasers, but excluding those having such interest merely as security for the performance of an obligation as more fully described in the Declaration.

2.06 "Declarant" shall mean and refer to JTM Housing, Ltd., a Texas Limited Partnership, its successors and assigns if such successors or assigns should acquire the undeveloped Lots from the Declarant for the purpose of development.

2.07 "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the Subdivision as filed in the office of the County Clerk of Montgomery County , Texas in Clerk's File No. 2003-031932 of the Official Public Records of Montgomery County, Texas, together with any amendments thereto.

2.08 "Member" shall mean and refer to those persons entitled to membership in the Association as provided in the Declaration.

ARTICLE 3
QUALIFICATIONS FOR MEMBERSHIP

3.01 Membership. The membership of the Association shall consist of all the owners of the Lots within the Subdivision or brought within the scheme of the Restrictions for the Subdivision pursuant to the provisions and authority of said Restrictions, which is subject to a maintenance charge assessment by the Declarant or assigns, including contract purchasers. The foregoing is not intended to include persons or entities that hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any lot, which is subject to assessment, by the Association under the Restrictions.

3.02 Proof of Membership. Any person shall not exercise the rights of membership until satisfactory proof has been furnished to the Secretary of the Association that the person is qualified as a Member. Such proof may consist of a copy of a duly executed and acknowledged deed or title insurance policy evidencing ownership of a Lot or Lots in the Subdivision. Such deed or policy shall be deemed conclusive in the absence of a conflicting claim based on a later deed or policy.

3.03 No Additional Qualification. The sole qualification for membership shall be ownership of a Lot or Lots in the Subdivision. No initiation fees, costs, or dues shall be assessed against any person as a condition of membership except such assessments, levies, and charges as are specifically authorized under the Restrictions.

3.04 Certificates of Membership. The Board of Directors may provide for the issuance of certificates evidencing membership in the Association, which shall be in such form as may be

determined by the Board. All certificates evidencing membership shall be consecutively numbered. The name and address of each Member and the date of issuance of the certificate shall be entered on the records of the Association and maintained by the Secretary at the registered office of the Association.

ARTICLE 4
VOTING RIGHTS

4.01 Voting. Voting shall be a one vote per Lot basis. The owner or owners of each lot are entitled to one vote for each lot owned in the Subdivision. If record title to a particular Lot or Lots is in the name of two or more persons, all co-owners shall be Members and may attend any meeting of the Association but the voting rights appurtenant to each such Lot or tract may not be divided and fractional votes shall not be allowed. Any one of said co-owners may exercise the vote appurtenant to each such Lot or tract so owned at any meeting of the Members and such vote shall be binding and conclusive on all of the other co-owners of said Lot or tract who are not present; provided, if one of the non-attending co-owners has given the Association notice of objection to the attending co-owner's vote, no vote shall be cast for said Lot or tract except upon notice of unanimous consent by all such co-owners being given to the Association. In the event more than one vote is cast for a single Lot or tract by an owner, none of the votes so cast shall be counted and all of such votes shall be deemed void.

4.02 Classes of Membership. Notwithstanding paragraph 4.01 to the contrary, the Association shall have two classes of voting membership as follows:

Class A. Class A members shall be all Owners, with the exception of the Declarant, and shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members, however, the vote for such Lot shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any Lot, as set forth in paragraph 4.01 above.

Class B. The Class B member shall be the Declarant and the Declarant shall be entitled to three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

(a) When the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership, or

(b) On January 1, 2007.

4.03 Proxies. At all meetings of Members, each Member may vote in person or by proxy. All proxies shall be in writing and filed with the Secretary of the Association. Every proxy shall be revocable and shall automatically cease on conveyance by the Member of his Lot, or on receipt of notice by the Secretary of the death or judicially declared incompetence of such Member. No proxy shall be valid after eleven (11) months from the date of its execution, unless otherwise specifically provided in the proxy.

4.04 Quorum. The presence, either in person or by proxy, at any meeting, of Members entitled to cast at least ten (10%) percent of the total votes of the Association shall constitute a quorum for any action. In the absence of a quorum at a meeting of Members, a majority of those Members present in person or by proxy may adjourn the meeting to a time not less than five (5) days nor more than forty-five (45) days from the meeting date.

4.05 Required Vote. The vote of the majority of the votes entitled to be cast by the Members present, or represented by proxy, at a meeting at which a quorum is present shall be the

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act of the meeting of the Members, unless the vote of a greater number is required by statute.

4.06 Cumulative Voting. Cumulative voting shall not be permitted during the election of Directors.

ARTICLE 5
MEETINGS OF MEMBERS

5.01 Annual Meetings. The first annual meeting of the Members of the Association shall be held within one year of the date of Incorporation of the Association, and thereafter, the annual meeting of the Members of the Association shall be held between the 15th and the 28th day of January of each succeeding calendar year. If the day for the annual meeting of the Members is a legal holiday, the meeting shall be held at the same hour on the first day following which is not a legal holiday (excluding Saturday and Sunday).

5.02 Special Meetings. Special meetings of the Members may be called by the President, the Board of Directors, or by Members representing at least ten (10%) percent of the total votes entitled to be cast by the Members.

5.03 Place. Meetings of the Members shall be held within the Subdivision or at a meeting place as close thereto as possible as the Board may specify in writing.

5.04 Notice of Meetings. Written notice of all Members' meetings shall be given by or at the direction of the Secretary of the Association (or other persons authorized to call the meeting) by mailing or personally delivering a copy of such notice at least ten (10) but not more than fifty (50) days before such meeting to each Member entitled to vote at such meeting, addressed to the Member's address last appearing on the books of the Association, or supplied by such Member to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting and, in the case of a special meeting, the nature of the business to be undertaken. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail addressed to the Member at the address last appearing on the books of the Association with postage thereon paid.

5.05 Order of Business at Meetings. The order of business at all meetings of the Members shall be as follows:

(1) Roll call;
(2) Proof of notice of meeting or waiver of notice;
(3) Reading of Minutes of preceding meeting;
(4) Reports of officers;
(5) Reports of committees;
(6) Election of directors;
(7) Unfinished business; and
(8) New business.

5.06 Action without Meeting. Any action required by law to be taken at a meeting of the Members, or any action which may be taken at a meeting of the Members, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the Members and Ned with the Secretary of the Association.

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ARTICLE 6
BOARD OF DIRECTORS

6.01 Number. The affairs of the Association shall be managed by the Board of Directors consisting of three (3) persons, all of who must be members of the Association.

6.02 Term. The initial Board of Directors shall serve until the Control Transfer Date (as defined in the Restrictions) occurs. Upon the Control Transfer Date, the Developer shall appoint the Board of Directors. The Directors shall be classified with respect to the time for which they hold office by dividing them into three classes, each class consisting of one Director, and each Director shall hold office until his successor shall be elected and shall qualify. At the first annual meeting of Members, one (1) Director shall be elected to serve on the Board for a one (1) year term, one (1) Director shall be elected to serve on the Board for a two (2) year term and one (1) Director shall be elected to serve on the Board for a three (3) year term. The terms of the Directors shall be staggered so that the terms of the Directors shall not result in more than two (2) Directors being elected in any one year. Each Director shall hold office until a successor is elected and qualified.

6.03 Removal. Directors may be removed from office with or without cause by a majority vote of the Members of the Association.

6.04 Vacancies. In the event of a vacancy on the Board caused by death, resignation, removal of a Director, the remaining Directors shall, by majority vote, elect a successor who shall serve for the unexpired term of his predecessor in office.

Any directorship to be filled by reason of an increase in the number of directors shall be filled by election at an annual meeting or at a special meeting of Members called for that purpose.

6.05 Compensation. No Director shall receive compensation for any service he may render to the Association. A Director may, however, be reimbursed by the Board for actual expenses incurred by him in the performance of his duties.

6.06 Powers and Duties. The Board shall have the powers and duties, and shall be subject to limitations on such powers and duties, as enumerated in these Bylaws or as set forth in the Articles of Incorporation of the Association. In addition, the Board of Directors shall have the powers and following duties:

a. cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members, or at any special meeting when such statement is requested in writing by one-fourth (1/4) of the Members who are entitled to vote;

b. supervise all officers, agents and employees of this Association, and to see that their duties are properly performed;

c. as more fully provided in the Restrictions to:

(1) fix the amount of the annual maintenance fund assessment against each lot at least thirty (30) days in advance of each annual assessment period as provided in the Restrictions;

(2) send written notice of each assessment to every Owner subject thereto at least

thirty (3) days in advance of each annual assessment period; and

(3) foreclose the lien against any property for which assessments are not paid within thirty (30) days after due date or to bring an action at law against the owner personally obligated to pay the same;

d. issue, or to cause an appropriate office to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid. A reasonable charge may be made by the Board for the issuance of these certificates. Ira certificate states an assessment has been paid; such certificate shall be conclusive evidence of such payment;

e. procures and maintain, if possible, adequate liability and hazard insurance on property owned by the Association;

f. cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate;

g. cause the Common Area to be maintained;

h. cause the Restrictions of the Subdivision to be enforced and administered;

i. employ such accountants, attorneys, contractors or other persons or entities as they deem necessary to manage and administer the affairs of the Association; and

j. manage the affairs of the Association.

Directors shall exercise ordinary business judgment in managing the affairs of the Association. Directors shall act as fiduciaries with respect to the interests of the Members. In acting in their official capacity as directors of this Association, directors shall act in good faith and take actions they reasonably believe to be in the best interests of the Association and that are not unlawful. In all other instances, the Board of Directors shall not take any action that they should reasonably believe would be opposed to the Association's best interests or would be unlawful. A director shall not be liable if, in the exercise of ordinary care, the director acts in good faith relying on written financial and legal statements provided by an accountant or attorney retained by the Association.

6.07 Actions of Board of Directors. The Board of Directors shall try to act by consensus. However, the vote of a majority of directors present and voting at a meeting at which a quorum is present shall be sufficient to constitute the act of the Board of Directors unless the act of a greater number is required by law or the bylaws. A director who is present at a meeting and abstains a vote is considered to be present and voting for the purpose of determining the decision of the Board of Directors. For the purpose of determining the decision of the Board of Directors, a director who is represented by proxy in a vote is considered present.

ARTICLE 7
NOMINATION OF DIRECTORS

7.01 Nomination and Election of Directors. Nomination for election to the Board of Directors shall be made by a Nominating Committee and increased as herein set forth.

7.02 Nominating Committee. At a regular meeting of the Board of Directors held no later

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than November of each year there shall be appointed by the Board a committee of seven regular Members of the Association, none of whom shall be a member of said Board, as a Nominating Committee; each member of the Board shall have the right and the privilege of naming one member of said Committee. In the event of the failure of any member to do so, the members of the Board present at such meeting shall appoint a sufficient number to complete said Committee, which Committee shall be charged with the duty of nominating candidates for members of the Board of Directors to be elected at the next annual meeting. No member of the Nominating Committee shall serve consecutive terms on that Committee. No member of the Nominating Committee may be nominated for the position of Board Member while serving on the Nominating Committee. The Board of Directors at said meeting shall fix the time and place of the meeting of such Nominating Committee, but the date fixed for such meeting shall not be less than thirty-one (31) days prior to the date of the annual election. The Secretary shall immediately notify in writing each of the members of such Nominating Committee of his selection and of the time and place of the meeting of the Committee. The Nominating Committee shall meet at the time and place designated. A majority of the nominating Committee shall govern the action and determination of the Committee. Each nominee must receive a minimum of four affirmative votes and must not be in default of any fees due the Association.

7.03 Nomination of Candidates and Posting of Names. The Nominating Committee shall at least twenty (20) days before the annual election, mail to the members the names of the candidates selected by it to fill the places of outgoing members of the Board of Directors, and shall also immediately file with the Secretary of the Association a list of such nominated members. No member shall be nominated who has served more than three consecutive terms next proceeding. Other candidates may be nominated to fill said places, or any of them, by petition signed by at least ten (10%) percent of the Members entitled to vote, provided such petition shall be received by the Secretary at least seven (7) days before the annual election and provided any such nominee is a member not in default on any fees due the Association~ Upon receiving such petition, the Secretary shall forthwith cause the same to be added to the list of nominees of the Board of Directors. The names of all candidates nominated by the Committee or by petition, if any, shall be printed on the official ballot used at such election and none of such names may be withdrawn after the said names have been published on the bulletin board in the manner above stated. All names shall be arranged alphabetically on the ballot. At least five (5) days prior to the annual election, the Secretary shall mail a copy of such official ballot to each Member.

7.04 Election. Directors are elected at the annual meeting of Members. Members, or their proxies, may cast, in respect to each vacant directorship, as many votes as they are entitled to exercise under the provisions of the Declaration. The nominees receiving the highest number of votes shall be elected. No Member may cumulate votes.

ARTICLE 8
MEETINGS OF DIRECTORS

8.01 Regular Meetings. Regular meetings of the Board of Directors shall be held quarterly at such place and at such time as may be fixed from time to time by resolution of the Board. Notice of the time and place of such meeting shall be delivered to each member of the Board of Directors not less than three (3) nor more than thirty (30) days before the date of the meeting.

8.02 Special Meetings. Any two Directors other than the Secretary shall hold special meetings of the Board of Directors when called by written notice signed by the Secretary of the Board of Directors or. The notice shall specify the time and place of the meeting and the nature of

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any special business to be considered. Notice of any special meeting must be given to each Director not less than three (3) days, or more than thirty (30) days prior to the date fixed for such meeting by written notice delivered personally or sent by mail or telegram to each Director at his address as shown in the records of the Association.

8.03 Quorum~ A quorum for the transaction of business by the Board of Directors shall be the lesser of either a majority of the number of Directors constituting the Board of Directors as fixed by these Bylaws or four.

8.04 Voting Requirement. The act of the majority of Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors unless any provision of the Articles of Incorporation or these Bylaws requires the vote of a greater number.

8.05 Open Meetings. Regular and special meetings of the Board shall be open to all Members of the Association; provided, however, that Association Members who are not on the Board may not participate in any deliberation or discussion unless expressly so authorized by the vote of a majority of a quorum of the Board.

8.06 Executive Session. The Board may, with the approval of a majority of a quorum, adjourn a meeting and reconvene in executive session to discuss and vote on personnel matters, litigation in which the Association is or may become involved, and other business of a confidential nature. The nature of any and all business to be considered in executive session shall first be announced in open session.

ARTICLE 9
COMMITTEES

9.01 Appointed by Board of Directors. The Board of Directors shall appoint such committees as are required by the Restrictions. The Board may from time to time establish and appoint to such other committees, as it shall deem necessary and advisable to assist the Board in the general operation and management of the Association. The Chairman and all Members of each such committee must be a member of the Association.

9.02 Authority- of Committees. The Board of Directors may grant to any committee thus established by the Board such authority and power consistent with these Bylaws as the Board shall deem required to can't out the intended purposes and functions of such committee.

9.03 Discharge of Committees and Committeemen. The Board of Directors may discharge any committee established by the Board and may remove and replace any committeeman appointed to any committee.

9.04 Membership Committee. This Committee shall pass upon all applications for membership and report on the same with recommendations to the Board of Directors. All applications for membership shall be deposited with the Secretary for delivery to the Committee.

ARTICLE 10

OFFICERS

10.01 Enumeration of Officers. The Officers of this Association (who shall at all times be members of the Board of Directors) shall be a President, a Vice President and a Secretary and

Treasurer. The Board of Directors may, be resolution, create such other offices, as it deems necessary or desirable.

10.02 Term. The Officers of this Association shall be elected annually by the Board of Directors and each shall hold office for a term of one year, unless such officer shall sooner resign, be removed, or be otherwise disqualified to serve.

10.03 Resignations and Removal. Any Officer may resign at any time by giving written notice to the Board, the President or the Secretary. Such resignation shall take effect at the date of receipt of such notice or at any later time specified therein. Any officer may be removed from office by the Board whenever, in the Board's judgment, the best interests of the Association would be served by such removal.

10.04 Multiple Offices. The same person, except the offices of President and Secretary, may hold any two or more offices.

10.05 Compensation. Officers shall not receive compensation for services rendered to the Association.

ARTICLE 11
PRESIDENT

11.01 Election. At the first meeting of the Board immediately following the annual meeting of the Members, the Board shall elect one of the numbers to act as President.

11.02 Duties. The President shall:

(a) Preside over all meetings of the Members and of the Board;

(b) Sign as President all deeds, contracts, and other instruments in writing which have been first approved by the Board, unless the Board, by duly adopted resolution, has authorized the signature of a lesser officer;

(c) Call meetings of the Board whenever he deems it necessary in accordance with rules and on notice agreed to by the Board. The notice period shall, with the exception of emergencies, in no event be less than three (3) days; and

(d) Have, subject to the advice of the Board, general supervision, direction and control of the affairs of the Association and discharge such other duties as may be required of him by the Board.

ARTICLE 12
VICE PRESIDENT

12.01 Election~ At the first meeting of the Board immediately following the annual meeting of the Members, the Board shall elect one of its members to act as Vice President.

12.02 Duties. The Vice President shall:

(a) Act in the place mad in the stem of the President in the event of his absence, inability, or refusal to act; and

Association. A record containing the names and addresses of all Members entitled to vote shall be kept at the registered office or principle place of business of the Association.

15.02 Inspection. The Restrictions of the Subdivision, the Articles of Incorporation and the Bylaws of the Association, the membership register, the books of account, and the minutes of proceedings, shall be available for inspection and copying by any Member of the Association or any Director for any proper purpose at any reasonable time.

ARTICLE 16
AMENDMENTS

16.01 Amendments. These Bylaws may be modified, altered, amended, or repealed and new Bylaws adopted by a majority vote of the Board of Directors or by a majority vote of those Members present and voting, in person or by proxy, at any annual or special meeting or election called for that purpose; provided, however, that a statement of the proposed modifications, alterations, amendments, or repeal and proposed new Bylaws signed by either the Board of Directors or by ten (10%) percent or more of the Members entitled to vote shall be delivered to the Board of Directors at least twenty (20) days before the date of such meeting or election; and it shall be the duty of the Board of Directors to cause a copy of such proposed modifications, alterations, amendments, or repeal and proposed new Bylaws to be mailed to each member of the Association at his last known address on the books of the Association at least seven (7) days before such meeting or election.

Attestation

Adopted by the Board of Directors on August 6, 2003.

Secretary

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 6th day of August 2003, by RICK GAUL, Secretary of Summerset Estates Property Owners Association, in the capacity therein stated.

Notary Public, State of Texas

MICHAEL P FLEMING
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 09-26-2006