

NOTICE
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**PARKGLEN WEST COMMUNITY IMPROVEMENT
ASSOCIATION**
MEETING OF THE BOARD OF DIRECTORS
October 7, 2014

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Resolution Adopting an Amended and Revised Fine Policy

The undersigned, being a duly authorized representative of Parkglen West Community Improvement Association (the "Association"), a Texas Non-Profit Corporation, pursuant to Chapter 22 of the Texas Business Organizations Code, adopted the following resolution at a duly called board meeting:

WHEREAS, the Association is responsible for the governance and maintenance of Parkglen West Subdivision as described in the Declaration of Restrictions for Section One (1) of Parkglen West Community Improvement Association, filed December 15, 1969 under County Clerk's File No. D032285 in the Official Public Records of Real Property of Harris County, Texas, Declaration of Restrictions for Section Two (2) of Parkglen West Community Improvement Association, filed December 3, 1970 under County Clerk's File No. D224541 in the Official Public Records of Real Property of Harris County, Texas, Declaration of Restrictions for Section Three (3) of Parkglen West Community Improvement Association, filed April 2, 1971 under County Clerk's File No. D297993 in the Official Public Records of Real Property of Harris County, Texas, Amendment to the Declaration of Restrictions for Section Three (3) of Parkglen West Community Improvement Association, filed August 5, 1971 under County Clerk's File No. D386752 in the Official Public Records of Real Property of Harris County, Texas, Declaration of Restrictions for Section Four (4) of Parkglen West Community Improvement Association, filed August 18, 1971 under County Clerk's File No. D396058 in the Official Public Records of Real Property of Harris County, Texas, and all amendments thereto; and

WHEREAS, the Association exists pursuant to state law and its Declarations, Bylaws, Articles of Incorporation, Rules and Regulations, and Resolutions (hereafter collectively referred to as "Governing Documents"); and

WHEREAS, the provisions of the Governing Documents run with the Lots in the Parkglen West Subdivision and are binding upon and inure to the benefit of and are enforceable by the Association; and

WHEREAS, the Association, through its Board of Directors, has the authority to regulate the use, maintenance, repair, replacement, modification, and appearance of the Parkglen West Subdivision; and

WHEREAS, Section 22.202(b) of the Texas Business Organization Code provides that "[a] corporation is considered to have vested the management of the corporation's affairs in the board of directors of the corporation in the absence of a provision to the contrary in the certificate of formation"; and

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WHEREAS, property values in subdivision are affected by the appearance of the subdivision and specifically, the appearance of deed restriction violations therein; and

WHEREAS, it is the desire of the Board of Directors to alleviate such deed restriction violations by adopting the following Policy which is necessary to help maintain the attractiveness of the subdivision and thereby support property values; and

WHEREAS, if notice and an opportunity to be heard are given, the Association shall be entitled to impose reasonable fines for violation of the Governing Documents and to collect reimbursement of actual attorney's fees and other reasonable costs incurred by the Association relating to an owner(s)' violation of the Governing Documents; and

WHEREAS, the original Fine Policy was recorded in the Official Public Records of Real Property of Harris County, Texas under Film Code No. ER 049-38-0888 et seq.; and

WHEREAS, this Resolution and Fine Policy hereby amends and supersedes the aforementioned Fine Policy; and

WHEREAS, for the benefit and protection of the Association, the owners, and the residents, the Board of Directors deems it proper to assess reasonable fines against an owner for violation of the Governing Documents.

NOW THEREFORE, BE IT RESOLVED THAT in consideration of the above factors and others, the Parkglen West Community Improvement Association, Inc., acting through the Board of Directors, hereby resolves to adopt and publish the following policy regarding assessment of fines for violations of the Governing Documents as follows (this policy does not address delinquent assessments):

FIRST AMENDED FINE POLICY & PROCEDURES

1. **Initial Violation Letter & No Fine** - An initial notice of the violation ("Initial Violation Letter") shall be mailed to the owner(s) via regular mail and certified mail/return receipt requested ("CMRRR") by the Management Company on behalf of the Association demanding the owner(s) cure the violation within thirty (30) days of the date of the letter. The opportunity to cure may be less than thirty (30) days if the violation may be easily remedied within a shorter period. The letter will give the owner an opportunity to request a hearing with the Board disputing the violation within thirty (30) days of receipt of the letter.
 - a. **NO FINE** if violation is cured within the given time frame.
2. **Second Violation Letter & 1st Fine** - If the violation is not corrected or occurs again, a \$50.00 fine will be levied to the owner(s)' account and a second notice may be mailed to the owner(s) via regular mail advising the owner(s) of the fine and demanding that the violation be cured within the given time frame.
 - a. **\$50.00 fine assessed and due within fifteen (15) days following imposition.**

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- 3. **Third Violation Letter & 2nd Fine** - If the violation is not corrected or occurs again, a \$100.00 fine will be levied to the owner(s)' account and a third notice may be mailed via regular mail advising the owner(s) of the fine and demanding that the violation be cured within the given time frame.
 - a. **\$100.00 fine assessed and due within fifteen (15) days following imposition.**

- 4. **Fourth Violation Letter & 3rd Fine** - If the violation is not corrected or occurs again, a \$150.00 fine will be levied to the owner(s)' account and a fourth notice may be mailed via regular mail advising the owner(s) of the fine and demanding that the violation be cured within the given time frame.
 - a. **\$150.00 fine assessed and due within fifteen (15) days following imposition.**

- 5. **Next Step** - If the violation continues or reoccurs without resolution after the fourth notice, the Board shall have the right to undertake any action authorized by the Bylaws or Declarations, including, but not limited to, turning the matter over to the Association's Attorneys for legal action, the costs of which actions shall be billed to the owner(s).

ADOPTED the 7th day of October, 2014 by a majority of the Board of Directors of the Association.

PARKGLEN WEST COMMUNITY IMPROVEMENT ASSOCIATION, a Texas non-profit corporation, acting through its President

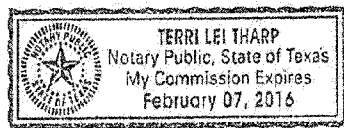
By Beth T. Hooker
Beth T. Hooker, President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

ACKNOWLEDGMENT

This instrument was acknowledged before me on the 19th day of January 2014 by Beth T. Hooker, President of PARKGLEN WEST COMMUNITY IMPROVEMENT ASSOCIATION.

Terril Sharp
Notary Public in and for the State of Texas



RETURN TO:
SEARS | BENNETT | LLP
ATTORNEYS AT LAW
9700 RICHMOND AVENUE, SUITE 222
HOUSTON, TX 77042

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e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees 24.00

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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.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS