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Twin Oaks Village Community Association, Inc. Violations & Fine Policy

The purpose of this Violations & Fine Policy is to establish rules, regulations and fines, for some of the frequent types of violations addressed in the Deed Restrictions. It is not intended to be a complete list of all possible violations. Each violation references the applicable provision of the deed restrictions; §§ 4.6 and 5.4 invoke the rulemaking authority of the Board and the Architectural Control Committee. For more complete information refer to the DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR TWIN OAKS VILLAGE (henceforth referred to as the "Declaration").

I. VIOLATIONS

All properties should be kept neat and well-maintained at all times.

Yard maintenance needed (§§ 3.3, 3.7 and 3.15): Yards must be maintained on a frequent enough basis to maintain an overall well-kept appearance. This includes:

- Mowing: Front yard, back yard, and, if on a corner lot, the side yard of corner lots.
- Edging: Sidewalk, driveway and curb; no runners should be showing on paved surfaces.
- Weed control: Flowerbeds, non-lawn areas, and cracks of sidewalks, and driveways.
- Vegetation requirements: The majority of the front yard will consist of grass or short, vegetation or ground cover. No hard, packed earth or barren spots. Gravel and loose stones cannot be used in lieu of vegetation.
- Yard debris, including lawn clippings and tree & shrub trimmings, must be removed from view after maintenance until trash pick-up day. Blowing, raking or sweeping lawn clippings and leaves into the street is not acceptable, unless for immediate clean-up.
- Pruning: Shrubs may not extend over paved areas. All shrubs on the Lot must be neat and pruned.
- All lots shall have 2 live oak trees of at least 30 gallons in size.
- Removing dead plants, shrubs, trees in a timely manner.
- Watering regularly without violating local conservation directives.
- Keeping lot areas visible from the street picked up and clear of miscellaneous items that are not meant to be permanently placed in yard.
- No unattached or unnecessary tree stakes, or other staking devices not attached to trees, are permitted.

- **Lots which are not properly maintained are subject to the Association's right to force mow or other self-help as authorized by Section 3.15 of the Association and the costs of such self-help shall be charged to the owner and secured by the assessment lien on the Lot.**

Removal of Trash Cans in a timely manner (Section 3.7): All trash cans, recycling cans, or bins and all other containers for storage of trash shall be stored out of public view at all times, except between the hours of 5:00 pm the day before a scheduled trash pick-up day and 10:00 pm on the scheduled trash pick-up day.

Architectural Control / Unapproved exterior changes (Article IV): All new construction, improvements, additions and modifications to a Lot, the exterior of the residence, the addition of any structure, fence replacement or installation, painting, roof replacement (shingles shall be only driftwood or weatherwood shingles), and major landscape modifications and installations must be pre-approved in writing by the Twin Oaks Village Architectural Control Committee. Specifically, without limiting the generality of the foregoing, fences shall not be stained or otherwise painted.

Animals (§§ 3.7 and 3.12): Animals are prohibited, except for dogs, cats and common household pets. Snakes and any venomous animals are prohibited. All pets must be leashed and under control of the person holding the leash. Dogs, cats or any other animals may not be allowed to cause a nuisance. The pet's owner must immediately remove the pet's waste from any property within the community, including the Association's common areas.

Boats, trailers, and other recreational vehicles and equipment (§ 3.10): May not be parked or stored on any street or Lot within the neighborhood unless completely concealed from public view. Special considerations will be given in the case of preparation and unloading of recreational vehicles and trailers for brief periods not to exceed 24 hours. Removal of the recreational vehicle or trailer for short periods of times, so as to avoid the intent of this provision, shall **NOT** affect the running of the time periods set out herein. Repeated parking and/or storage of boats, trailers, and other recreational vehicles and equipment will be considered habitual, and is a violation.

Definitions - includes, but not limited to, recreational equipment (boats, jet skis, campers, RV's, off-road vehicles, aircraft, etc.), and trailers (hauling, animal, storage, work, utility, etc.).

Vehicles (§ 3.10): Vehicles shall not be parked on the grass or on/over sidewalks at any time. No inoperable vehicle, vehicle without a current license plate or inspection sticker, or vehicle that exceeds 6'6" in height, 7'6" in width, or 21' in length shall be located on any lot or street in public view temporarily or permanently. Law enforcement will be contacted to enforce procedures to remove abandoned and/or inoperable vehicles from the street and right-of-ways.

Definitions - *inoperable vehicles* includes, but is not limited to expired inspection sticker and no current license plate or inspection sticker, elevated for some period of time and vehicles in need of required parts or maintenance (i.e. missing components, flat or missing tires, etc.).

Signs (§ 3.16):

- Only one (1) sign for the sale or lease of a home is permissible, it shall be no larger than 5 square feet, and must be on a staked device in the front lawn.
- Only one (1) sign is permissible promoting a political candidate, party or issue for a four (4) week period starting no earlier than four (4) weeks prior to the date of the election or referendum and which must be removed no later than the day after the date of the election or referendum. The sign shall be no larger than 5 square feet, and must be on a staked device in the front lawn.
- Fence signage is limited to "Beware of Dog" signs no larger than 1' x 1' and any legally required notices.
- One official sign issued by an official school group for each child currently participating in said school group. (i.e.- athletics, fine arts, and other school clubs and associations)

Window coverings and treatments (§ 3.7): All windows must have fitted window coverings and must be in good condition (no bent/broken slats, no tattered/torn edges). Covering windows with foil, reflective film, blankets, sheets, paper, or the like is not permitted.

Basketball hoops and skateboard ramps (§§ 3.7): Portable or street basketball hoops need to be moved near the house or garage when not in use, shall be concealed from public view as much as is practical and shall be kept in good appearance and repair. At no time are portable or street hoops to be used or stored in the street. Skateboard ramps and other similar structures/devices, are prohibited from all properties in the community.

Failure to complete construction of improvements to a Lot (§ 4.9): All structures, fences, driveways, walkways, landscaping and all other improvements, alterations, additions and modifications to a Lot, once initiated, must be completed without delay and in accordance with the time frame established by the Declaration, the ACC and/or the Association. The Association shall have the sole discretion to determine what constitutes delay.

Other: Examples of additional violations are:

- Window air conditioning units (§ 3.1(e))
- Failure to maintain improvements on the Lot or property structures including painted Surfaces, exterior surfaces and roof shingles, all roof shingles must be kept in good repair and replaced when needed, with ACC approval only, and using only driftwood or weatherwood shingles. (§ 3.7)
- Miscellaneous / unsightly items, and/or trash / rubbish stored in view.
Miscellany in Yard - Any items in yard which are not meant to be permanently placed in yard such as household furniture, toys or yard tools. (§§ 3.7 and 3.15)
- Torn window screens. (§§ 3.7)
- Drying clothes in public view. (§ 3.15)

II. FINES

The Board of Directors is given express power in Article V of the Association Declaration and Article XII of the Association Bylaws to adopt and publish rules and regulations to enforce the protective covenants and to establish uniformly applied fines for breach of the Declaration, Rules and Regulations, and other Dedicatory Instruments. In order to enforce these Rules and Regulations, the Twin Oaks Village Community Association Board has also adopted a fining policy to address continuing violations.

The fines collected will be added to the Twin Oaks Village Community Association account. The Community Manager will provide uniform enforcement and tracking of homeowner violations. The Community Manager will provide regular updates to the Twin Oaks Village Community Association Board on homeowner communications and status of violation notices.

Notices of violations will be mailed and will include the date, type, and number of the violation. Residents may report violations, but must be verified by the property manager or a Twin Oaks Village Board member before a violation can be issued.

Fines will be assessed as follows:

- 1st violation will result in advising of the intent to levy a \$25 fine, suspend the Owner's right to use any of the recreational facilities and Common Areas if the violation is not corrected within 10 calendar days and Owner is notified of same. Use of recreational facilities will be reinstated upon resident's compliance and payment of associated and accumulated fines in full. Notice and opportunity for a hearing shall be given in this notice in accordance with §§ 209.006 and 209.008 of the Texas Property Code. This notice shall be sent, at a minimum, via certified mail/rrr.
- 2nd violation of a similar kind will result in a \$50 fine and must be corrected within 10 calendar days.
- 3rd violation of a similar kind will result in a \$75 fine and must be corrected within 10 calendar days.
- Each subsequent similar kind violation will result in \$75 fine and must be corrected within 10 calendar days.
- If the condition is "cured" and remains "cured" for 180 days after the last noticed violation of a similar kind, the process will begin again as a 1st violation.
- If the violation continues without resolution, the Twin Oaks Village Board shall have the right to undertake any action authorized by the Declaration of Covenants, Conditions, and Restrictions for the Twin Oaks Village Community Association, and/or applicable law including, but not limited to remedying the violation and/or initiating legal action, the costs of which actions shall be collected against the violating homeowner.

Definition & Example: Failure to cure a violation after the 1st notice for a violation, or a violation of a *similar kind*, will result in a \$25 fine and **each** subsequent similar violation will incur an additional fine. Example: 2 notices falling under the violation category of "Yard Maintenance Needed" will receive an initial \$25 fine. This can be any combination of mowing, edging, weed control, etc.;

- **For Violations of ACC requirements, (e.g. failure to obtain ACC approval when required, failure to complete improvements in the required time frame or failure to comply with any ACC related requirements) the initial fine and all subsequent fines shall be \$75.**

The costs incurred by the Association in enforcing against restriction violations, shall be charged to the Owner pursuant to the Declaration. Fines are subject to being assessed against the owners' accounts and may result in further legal action against the violating owner.

When a fine is assessed, the owner will be mailed the notice of violation and will be informed of the fine or other charge that has been added to their account; the owner will be requested to pay the fine immediately. The owner shall have the opportunity for a hearing before the Board to contest the violation and any fine that is assessed against their assessment account by contacting Twin Oaks Village management company in writing (in accordance with 209.006 of the Texas Property Code). The Twin Oaks Village Board of Directors will review the appeal and will provide a final decision, which will be communicated to the owner. Once an owner corrects their violation and pays all amounts owed to the Association, their right to use the recreational facilities in the Association Common Areas shall be restored.

These fines are guidelines for standard fines only. The Board of Directors reserves the right to levy lesser or greater fines, provide additional warnings or fewer warnings before fines are made and provide more or less time for compliance, depending on the severity of the violation at issue, in the sole discretionary authority of the Board.

III. SUMMARY

The goal of adopting this policy for violation notification is to uphold the overall quality of the neighborhood and to make the homeowners aware of ongoing problems that affect their neighbors and the community. The violation process includes multiple notifications, ample time to take corrective actions, and fair enforcement by an objective third party.

This fining policy is to provide an incentive to homeowners to address ongoing problems that continue without correction. Refusal to take corrective actions when notified must be followed up with a uniformly applied and published monetary penalty to help further the goal of this policy.

This policy applies to the following property in the Association:

Twin Oaks Village, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 and 16, additions in Fort Bend County, Texas, according to the maps or plats thereof recorded in the Map Records of Fort Bend County, Texas, under Instrument Nos. 1177000 and 2000096242, 1177001 and 20010391, 20010214, 20010215, 20010401, 20040013, 20010414, 20010546, 20040035, 20050076, 20050248, 20060132, 20050077 and 20070062, respectively, along with any amendments, supplements and replats

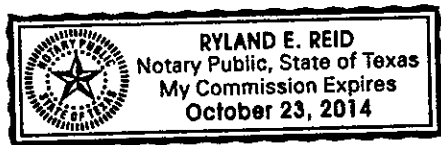
This policy was adopted by the Twin Oaks Village Community Association, Inc. Board of Directors and, by Resolution of the Board of Directors, is effective on the date of recording.

By: [Signature]
Print Name: T J CHESTER
Title PRESIDENT

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this 16th day of August, 2012, personally appeared Terry J. Chester the President of Twin Oaks Village Community Association, Inc. and acknowledged to me that they signed it with the authority and for the purposes expressed therein.

[Signature]
Notary Public, State of Texas



After recording return to:
HOLT & YOUNG, P.C.
11200 Richmond Ave., Ste. 450
Houston, Texas 77082

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