

BOARD RESOLUTION OF
SOUTHWYCK, SECTION IV HOMEOWNERS' ASSOCIATION
Regarding Adoption of
Vehicle Policy

DATED: July, 25, 2019.

STATE OF TEXAS §
§
COUNTY OF BRAZORIA §

I, Stephanie Bell the Secretary of SOUTHWYCK, SECTION IV HOMEOWNERS' ASSOCIATION (hereinafter referred to as the "Association"), do hereby certify that at a regular meeting of the Board of Directors of the Association, which was held on the 25th day of July, 2019, with a quorum present and remaining throughout, and being duly authorized to transact business, the following resolution regarding the adoption of this Vehicle Policy to provide clarification and specificity regarding certain restrictions contained with the Covenants, Conditions & Restrictions, Rules and Regulations of the subdivision.

WHEREAS, the Association is a Texas non-profit corporation governed by the Texas Property Code;

WHEREAS, Article V, Section 5 of the Association's Declaration of Covenants, Conditions and Restrictions states:

The Village Association may make whatever rules or bylaws it may choose to govern the organization; provided, however, that same are not in conflict with the terms and provisions hereof.

WHEREAS, Article III, Section 1 of the Covenants, Conditions and Restrictions states:

[...] no Lot shall be used for business or professional purposes of any kind, nor for any commercial or manufacturing purposes. [...]

WHEREAS, Article III, Section 8 of the Covenants, Conditions and Restrictions states:

Section 8. Storage of automobiles, boats, trailers, recreational vehicles and other vehicles. No motor vehicle may be parked or stored on any part of any Lot, easement, right-of-way, or common area or in the street adjacent to any Lot, easement, right-of-way or common area unless such vehicle does not exceed either six feet six inches in height, and/or seven feet six inches in width and/or twenty-one feet in length and is concealed from public view inside a garage or other approved enclosure, except passenger automobiles, passenger vans (the term "passenger vans" specifically excludes motor homes and recreation vehicles), motorcycles, pick-up trucks, or pick-up trucks with attached-bed campers, that are in operating condition, having current license plates and inspection stickers, and are in daily use as motor vehicles on the streets and highways of the State of Texas and which do not exceed either six feet six inches in

height, and/or seven feet six inches in width and/or twenty-one feet in length.

No non-motorized vehicle, trailer, boat, marine craft, hovercraft, aircraft, machinery or equipment of any kind may be parked or stored, on any part of any lot, easement, right-of-way, or common area or in the street adjacent to such lot, easement, right-of-way, or common area unless such object is concealed from public view inside a garage or other approved enclosure. The phrase "approved enclosure" as used in this paragraph shall mean any fence, structure or other improvement approved by the Architectural Control Committees. [...] This restriction shall not apply to any vehicle, machinery, or maintenance equipment temporarily parked and in use for the construction, repair or maintenance of a house or houses in the immediate vicinity.

THEREFORE, the following policy shall be used by the Association in enforcement of the Covenants, Conditions and Restrictions and all modifications, amendments, supplements and additions thereto, and specifically to supplement and enforcement of the Vehicle policies contained in the Declarations:

Commercial Vehicles / Recreational Vehicles:

1.1 GENERAL PROVISIONS:

1.1.1 Commercial or Recreational vehicles may only park within the Association while loading, unloading or otherwise performing services for an owner and/or tenant, and must not be left un-attended. No Commercial or Recreational vehicle is permitted to block or hinder the ingress or egress of traffic through the Association.

1.1.2 "Commercial Vehicle" means any vehicle being used for any business, professional, commercial or manufacturing purpose, which shall include, without limitation:

- Any vehicle displaying one or more commercial advertisements or signs;
- Any vehicle with built-in commercial equipment or attachments;
- Any vehicles with more than two axles;
- Any vehicle with six (6) or more wheels, with the only exception being a stock dually pick-up truck, owned by an individual without any additional commercial equipment or commercial logos, signs or displays;
- Any box vans other than individually owned passenger vans;
- Any vehicle displaying the internet site, email address, or the phone number of any business;
- Any flatbed trucks or trailers;
- Any vehicle with a Gross Vehicle Weight Rating over thirteen thousand pounds (13,000 lbs.); or

- Limousines, Wreckers, Taxi-cabs, busses, food trucks and off-duty ambulances.

1.1.3 **"Recreational Vehicle"** means any of the following:

- Boats, campers, trailers, RVs, watercraft, aircraft, four-wheelers, etc.

1.2 **PARKING:**

1.2.1 No commercial vehicle or recreational vehicle may be stored outside of a garage within the Association. No personal, operative passenger vehicles may be stored in the Lot's driveway. A vehicle is considered stored if it is not used or moved for more than forty-eight (48) hours.

1.2.2 Inoperative vehicles and/or vehicles without current registration and inspection are not to be stored in driveways or streets, and must be stored out of public view.

1.2.3 **Street Parking:** No more than one vehicle per lot may be parked on the street at any time. No vehicle may be parked on a street which shall impair the ingress or egress of cars from driveways. No vehicle may be parked on a street which will impair mail delivery. No car may be parked on a street for more than sixty (60) hours in a seventy-two (72) hour period. All vehicles parked in the street must be faced in the direction of traffic-flow.

1.3 **COSTS AND EXPENSES FOR ENFORCEMENT:**

1.3.1 Violations of these policies will result in the following action by the Association:

1 st Violation:	Warning Letter, no charge
2 nd Violation (within six (6) months):	Warning Letter, \$75.00 charge for certified letter
3 rd Violation: (within six (6) months):	Warning Letter, \$75.00 charge for certified letter
Subsequent Violation (within six (6) months):	Turnover to Attorney's office

1.3.2 Successive charges for additional letters may be imposed against a single owner or resident for the same type or for different violations as set forth in each violation notice. Such charge(s) shall become immediately due and payable. The collection of such charges will be dealt with in the same manner as any past due debt to the Association. All charges, costs and expenses, including attorney's fees, incurred by or attributable to any such violation(s), shall be assessed or billed to the violating owner's and/or tenant's account.

IT IS, HEREBY, RESOLVED that the Board of Directors of the Association unanimously adopts this formal resolution for the purpose of adopting this Vehicle Policy for filing in the Real Property Records of Brazoria County, Texas.

Dated: 7/25/19

Stephanie S. Bell
Secretary

STATE OF TEXAS §
COUNTY OF Brazoria §

ACKNOWLEDGMENT

This instrument was acknowledged before me on the 25 day of July, 2019, by Stephanie S. Bell, as secretary of Southwyck, Section IV Homeowners' Association, on behalf of said corporation.

Jennifer Hidalgo
Notary Public in and for the State of Texas



FILED and RECORDED

Instrument Number: 2019043499

Filing and Recording Date: 09/04/2019 02:42:18 PM Pages: 5 Recording Fee: \$38.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

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cclerk-jessie