

**RESOLUTION OF
SOUTHWYCK SECTION IV HOMEOWNERS' ASSOCIATION, INC.
Regarding Ratification of
Amenity Access and Use Policy
for the Purpose of Filing
in the Brazoria County Real Property Records**

DATED:, _____, _____, 2019.

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

I, _____ of Southwyck Section IV Homeowners' Association, Inc. (the "Association"), do hereby certify that at a regular meeting of the Board of Directors of the Association, which was held on the ____ day of _____, 2019, with a quorum present and remaining throughout, and being duly authorized to transact business, the following resolution for the ratification of the Amenity Access and Use Policy for the purposes of filing in the Brazoria County Real Property Records, was duly made and approved.

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

WHEREAS, the Amenity Access and Use Policy, attached hereto as Exhibit "A", is hereby ratified for the purpose of filing in this County's Real Property Records;

IT IS, HEREBY, RESOLVED that at least a majority of the Board of Directors of the Association adopted this formal resolution for the purpose of filing the aforementioned document in this County's Real Property Records.

Dated: _____, _____,

STATE OF TEXAS §
 § ACKNOWLEDGMENT
COUNTY OF BRAZORIA §

This instrument was acknowledged before me on the ____ day of _____, 2019, by _____ as _____ of Southwyck Section IV Homeowners' Association, Inc., on behalf of said corporation.

Notary Public in and for the State of Texas

POLICY RESOLUTION OF
SOUTHWYCK SECTION IV HOMEOWNERS' ASSOCIATION, INC.

DATED: , 2019

WHEREAS, Southwyck Section IV Homeowners' Association, Inc. is a Texas Non-Profit Corporation governed by the Texas Property Code, and more specifically Chapter 202, *et. seq.*;

WHEREAS, Southwyck Section IV Homeowners' Association, Inc. is given authority to promulgate a Policy to regulate operation of Association amenities under Texas Property Code § 202.019 *et seq.* as well as by Article V, Section 5 of the Declarations for Southwyck Section IV Homeowners' Association, Inc.;

WHEREAS, Southwyck Section IV Homeowners' Association, Inc. retains the right to charge reasonable user fees for use of its amenities to both its Members and Members of the neighboring Silverlake Homeowners Association, Inc. pursuant to the "Agreement Concerning Use of Recreational Facilities" attached hereto as Exhibit "B";

WHEREAS, upon filing, this Policy will be enforceable and effective for the following facilities:

Southwyck Section IV HOA / Morgan Pool
3131 Morgan Rd (Next to Morgan Rd. Park)

WHEREAS, upon filing, this Policy will be enforceable and effective with regards to the following subdivisions:

Southmanor (Southwyck Section IV)
Edgewater Estates (Southwyck, Section IX, Ph. 1 and 2)
Southfield Village (Southwyck Section VII)
Huntington Park (Southwyck Section VIII, Ph. 1, 2 and 3)

NOW, THEREFORE, said Policy regarding the aforementioned items and improvements provides as follows:

AMENITY USE AND ACCESS POLICY

1.1 **Generally:** The pools, clubhouse and other amenities are for owners, residents, and their guests only. Owners are responsible for the conduct of their guests, tenants, and their tenant's guests. All residents are responsible for the conduct of their guests. Failure to comply with the following rules may result in suspension of a resident's use of these facilities, costs incurred or fines being levied.

1.2 **Access:**

- 1.2.1 Pool Card: Access to the Association's pools will be by Pool Card. Pool Cards may be obtained by complying with the procedures contained within this policy. No more than two (2) activated Pool Cards will be issued per Lot. Each Pool Card requires payment of a \$20.00 activation / processing fee. Pool Cards are not transferable.
- 1.2.2 Photo I.D. Required: A State or Federally issued photo I.D. showing an eligible Association address will be required to access the Association's amenities, or to apply for a Pool Card.
- 1.2.3 Indemnification Form: Each Owner, tenant or occupant above the age of eighteen (18) must fill out an Indemnification Form prior to being issued a Pool Card or being granted access to the Association's amenities. Card-holders who filled out an Indemnification Form in prior years are not required to fill out a new form if their card is still active.
- 1.2.4 Tenant / Guest Access: Non-owner occupants are required to register their name(s) with the Association and to provide a copy of their lease with the Owner whose home they inhabit. Tenant forms must be filled out by the tenant and require the signature of both the tenant and the property Owner. Incomplete forms will not be processed. An Owner or Tenant may not allow more than two non-occupant guests to access the facilities.
- 1.2.5 Lost or Stolen Card: To replace a lost or stolen card, the card-holder must email Please email directors@southwyck4.com to have the card deactivated, then provide the Association with a new Indemnification Form and a \$20.00 fee for the replacement card.
- 1.3 **Rules of Use:**
 - 1.3.1 Unless otherwise specified, these rules apply to all Association amenities.
 - 1.3.2 An adult must accompany children under thirteen (13) years of age. Adult residents only are entitled to a maximum of two guests per active Pool Card (i.e. maximum four (4) guests per household) unless prior written approval is received from the Association. Unaccompanied minors are not allowed guests. All guests must be accompanied by a resident. Violating any of these Rules will result in all guests being requested to leave.
 - 1.3.3 No running or horseplay is permitted around the pool. No diving is allowed. No activity is permitted which shall create loud or objectionable noise or otherwise impair, limit or disturb other owners, tenants and guests.
 - 1.3.4 Proper pool attire is required. Swimsuits only - no cutoffs or pants in pool. Jumping into the pool fully clothed is not permitted. No thong bathing suits are permitted. Women are not permitted to go topless.
 - 1.3.5 No glass containers, bottles, plates or cups are allowed in pool area. All personal items and trash are to be removed when leaving pool area.

- 1.3.6 No alcoholic beverages of any kind are allowed in or around the pool area (including the parking lot) at any time.
- 1.3.7 Eating and drinking are permitted on the pool deck, provided that the trash is discarded in trash receptacles.
- 1.3.8 No pets are allowed in the pool or pool area.
- 1.3.9 No smoking or vaping is permitted in or around any Association amenities (including the parking lots) at any time.
- 1.3.10 All trash, paper, etc. must be removed upon leaving pool area.
- 1.3.11 Noise and music will be kept at a reasonable level, and/or according to the local Ordinances.
- 1.3.12 Pool hours will be posted at or near the entrance to the pool area. Pool hours are subject to change without notice. The pool gate must remain closed at all times.
- 1.3.13 Coins and other objects which may cause damage to pool equipment are not to be thrown into the pool.
- 1.3.14 Bicycles, large toys, roller-skates, skateboards, wheeled vehicles or other inappropriate items are not allowed in the pool area.
- 1.3.15 The Pool may not be use for swim lessons or other commercial activity.
- 1.3.16 Any cost due to damages will be billed to the Owner's account. Owners and residents are responsible for the conduct of their guests, tenants, invitees and licensees.
- 1.3.17 Violations of these rules will result in fines. Repeated fines may result in a suspension of use rights.

1.4 Loss of Common Area Privileges

- 1.4.1 The Association has the contractual and statutory right to suspend any Owner's right to use the common area for a period of sixty (60) days or more, if:
 - An Owner or Owner's guest or tenant violates and existing regulation contained within the Association's governing documents (including this policy);
 - An Owner fails or refuses to timely pay the Association's periodic assessment charges;

1.4.2 If you have a balance with the Association, please contact the Association's management company to set up a payment plan.

1.5 Other Provisions

1.5.1 The pool may not be reserved for private parties.

1.5.2 Possession of handgun or other weapon is prohibited in Association's amenities under authority of the Texas Concealed Handgun Permit Law, Texas Civil Statutes, Article 4413. Violators will be prosecuted.

1.5.3 Official website: www.southwyck4.com. Check Website for Management Company Contact info, and to download available forms.

These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

THEREFORE, BE IT RESOLVED THAT, Southwyck Section IV Homeowners' Association, Inc. adopts a uniform Policy to apply to all Unit Owners within Southwyck Section IV Homeowners' Association, Inc.;

BE IT FURTHER RESOLVED THAT, the Policy approved by this resolution touches and concerns all Lots within Southwyck Section IV Homeowners' Association, Inc. and shall run with the land to all subsequent Owners of said Lots;

The Board of Directors of Southwyck Section IV Homeowners' Association, Inc. hereby memorializes in its minutes its formal resolution providing a uniform policy for all lots within Southwyck Section IV Homeowners' Association, Inc.

AFTER RECORDING, RETURN TO:

LAMBRIGHT ★ MCKEE

940 Corbindale Rd.
Houston, Texas 77024