

BRAEBURN GLEN CIVIC CLUB
P.O. Box 710346
Houston, Texas 77271-0346

RESOLUTION IMPLEMENTING FINES FOR DEED RESTRICTION VIOLATIONS

WHEREAS, the Board of Directors of the Braeburn Glen Civic Club (the "Glen"), held a Board of Directors meeting on June 7, 2016; and

WHEREAS, the Board of Directors determined that the litigation of deed restriction violations, particularly those which are reoccurring and common, can be a time consuming and expensive process for both the Glen and the individual members concerned; and

WHEREAS, the Board of Directors determined that non-complying members might respond more readily to Glen requests to effect compliance following the imposition of a fine rather than the Glen immediately turning the matter over to legal counsel; and

WHEREAS, the Board of Directors determined that adoption of such a policy would be appropriate and in accordance with, inter alia, Tex. Prop. Code Arm. §204.010 (11) as well as Tex. Non-Profit Corporations Act. Art. 13 96-2.02 (15); and WHEREAS, a deed restriction fine policy attached hereto as Exhibit "A" was presented to the Board for its approval; and

WHEREAS. During the course of business, a vote of the Board of Directors was taken to approve adoption of the proposed policy pursuant to Art. 2, Sec. 1 and 2 of the Glen's Bylaws; and

WHEREAS, upon review of the votes cast for the above proposal, it was determined that the attached policy of imposing fines for deed restriction was passed by a vote of the Board of Directors; NOW, THEREFORE,

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BE IT RESOLVED, that the Glen, acting by and through its Board of Directors, shall prepare and implement a written policy outlining the imposition of fines for violation of its restrictive covenants in the manner and format set forth in Exhibit "A".

BE IT ALSO RESOLVED, that this policy be published to the membership.

The resolution was adopted by the Board of Directors on June 7, 2016.

CERTIFICATION

I hereby certify that, as the President of the Braeburn Glen Civic Club, the foregoing **RESOLUTION IMPLEMENTING FINES FOR DEED RESTRICTION VIOLATIONS** on the 7th day of June, 2016, at a meeting of the Board of Directors at which a quorum was present.

IN WITNESS WHEREOF, I have hereunto subscribed my name this the 11th day of JUNE, 2016. *Manuel Barrera*

MANUEL BARRERA

STATE OF TEXAS §
§
COUNTY OF HARRIS §

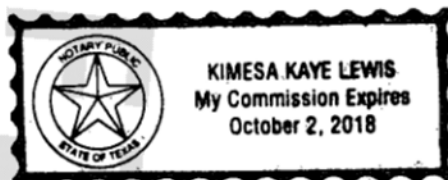
BEFORE ME, on this day personally appeared Manuel Barrera, Jr., the President of the Braeburn Glen Civic Club, known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed and in the capacity herein stated, and as the act and deed of said corporation.

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Given under my hand and seal of office, this 13 day of
June, 2016.


Notary Public - State of Texas



After Recording
Please return to:
Braeburn Glen Civic Club
P.O. Box 710346
Houston, Texas 77271-0346

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EXHIBIT A page 1 of 3

Procedures for Deed Restriction Violation Notice and Implementation of Fines

An owner of property within the Braeburn Glen Civic Club whose lot or residence is in violation of the dedicatory instruments governing the Braeburn Glen Civic Club, including all statutory laws supplementing same shall be provided notice of the violation in the following manner:

Action
First letter will serve as a courtesy letter and notify the homeowner of the violation with no cost.
Second letter will remind the homeowner that the violation exists and, if disputed, will notify the homeowner that he has the right to meet with the Board of Directors for the purpose of discussing the violation. This notice will be sent by certified mail, return receipt requested, will comply with the requirements of the Texas Residential Property Owners Protection Act, and will notify the homeowner that failure to effect compliance or request a hearing on this matter before the Board of Directors within 30 days after receipt of this letter will cause the imposition of a fine consistent with the Schedule of Fines set forth or, for violations not listed, in an amount not in excess of \$200.00.
If the violation continues without resolution after the second notice, additional fines may be imposed.
If the violation(s) have not been corrected following the notice/fine imposition period, the Board of Directors will determine whether legal action is to be taken, including, but not limited to utilizing attorney demand letters, seeking a permanent injunction against the owner of the lot not in compliance, or performing, in accordance with the rights afforded to the Glen under the Declarations, all activities necessary to repair, maintain or restore a lot in violation and charging the owner of the lot all costs associated with the performance of such work. The Glen intends to utilize the above outlined process in most deed restriction violation matters. However, for those situations of urgency which pose a likelihood of immediate harm, economic or otherwise, the Glen may choose to abate, shorten, or modify the above procedure for effecting compliance of a violation.

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Hearing Process

The following process shall be used for Braeburn Glen Civic Club in connection with any hearing before the Board of Directors requested by a homeowner relating to a deed restriction violation. Any request for a hearing that does not comply with the process detailed below will be treated as if no request for a hearing had been made by the homeowner receiving the notice of violation.

Action
<p>A written request for a hearing shall be submitted to the Braeburn Glen Civic Club Board at the following address:</p> <p style="text-align: center;">Braeburn Glen Civic Club P.O.Box 710346 Houston, TX 77271-0346</p>
<p>The written hearing request must be received within thirty (30) days of the date of initial notice.</p>
<p>The written hearing request must include pertinent backup information, if any, that will support the existence of the extenuating circumstances or help to explain why the violation does not exist.</p>
<p>At the hearing, the Board shall review all information, listen to an Owner's presentation, and render a decision based on a majority vote of the quorum of Board Members present. In the event a majority decision is not reached, a continuance hearing shall be scheduled within thirty (30) days. All decisions of the Board are final and may not be further appealed.</p>
<p>All fines imposed may be collected as permitted by law.</p>

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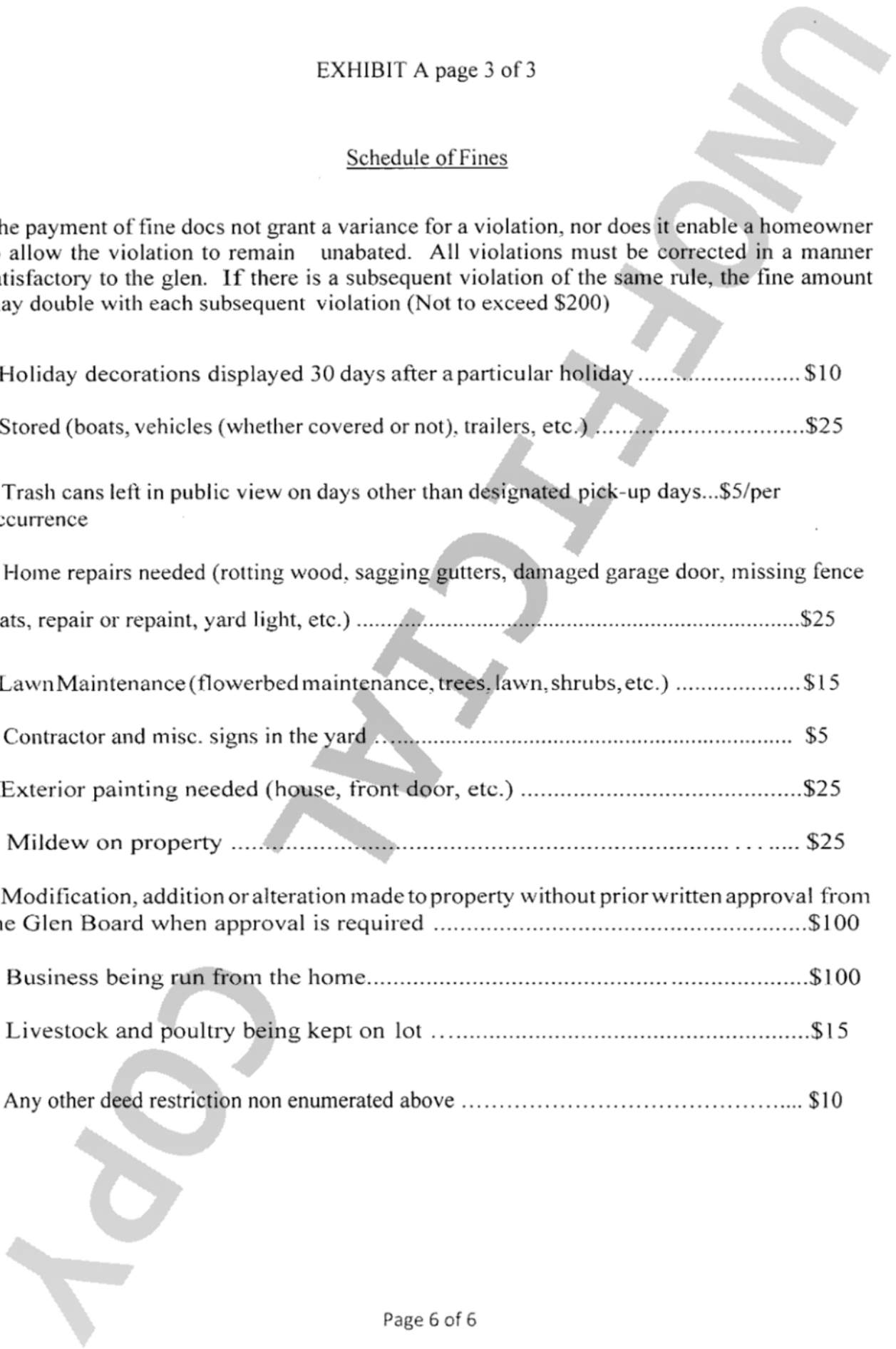
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Schedule of Fines

The payment of fine does not grant a variance for a violation, nor does it enable a homeowner to allow the violation to remain unabated. All violations must be corrected in a manner satisfactory to the glen. If there is a subsequent violation of the same rule, the fine amount may double with each subsequent violation (Not to exceed \$200)

- +Holiday decorations displayed 30 days after a particular holiday \$10
- + Stored (boats, vehicles (whether covered or not), trailers, etc.)\$25
- + Trash cans left in public view on days other than designated pick-up days...\$5/per occurrence
- + Home repairs needed (rotting wood, sagging gutters, damaged garage door, missing fence slats, repair or repaint, yard light, etc.)\$25
- +LawnMaintenance (flowerbed maintenance, trees, lawn, shrubs, etc.) \$15
- + Contractor and misc. signs in the yard \$5
- +Exterior painting needed (house, front door, etc.)\$25
- + Mildew on property \$25
- + Modification, addition or alteration made to property without prior written approval from the Glen Board when approval is required\$100
- + Business being run from the home.....\$100
- + Livestock and poultry being kept on lot\$15
- + Any other deed restriction non enumerated above \$10

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2016 JUN 15 PM 12:47

Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

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.

JUN 15 2016



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

ORIGINAL DOCUMENT

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