

**RESOLUTION OF THE BOARD OF DIRECTORS OF ALAMO RANCH HOA, INC
(ALSO KNOWN AS THE PRESERVE AT ALAMO RANCH HOA)
AMENDING PARKING AND TRAFFIC SAFETY POLICIES**

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

WHEREAS, Alamo Ranch HOA, Inc., also known as Preserve at Alamo Ranch HOA (hereinafter "the Association") is a Texas non-profit corporation organized and duly existing under the Texas law; and

WHEREAS, the Association is subject to certain restrictive covenants, being The Preserve at Alamo Ranch Subordinate Declaration of Covenants, Conditions and Restrictions, executed on June 29, 2007, recorded in Volume 12969, Page 227, Official Public Records of Real Property of Bexar County, Texas, as amended by the First Amendment to The Preserve at Alamo Ranch Subordinate Declaration of Covenants, Conditions and Restrictions, executed on March 10, 2008, recorded in Volume 13386, Page 887, Official Public Records of Real Property of Bexar County, Texas (hereinafter the "Declaration"); and

WHEREAS, pursuant to the Declaration, the Association is empowered to preserve values of property within the Subdivision, enforce the covenants, conditions and restrictions of the Declaration, Bylaws and any Rules and Regulations of the Association (collectively, the "Restrictions"), including the obligations of the Owners to compensate the Association for costs incurred by the Association for enforcing violations of the Restrictions; and

WHEREAS, the Declaration obligates each member of the Association to comply with the rules and regulations promulgated by the Board; and

WHEREAS, the Declaration grants the Association broad powers to manage the neighborhood and control the appearance and use of all homes located in The Preserve at Alamo Ranch, including the right to impose a fine, have vehicles towed and a lawsuit against an Owner at the Owner's expense in order to enforce compliance; and

WHEREAS, the Board has determined that it is in the Association's best interest to amend the rules and regulations in the Parking and Traffic Safety Policy for the Preserve at Alamo Ranch previously recorded on May 18, 2017, and can be found under Document No. 20170094801 in the Official Public Records of Bexar County;

NOW, THEREFORE, BE IT, AND IT IS HEREBY, RESOLVED, that the Board hereby adopts this AMENDED parking, fines and enforcement policy to establish equitable policies and procedures for governing parking within The Preserve at Alamo Ranch neighborhood and for the levying of fines by the Association, all in compliance with Chapter 2308, Texas Occupations Code (entitled the "Texas Towing and Booting Act") and Chapter 209 of the Texas Property Code (entitled the "Texas Residential Property Owners Protection Act") as they exist, and may be, from time to time, amended. To the extent any provision within this

policy is in conflict the act or any other applicable law, such provision shall be modified to comply with the applicable law. Terms used in this policy, but not defined, shall have the meaning subscribed to such term in the Restrictions:

I. DEFINITIONS

1. Common Area - Areas that are maintained by the Association (i.e., streets, pool parking lot, medians, the green belts, etc.)
2. Non-paved - Areas not specifically paved for parking or driving which includes grass, gravel, pavers and brick.
3. Private Driveway - An individual owner's lot leading to the individual owner's garage
4. Private Roads - Paved roads owned and maintained by the Association. The HOA has authority to enforce all community rules on these private roads.
5. Vehicle - a device in, on, or by which a person or property may be transported on a public roadway. The term includes an operable or inoperable automobile, truck, motorcycle, recreational vehicle, or trailer but does not include a device moved by human power or used exclusively on a stationary rail or track. NOTE: THIS IS THE STATUTE DEFINITION UNDER THE TOWING ACT.
6. Recreational Vehicle - Any boat, jet ski or other water vehicle; any trailer or fifth-wheel trailer; any mobile home, motor home or self-contained camper; any pop-up camp/tent trailer or other similar recreation-oriented, portable, or transportable facility; *any vehicle which would not normally be used for daily transportation, or which is not licensed for use on Texas highway.*
7. Vehicle Owner - whose name the vehicle is registered under Chapter 502, Transportation Code, or a member of the person's immediate family. NOTE: THIS IS THE STATUTE DEFINITION IN SIMPLEST FORM UNDER THE TOWING ACT.

II. RULES & REGULATIONS

Homeowner's Responsibilities: All Homeowners are responsible for ensuring their family members, employees, visitors, guests, tenants and agents observe and comply with all rules and regulations as adopted by the Board of Directors.

1. The speed limit throughout the Association is 20 miles per hour.
2. A resident's garage and driveway shall be used by the resident, their family members, employees, visitors, guests, tenants and agents prior to parking on the street.
3. Lessees or renters shall be "residents" for the purposes of this policy.
4. No vehicles may be parked overnight on any street within the Association, except when approved by the Board of Directors or the Association's management company's assigned representative.
5. Overnight parking is defined as beginning at 1 A.M. and ending at 6 A.M. No vehicles are permitted on the street during this timeframe.
6. Exemptions may be allowed to the overnight parking policy. All requests for exemptions will be considered on a case-by-case basis.
 - a. Requests for exemptions must be submitted to the Association's property management company via the HOA web portal or via e-mail to the property

management company's designated point of contact no less than 48 hours before the exemption is required.

- b. Exemption requests submitted with less than 48 hours before the exemption is required will only be considered at the discretion of the property management company.
- c. The designated point of contact from the property management company will review each request and issue an exemption notice or long-term placard and notify the requestor of the decision.
- d. Short-term exemptions will be for NO LONGER THAN FOURTEEN (14) CONSECUTIVE DAYS. Multi-day exemptions will not be issued for non-consecutive days.
- e. Once approved, the homeowner will receive an email with the parking exemption permit attached. It is the homeowner's responsibility to display the permit in the vehicle while it is parked on HOA property.
- f. Long-term exemptions may be granted for up to one (1) year. If approved, the management company will mail the parking placard to the homeowner. This placard must be displayed in the vehicle while it is parked on HOA property.
- g. The Board of Directors has directed the property management company to use the following "minimum on-property parking" guidelines to determine if a homeowner's request for a parking exemption should be approved. Depending on a property's garage size and driveway size, the number of cars indicated as "Minimum Number of Vehicles" must be parked on the requestor's property before an exemption permit will be authorized for additional vehicles to be parked on Association streets:

Garage Size	Driveway Size	Minimum Number of Vehicles
2- Vehicle Garage	2- Vehicle	3 vehicles
2- Vehicle Garage	4-Vehicle	5 vehicles
3- Vehicle Garage	2- 3 Vehicle	4-5 vehicles
3- Vehicle Garage	4- Vehicle	5-6 vehicle
* Large Vehicles i.e. Trucks, SUVs, etc. that are unable to occupy space in garage or driveway will be taken into account. Please designate on form.		

- h. Homeowners can request a new exemption for each ensuing period prior to the end of their current exemption.
 - i. Exemption can be requested if a property's driveway or garage cannot be used for parking vehicles due to temporary obstructions, i.e. construction equipment, moving containers, etc. These requests will be evaluated based on applicable policy guidelines.
7. It is prohibited to park any vehicle on any non-paved common area or on any non-paved private property.
 8. Driving or parking on sidewalks is prohibited.
 9. Vehicles, either parked or stopped temporarily, may not prevent ingress or egress of another vehicle from any driveway.

10. Vehicles, either parked or stopped temporarily, may not block a sidewalk or extend into the street.
11. It is strictly prohibited to double park on any street.
12. No parking within 15 feet of a fire hydrant or mailbox.
13. Vehicles must be parked with the flow of traffic.
14. Vehicles parked in a cul-de-sac must be parked parallel with the flow of traffic with both front and back wheels on the passenger side within 18 inches of the curb
15. Repairs: Only emergency repairs may be made in the Association's community areas.
 - a. The Association's community includes all Common Areas and Private Roads. It does NOT include a homeowner's garage or driveway.
 - b. Emergency repairs are defined as flat tires, dead batteries, and broken windshields. .
 - c. Major vehicle maintenance, including but not limited to painting of vehicles, drainage of automobile fluids, and engine repairs, are not permitted anywhere in the Association's community.
16. The operation and parking of motorized vehicles in the Association's community shall be restricted to paved roadways and ingress/egress via private driveways.
17. All vehicles in the Association's community must be legally registered, insured and operable.
18. Vehicle Storage: Homeowners may not use a private driveway to store vehicles. The following guidelines are used to assess whether a vehicle is stored rather than parked:
 - a. The vehicle has not moved in 30 days
 - b. The vehicle's registration is not current
 - c. The vehicle is in an obvious state of disrepair (flat tire, broken windows, major damages, etc.)
19. Vehicles determined to be abandoned within the Association property will be towed at the Association's discretion. A vehicle is considered abandoned if it is **not parked in a private driveway** and meets either of the criteria listed below:
 - a. If it has not been moved in four (4) days
 - b. If it lacks either a current license plate or valid state registration
20. It is prohibited to park/store recreational vehicles in open view on driveways, or on roadways. All recreational vehicles must be parked/stored out of site when not in use.
 - a. Residents needing to park recreational vehicle on driveways or on roadways in order to prepare the recreational vehicle for use must notify the designated point of contact for the Association's property management company no less than 72 hours ahead of time.
 - b. Recreational vehicles may only be parked on driveways or on roadways for 48 hours while being prepared for use.
 - c. At no time may a recreational vehicle prevent ingress or egress of another vehicle from any driveway.
 - d. At no time may a recreational vehicle block a sidewalk or extend from a driveway into the street.

III. ENFORCEMENT/FINES POLICY

Purpose of Fines. The Association uses fines to discourage violations of the Declarations, and to encourage compliance when a violation occurs - not to punish violators or generate revenue for the Association. Although a fine may be an effective and efficient remedy for certain types of violations or violators, it is only one of several methods available to the Association for enforcing the Restrictions. The Association's use of fines does not interfere with its exercise of other rights and remedies for the same violation.

1. **Owner's Liability.** An Owner is liable for fines levied by the Association for violations of the Restrictions by the Owner and the relatives, guests, employees, and agents of the Owner and residents. Regardless of who commits the violation, the Association may direct all communications regarding the violation to the Owner.
2. Enforcement agent will regularly patrol the Association.
3. Enforcement agent upon observing a violation will document the make, model, and license plate and confirm with a photo.
4. A notice will be placed on the vehicle identifying the violation and provide a time period to resolve the issue.
5. Enforcement agent will forward information to the managing agent.
6. Managing agent will remit a courtesy notice of violation (1st offense) to resident.
7. Enforcement agent on the second sighting/violation will verify the same make, model and license plate number matches with the first violation.
8. Enforcement agent will again forward information to the managing agent.
9. Managing agent will forward a copy of the Parking and Traffic Safety Policy to homeowner via regular and a demand letter via certified mail fining the homeowner fifty (\$50) dollars.
10. Upon third violation the managing agent will have the car towed and post a letter stating that the car was towed with information regarding the towing company.

IV. TOWING POLICY

1. The Association shall exercise its right to fine and tow any vehicle determined to be in violation of this policy.
2. The Association shall contract with a professional towing company which is authorized to operate within the area to provide the towing service.
3. The Association shall administer a towing policy for the enforcement agent, the towing company and the managing agent.
4. Enforcement agent shall patrol the community as established by the Board and will report any vehicles found in violation to the association.

Amendment of Policy. This policy may be revoked or amended from time to time by the Board. This policy will remain effective until the Association records an amendment to this policy in the county's official public records. The notice may be published and distributed in an Association newsletter or other community-wide publication.

Thus approved by the Board of Directors of the Association at a properly-called meeting of the Board open to attendance by the members of the Association, as certified by the signatures of the President and Secretary of the Association below.

Signed on this 24th day of Feb, 2021.

ALAMO RANCH HOA, INC.,
a Texas non-profit corporation

By: _____

Ryan Haskins, President

By: _____

Mary Ling, Secretary

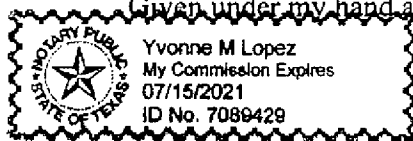
STATE OF TEXAS

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COUNTY OF BEXAR

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Before me, the undersigned notary public, on this day personally appeared Ryan Haskins, acting on behalf of Alamo Ranch HOA, Inc., known to me or proved to me by presentation to me of a governmentally-issued identification card to be one of the persons whose name is subscribed to the foregoing instrument, and acknowledged to me they executed it for the purposes and consideration expressed in it.



Notary Public, State of Texas

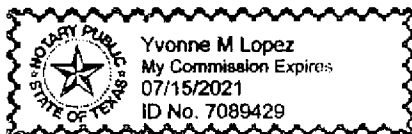
STATE OF TEXAS

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COUNTY OF BEXAR

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Before me, the undersigned notary public, on this day personally appeared Mary Ling, acting on behalf of Alamo Ranch HOA, Inc., known to me or proved to me by presentation to me of a governmentally-issued identification card to be one of the persons whose name is subscribed to the foregoing instrument, and acknowledged to me they executed it for the purposes and consideration expressed in it.



Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Alamo Ranch HOA, Inc.
c/o Diamond Association Management & Consulting
14603 Huebner Road, Building 40
San Antonio, TX 78231

5660 001/2056552

File Information

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

Document Number: 20210053666
Recorded Date: March 02, 2021
Recorded Time: 3:48 PM
Total Pages: 8
Total Fees: \$50.00

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Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on:
3/2/2021 3:48 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk