

ALAMO RANCH HOA, INC.
A/K/A THE PRESERVE AT ALAMO RANCH
ENFORCEMENT POLICY

SCANNED

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF BEXAR §

WHEREAS, the Board of Directors of Alamo Ranch HOA, Inc. (“the Association”) (also known as “The Preserve at Alamo Ranch”), in accordance with the rights and responsibilities imposed by the Bylaws of the Association, The Preserve at Alamo Ranch Subordinate Declaration of Covenants, Conditions and Restrictions, and all policies, rules and regulations duly adopted by the Association (collectively “Governing Documents”), is vested with discretion for the making, establishing and promulgating policies, rules and regulations for the interpretation and enforcement of The Preserve at Alamo Ranch Subordinate Declaration of Covenants, Conditions and Restrictions (hereinafter “the Declaration”), and for the operation, use and occupancy of the common areas and facilities, including rules and regulations relating to violations and fines; and,

WHEREAS, it has been determined by the Board of Directors that it is necessary to adopt an Enforcement Policy to establish a process and remedies for enforcement in addition to other remedies permitted by the Declaration and those permitted by Texas law, for the health, safety and welfare of the Owners and residents of each of the Lots that are subject to the Declaration;

NOW, THEREFORE, BE IT, AND IT IS HEREBY, RESOLVED, AS FOLLOWS:

The Board of Directors of the Association hereby adopts the Enforcement Policy set out herein.

1. Violation Policy and Penalty. Violation of the Governing Documents of The Preserve at Alamo Ranch by an individual Owner, resident or tenant may result in the following actions and penalties:

A. Notice: A warning will be issued in writing to the Owner and the violating resident or tenant, if known, as the initial notice of violation. The warning shall advise the Owner of the violation and the action required to cure the violation within the prescribed time period contained in the notice as determined by the Board of Directors, in its sole discretion. If the violator fails to cure the violation as required, the Association shall issue a second notice by certified mail, return receipt requested, notifying the Owner again that unless the violation is cured within a reasonable, specified period of time, the Association may (1) suspend rights to use common area, in accordance with this Enforcement Policy, (2) file a lawsuit, or (3) in the case of failure to perform exterior maintenance upon any Improvement or Lot, enter the Owner’s Lot and provide necessary exterior maintenance at the expense of the Owner of that Lot.

For violation of parking or traffic rules, regulations, or posted regulatory signs, a warning will be issued in writing to the Owner and the violating resident or tenant, if known, as the initial notice of violation. The warning shall advise the Owner of the violation and the action required to cure the violation within the prescribed time period contained in the notice as determined by the Board of Directors, in its sole discretion. If the violator fails to cure the violation as required, the Association shall issue a second notice by either a notice affixed to the vehicle or by certified mail, return receipt requested, notifying the Owner again that unless the violation is cured within a specified period of time, the Association may impose fines or take corrective action up to and including towing of parking violators.

Each statutory notice for a lawsuit, fine and/or suspension of privileges shall inform the Owner of their right to cure the violation and avoid the fine or suspension of privileges unless the Owner was given notice and a reasonable opportunity to cure a similar violation within the preceding six months. In such event, no additional opportunity to cure will be given before assessing a fine. When there has been no such opportunity, the Owner shall be advised of their right to a hearing under Section 209.007, Texas Property Code. A hearing need not be afforded in the case of failure to perform exterior maintenance. If the violator fails to cure the violation as required, the Association may assess a fine, suspend common area use privileges, and/or perform exterior maintenance, in accordance with this Enforcement Policy.

Notwithstanding the foregoing, the Association reserves the right to seek temporary injunctive relief without prior notice at any time regardless of the provisions herein if the violation constitutes an imminent danger to persons or property, or requires urgent judicial intervention, as determined by the Board of Directors of the Association, in its absolute, sole discretion.

B. Assessment of Fines and Expenses: Each Owner shall, at the election of the Board of Directors of the Association, be subject to fines of up to \$100.00 per violation of parking or traffic rules, regulations and/or signs if they fail to cure the initial violation after being sent the required warning or for any subsequent similar violation. The cost of any exterior maintenance performed by the Association shall be assessed against the Lot and Owner as an Individual Assessment, or the Board may offer to pay a portion of the repair if the Board determines that the repair or maintenance would enhance the beauty and value of the Preserve at Alamo Ranch Subdivision.

2. Responsibility of Owners for Fines and Expenses. All fines and expenses will be billed to the Owner's account and will be payable to the Association within twenty days of the date of billing. Fines shall be limited to a maximum of \$1,000.00 for each six month period commencing as of the date of the first violation which initiates the imposition of a fine for a specific violation, exclusive of attorneys' fees and costs incurred by the Association for enforcement.

3. Attorney's Fees. If the Association is compelled to retain an attorney for the collection of fines or the enforcement of the Governing Documents, the Owner shall be charged with all attorney's fees, costs and expenses subject to the limitations of the Section 209.006 and Section 209.008, Texas Property Code, as they may be amended from time to time.

4. Non-Exclusive Remedies. The imposition of the monetary penalties and/or performance or exterior maintenance provided herein shall not be construed as an exclusive remedy, and shall be in addition to all other rights and remedies to which the Association may otherwise be entitled including, without limitation, the filing of an Affidavit of Non-Compliance in the Official Public Records of Real Property of Bexar County, Texas, and/or the initiation of legal proceedings seeking injunctive relief, statutory damages, attorney's fees, costs of court and all other remedies, at law or in equity, to which the Association may be entitled.

5. Violation by Resident, Tenant or Agent. A violation by a resident, tenant, guest, or agent of the Owner shall be treated as a violation by the Owner of the property. All monetary penalties and expenses shall be billed to the Owner.

6. Right to Hearing. An Owner which has received a statutory notice of violation and intended fine or suspension of privileges shall be, pursuant to 209.006, Texas Property Code Section, entitled to a hearing on or before the thirtieth day after the date the Owner receives the notice, if they were not given notice and a reasonable opportunity to cure a similar violation within the preceding six months.

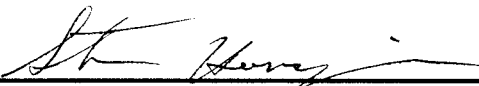
7. Hearing Process. The process for a hearing as stated in Section 6 above shall be:

- On or before the thirtieth day after the date the Owner receives the statutory notice, the Owner shall make a written request to the Association for a hearing;
- The hearing may be conducted by a committee appointed by the Board of Directors or before the Board of Directors if no committee is appointed;
- If the hearing is before a committee, the Owner shall have a right of appeal to the Board of Directors with written notice to the Board of Directors by Owner, within thirty days of the date the Owner receives the written decision of the committee following the hearing;
- An appeal hearing shall be held not later than thirty days after the Board of Directors receives the Owner's request for an appeal hearing;
- The Board of Directors shall notify the Owner of the date, time and place of the hearing not later than the tenth day before the date of the hearing;
- The Board of Directors or the Owner may request a postponement and, if requested, a postponement shall be granted for a period of not more than ten days;
- Additional postponements may be granted by agreement of the parties;
- The Board of Directors shall have the sole right to determine who shall be allowed to be present during the hearing; and,
- Owners and the Association may make an audio recording of the hearing.

This Enforcement Policy was adopted by the Board of Directors of Alamo Ranch HOA, Inc., at a duly-called meeting of the Board of Directors for which notice was provided to all Owners in accordance with Section 209.0051(e), Texas Property Code, as certified by the signatures of the President and Secretary of the Association below, and shall become effective upon its filing in the Official Public Records of Real Property of Bexar County, Texas.

Signed on this 8th day of SEPTEMBER, 2014.

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

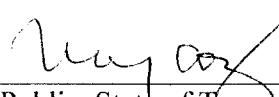

By: Steven Hovespian, President

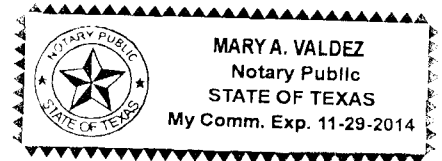

By: Frank Spina, Secretary

STATE OF TEXAS §
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COUNTY OF BEXAR §

Before me, the undersigned notary public, on this day personally appeared Steven Hovespian, 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 he executed it for the purposes and consideration expressed in it.

Given under my hand and seal of office the 8 day of Sept., 2014.

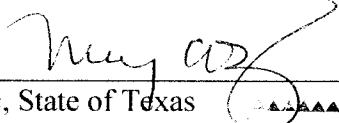

Notary Public, State of Texas



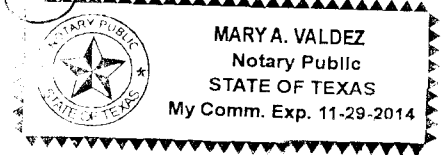
STATE OF TEXAS §
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COUNTY OF BEXAR §

Before me, the undersigned notary public, on this day personally appeared Frank Spina, 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 he executed it for the purposes and consideration expressed in it.

Given under my hand and seal of office the 8 day of Sept. 2014.



Notary Public, State of Texas



AFTER RECORDING RETURN TO:

Alamo Ranch HOA, Inc.
1600 N. E. Loop 410, Suite 202
San Antonio, TX 78209

5660 001/1222912

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 FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

SEP 12 2014




COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20140158153 Fees: \$42.00
09/12/2014 4:18PM # Pages 5
Filed & Recorded in the Official
Public Records of BEXAR COUNTY
GERARD C. RICKHOFF COUNTY CLERK