

**RESOLUTION REGARDING PARKING RULES AND REGULATIONS  
FOR EGRET BAY VILLAS CONDOMINIUM ASSOCIATION**

WHEREAS, Section III of the Articles of Incorporation for EGRET BAY VILLAS CONDOMINIUM ASSOCIATION (hereinafter referred to as the "ASSOCIATION"), provides that it may "have and exercise all the powers conferred by the Laws of Texas upon corporations formed under the Texas Business Corporation Act";

WHEREAS, Article 1396-2.02(15) of the Texas Non-Profit Corporation Act authorizes non-profit corporations to have and exercise all powers necessary or appropriate to effect any or all of the purposes for which the corporation is organized;

WHEREAS, the Association's Declaration of Condominium (hereinafter referred to as "Declaration") filed of record under Harris County Clerk's File No. J453250 on April 13, 1984 impose "certain mutually beneficial restrictions and obligations and liens with respect to the proper use, conduct, and maintenance thereof...for the purpose of enhancing and perfecting the value, desirability and attractiveness of said Property";

WHEREAS, Section 3.5 of the Deed Restrictions provides that "[t]he Association by provisions of its Bylaws or by rules and regulations enacted pursuant to the provisions thereof, may provide such additional rules and regulations for use of the Units, the Common Elements, and Limited Common Elements, including the Parking Spaces and the Storage Spaces, as are necessary or desirable in the judgment of the Association for the operation of the Property as a condominium, provided such rules and regulations and Bylaws are not in conflict with the provisions of this Declaration. Such Bylaws and rules and regulations shall be applicable to the Units, the Common Elements, and the Limited Common Elements as though set forth herein at length"; [Emphasis added.]

WHEREAS, Section 3.1(o) of the Declaration provides that "[e]ach Owner shall promptly and fully comply with...the Bylaws and Rules and Regulations promulgated hereunder"; [Emphasis added.]

WHEREAS, Section 82.102(a)(7) of the Texas Uniform Condominium Act ("TUCA") [made applicable to pre-TUCA Condominium Associations per TUCA Section 82.007(c)] provides that the Association may "adopt and amend rules regulating the use...maintenance, repair, modification, and appearance of Units and common elements, to the extent the regulated actions affect common elements or other units;" [Emphasis added.]

WHEREAS, TUCA Section 82.102(a)(12) [made applicable to pre-TUCA Condominium Associations per TUCA Section 82.007(c)] provides that the Association may "impose...reasonable fines for violations of the declaration, bylaws, and rules of the association;" [Emphasis added.]

WHEREAS, property values in the Association are affected by the issues related to vehicle parking;

WHEREAS, it is the desire of the Board of Directors to alleviate parking issues within the Association;

WHEREAS, the following rules, regulations, and guidelines are necessary to help maintain the attractiveness of the subdivision and thereby support property values of the subdivision;

NOW THEREFORE, BE IT RESOLVED THAT in consideration of the above factors and others not listed herein, the Board, by a majority vote, hereby resolves to publish the following Rules and Regulations Regarding Parking in EGRET BAY VILLAS CONDOMINIUM ASSOCIATION:

### PARKING RULES & REGULATIONS

The following Rules and Regulations shall apply to all properties within the Association, and shall be binding and enforceable against all owners, residents, tenants, guests, family members, and invitees

#### 1. Assigned Parking

Residents' vehicles must be parked in their assigned parking space(s). If a resident has more vehicles than assigned parking spaces, at no time shall any additional vehicles be parked in parking spaces reserved for guests only. Extra vehicles will need to be parked or stored at an offsite location. Only one (1) vehicle may be parked in a single assigned parking space.

Example A: Unit with 2 parking spaces - 2 vehicles may park in the assigned parking spaces.

Example B: Unit with 2 parking spaces - If the resident has 3 vehicles, 2 vehicles may be parked in the assigned parking spaces. The 3<sup>rd</sup> vehicle needs to be stored at an offsite location.

Example C: Unit with 2 parking spaces - If the resident has 2 vehicles and a motorcycle, 2 vehicles may be parked in the assigned parking spaces. The 3<sup>rd</sup> vehicle (i.e., the motorcycle) would need to be stored at an offsite location.

Example D: Unit with 2 parking spaces: If the resident has 2 cars, a boat, and a motorcycle - 2 of the 4 vehicles would need to be stored at an offsite location.

#### 2. Guests and Invitees

All guests and invitees must park in the guest parking spaces. Numbered parking spaces are reserved for residents only. All residents will need to obtain a parking pass from the Association's management office for their guests who wish to park in the guest parking spaces for more than 24 hours. Passes must be placed in the vehicle's front dash for visibility. All vehicles may be towed from unmarked parking spaces if no parking pass is present.

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**3. Road Worthiness: Vehicle Condition**

All vehicles parked on the property must be operable and in good running condition. All vehicles, including motorcycles and boats, must be equipped with a valid license tag and current state inspection sticker, and shall be "street legal" in all respects.

**4. Other Vehicles**

Mobile homes are not allowed on the property under any circumstances. Recreational vehicles, campers, trailers, boats, utility trailers and commercial vehicles (larger than passenger vans and/or pickup trucks) shall not be parked or stored upon the property except as provided in Section 3.1(m) of the Declaration

**5. Grass/Sidewalks/Boat Dock**

Residents and guests are prohibited from parking and/or operating any motorized vehicle on the grass and/or sidewalk areas of the property. Parking in fire lanes is strictly prohibited. Operation of racing carts, go carts, dune buggies, motorcycles, dirt bikes, and all other motorized vehicles in the abovementioned areas of the property is strictly prohibited. No non-motorized, wheeled vehicles or toys, including, but not limited to, bicycles, skateboards, roller blades, skates, etc., are allowed within the fenced/gated area of the property. Boats are not to be attached or left unattended on the boat dock at any time.

**6. Speed**

The speed limit on the property is 5 miles per hour. Excessive speed is dangerous in such close residential areas. Always proceed with caution, and watch carefully for children.

**7. Violations**

The primary responsibility for parking violations committed by invitees and guests lies with the unit owner. All residents and their guests shall be jointly and severally responsible for parking violations.

**Level 1 Offense**

Failure to abide by one or more of the above-stated parking rules constitutes a Level 1 Offense. A parking violation sticker will be placed on the vehicle advising the owner of the infraction. An effort will be made to send a written reprimand advising of the parking rules/regulation infraction when possible. The offense is logged and kept as part of a continuing file by the Association's Management Company.

**Level 2 Offense**

A second inspection for compliance shall be made after one (1) week. Should the owner continue to be in non-compliance, a second violation sticker will be attached to the vehicle and a second letter advising of the Level 2 Offense. The owner will be given additional 48 hours, within which to comply.

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**Final Disposition**

Failure to correct a violation within five (5) days of the second notice will result in the vehicle(s) being towed, or otherwise removed from the premises, without further notification, at the owner's expense. A fine of \$100 will be assessed to the account of the unit owner.

**Temporary Exceptions**

Under special and/or extreme circumstances, the Board of Directors reserves the right to grant temporary exceptions to the above- stated rules, which exceptions shall not exceed three (3) days in duration for any particular violation thereof. Residents or occupants with special circumstances should contact the Board of Directors or the Association's Managing Agent for the purpose of obtaining such temporary exception for the particular vehicle involved.

Adopted this 8 day of May, 2017.

EGRET BAY VILLAS  
CONDOMINIUM ASSOCIATION

*[Handwritten Signature]*  
Signature

PAMELA R. STARR  
Printed Name

STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

THIS INSTRUMENT was acknowledged before me on this 09<sup>th</sup> day of May, 2017, by the said Pamela Starr; President of EGRET BAY VILLAS CONDOMINIUM ASSOCIATION, a Texas non-profit corporation on behalf of said corporation.



*[Handwritten Signature]*  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

RP-2017-205208

RP-2017-205208  
# Pages 5  
05/11/2017 10:13 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$28.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

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