

CERTIFICATE OF SECRETARY
of
ROYAL OAKS RESIDENTIAL COMMUNITY ASSOCIATION, INC.
regarding
BOARD RESOLUTION
adopting
TRAFFIC RULES AND ENFORCMENT POLICY

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, MASSOUD TABRIZI, Secretary of Royal Oaks Residential Community Association, Inc. (the "Association"), do hereby certify that at a meeting of the Association's Board of Directors (the "Board") duly called and held on the 12th day of MAY, 2016, with at least a majority of the members of the Board being present and remaining throughout, and being duly authorized to transact business, the following resolution was duly made and approved by a majority vote of the members of the Board:

RECITALS

1. Article IV, Section 4.4, of the Declaration of Covenants, Conditions and Restrictions for Royal Oaks Residential Community recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File No. U257246 provides, in pertinent part:

4.4 Enforcement. The Association may impose sanctions for violations of this Declaration, any Supplemental Declaration, the By-Laws, or rules in accordance with procedures set forth in the By-Laws, including imposing reasonable monetary fines...

2. Article III, Sections 3.16, 3.17 and 3.23, of the By-Laws of Royal Oaks Residential Community Owners Association, Inc. provide, in pertinent part:

3.16. Powers. The Board of Directors shall have all the powers and duties necessary for the administration of the Association's affairs and for performing all responsibilities and exercising all the rights of the Association as set forth in the Declaration, these By-Laws, the Articles and as provided by law....

3.17 Duties. The duties of the Board shall include, without limitation:

- (f) Making and amending rules and regulations;
- (i) Enforcing by legal means the provisions of the Declaration, these By-Laws, and the rules adopted by it and bringing

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any proceedings which may be instituted on behalf of or against the Owners concerning the Association; ...

3.23 Enforcement. In addition to such other rights as are specifically granted under the Declaration, the Board shall have the power to impose reasonable fines, which shall constitute a lien upon the Lot of the violator...

3. The Board desires to standardize the policies and procedures relating to traffic and parking in the Community by adopting this "Traffic Rules and Enforcement Policy."

WITNESSETH:

The Board hereby adopts the following Traffic Rules and Enforcement Policy:

TRAFFIC RULES and ENFORCEMENT POLICY

1. Definitions

Capitalized terms used in this Traffic Rules and Enforcement Policy have the same meanings as that ascribed to them in the Declaration, unless otherwise indicated below. Some terms defined below are also defined in the Declaration; they are included in this Policy for convenience in reviewing and interpreting this Policy.

- 1.1 **Association.** Royal Oaks Residential Community Owners Association, Inc., a Texas non-profit corporation, its successors and assigns.
- 1.2 **Board of Directors or Board.** The body responsible for administration of the Association, selected as provided in the By-Laws and generally serving the same role as a board of directors under Texas corporate law.
- 1.3 **By-Laws.** The By-Laws of the Association, as amended or supplemented.
- 1.4 **Community.** Royal Oaks Residential Community.
- 1.5 **Declaration.** The Declaration of Covenants, Conditions, and Restrictions for Royal Oaks Residential Community, as amended or supplemented.
- 1.6 **Driver.** The operator of a Vehicle in the Community.

- 1.7 **Owner.** One or more Persons who hold record title to a Lot, but excluding in all cases a party holding an interest merely as security for the performance of an obligation. If a Lot is sold under a recorded contract of sale, then upon recording of such contract, the purchaser (rather than the fee owner) will be considered the Owner, unless the contract otherwise provides.
- 1.8 **Policy.** This Traffic Rules and Enforcement Policy for Royal Oaks Residential Community Association, Inc.
- 1.9 **Properties.** All real property subject to the Declaration and the jurisdiction of the Association.
- 1.10 **Resident.** (i) Each Owner residing in his/her residence; (ii) each person residing in a residence who is a bona fide tenant of the Owner of that residence; and (iii) each person residing in a residence other than an Owner or bona fide tenant.
- 1.11 **Rules.** The Rules set forth in Section 3 of this Policy.
- 1.12 **Ticket.** A written citation issued for a violation of the Rules.
- 1.13 **Vehicle.** A motorized vehicle, including a golf cart.
- 1.14 **Visitor.** Any individual in the Community who is not a Resident. The term includes, but is not limited to, a Resident's invitees and guests, contractors, builders, service providers and delivery persons.

2. Introduction

The Board of Directors has adopted this Policy pursuant to the authority granted to it by the provisions of the Declaration and Bylaws. This Policy is adopted by the Board to facilitate objectives and the intent of the Declaration. All Owners, Residents and Visitors must comply with the Rules. Owners are responsible for and must insure that their Visitors comply with the Rules.

3. Rules

- 3.1 Each Driver must operate his/her Vehicle in accordance with Texas laws and the Rules. Each Driver must comply with all traffic, safety and stop signs.
- 3.2 The speed limit on all streets in the Community is twenty (20) miles per hour.

- 3.3 Each Driver must have a valid driver's license to operate a Vehicle in the Community, including a golf cart, and be able to provide the valid driver's license to a courtesy officer for review upon request.
- 3.4 Each Vehicle other than a golf cart must have a visible license plate and current registration sticker.
- 3.5 A Driver must cause his/her Vehicle to come to a full and complete stop at each stop sign.
- 3.6 A Driver may not cause his/her Vehicle to pass a moving Vehicle in the Community except that a golf cart may be passed with caution if the golf cart is traveling less than fifteen (15) miles per hour.
- 3.7 A Driver must operate his/her Vehicle at a safe and reasonable distance behind another Vehicle. "Tailgating" on a street or closely following another Vehicle through a gate is prohibited.
- 3.8 Drivers are required to at all times yield to pedestrian and bicycle traffic.
- 3.9 Pedestrians are required to walk in the lane that is against the flow of vehicular traffic.
- 3.10 A bicycle is required to be ridden with the flow of vehicular traffic.
- 3.11 Parking regulations.
 - 3.11.1 During hours in which parking on a street is permitted, each Resident should, nevertheless, park his/her Vehicle in the Resident's garage or on the driveway of the residence. A Vehicle parked on a driveway may not block a sidewalk or extend, to any extent, into a street.
 - 3.11.2 Each Vehicle parked on a driveway must be parked so that either: (i) the front or rear of the Vehicle faces the garage or (ii) the front or rear of the Vehicle faces the Street in front of the residence, as applicable. The intent of this section is to prohibit unorthodox parking on driveways (e.g. horizontal parking on a driveway in front of a garage).
 - 3.11.3 Vehicle parking on a street in the Community between 2:00 a.m. and 5:00 a.m. is prohibited.
 - 3.11.4 Each Vehicle parked on a street must be parked parallel to the curb and face the flow of traffic.
 - 3.11.5 Parking a Vehicle "head on" into a curb or in a cul-de-sac is prohibited.

3.11.6 Contractors, builders, service providers and delivery drivers may not park a Vehicle parallel or substantially parallel to a Vehicle on the opposite side of the street. Parking in this manner impairs the flow of traffic and is prohibited.

3.11.7 No Vehicle may be parked adjacent to the curb of an esplanade.

3.11.8 No Vehicle may be parked within three (3) feet of the curvature of a corner Lot.

3.11.9 No Vehicle may be parked within fifteen (15) feet of a fire hydrant.

3.11.10 Parking a Vehicle in a manner that blocks or impairs the entrance to a building or access to a driveway or mailbox is prohibited.

3.11.11 Parking a trailer, boat, recreational vehicle or camper that is not attached to a Vehicle by a trailer hitch in the Community is prohibited. A trailer, boat, recreational vehicle or camper that is attached to a Vehicle by a trailer hitch may be parked in the Community only temporarily, which, for purposes of these Rules, means a period not exceeding twenty-four (24) hours.

3.11.12 Parking a Vehicle on private property without permission of the Resident is prohibited.

3.11.13 Parking a Vehicle in whole or in part in a yard or on an unpaved area of a Lot is prohibited.

3.11.14 Parking a Vehicle in a manner deemed to obstruct or impede the normal flow of vehicular, pedestrian or bicycle traffic, or deemed to be unsightly, as determined by the Board, is prohibited.

3.11.15 The Board may grant temporary variances from these Rules as it deems appropriate in its sole discretion. If a temporary variance is granted, the Board may require the Driver to prominently display a parking pass or variance notice in or on the Vehicle for identification purposes.

3.12. Sight obstruction. Given the number of Residents who walk, bicycle and drive golf carts in the Community, the operator of a Vehicle is required to slow at the intersection of each street, particularly if there is any type of sight obstruction.

4. Enforcement

- 4.1 **Ticketing.** For violations of the Rules, Tickets may be issued by the courtesy patrol in the Community. Tickets will include: (i) the date of the violation, (ii) the name of the violator, (iii) the violator's address in the Community or if the violator is a Visitor, the address in the Community of the Resident the violator is visiting, (iv) a description of the violation, and (v) the license plate state and number, and the make, model, year and color of the Vehicle. A copy of each Ticket issued will be provided to the Association.
- 4.2 **Escort of Underage Drivers.** A Driver under sixteen (16) years of age who do not possess a valid driver's license will be escorted to his/her place of residence, if he/she resides in the Community. A ticket will be issued to the Owner of the residence and given to an adult at the residence.
- 4.3 **Fines.** Fines for violations of this Policy are as follows:
- 4.3.1 The fine for violations of this Policy is \$100.00 per Ticket.
- 4.3.2. The fine will be multiplied by the number of violations per person in a calendar year. For example, two (2) speeding violations by one person in a calendar year will result in a fine of \$200.00 for the second violation, \$300.00 for the third violation, and so on.
- 4.3.3 If a Ticket is issued and notice in accordance with Section 5.1 of this Policy was given to the Owner within the preceding six (6) month period, the Association may immediately levy the appropriate fine against the Owner. The Association must notify the Owner of the levy of the fine and the amount of the fine. Payment of the fine is due within thirty (30) days of the date of the Association's notice to the Owner.
- 4.3.4. If a Ticket is issued and notice in accordance with Section 5.1 of this Policy has not been given to the Owner within the preceding six (6) month period, notice in accordance with Section 5.1 of this Policy must be given to the Owner prior to levying a fine.
- 4.3.5. In accordance with Section 10.6 (3) of the Declaration, fines are "Specific Assessments" and are secured by the Association's lien established in Section 10.8 of the Declaration. The Security Committee and/or the Board of Directors may decrease or waive any fines assessed under this Policy.
- 4.4 **Deactivation of EZ Tags and Transponders.** If a fine is not paid within thirty (30) days of the due date, the Association may deactivate the Resident's EZ Tags and Transponders for the Community gates. Residents must use the main gate for ingress and egress to the

Community while the EZ Tags and Transponders are not active. An attempt to enter the Community through the Resident entry lane with a deactivated EZ Tag or Transponder is a separate violation of this Policy that may result in an additional fine. After all fines and a reactivation fee are paid, the Association will reactivate the EZ Tags and Transponders. The Board will determine the amount of the reactivation fee.

- 4.5 **Suspension of Access to Visitors.** The Association may suspend access to the Community to a Visitor who receives two (2) or more Tickets for violations of this Policy resulting in fines to an Owner in a calendar year. The suspension will continue until all fines assessed to the Owner have been paid and the Visitor meets with the Board or its designated representative at a time, place and location determined by the Association to discuss compliance with this Policy.
- 4.6 **Towing.** This Policy may be enforced by towing pursuant to Chapter 2308 of the Texas Occupations Code.
- 4.7 **Lawsuit.** In addition to all other enforcement actions set forth in this Policy, the Association may file a lawsuit against a Resident for violations of the Policy. The lawsuit may seek for injunctive relief, the recovery of damages, attorney's fees and expenses, and any other remedy available under Texas law. If expedited relief in the form of a temporary restraining order or temporary injunction is required, the Association may file suit without providing notice to the Resident.

5. **Notice.**

5.1 Notice regarding enforcement described in Section 4 must: (a) describe the violation; (b) state a reasonable period of time within which the Owner has to cure the violation and avoid a fine; (c) notify the Owner that a fine will be levied unless the violation is cured within the stated period of time; (d) state the Owner may have special rights or relief related to the enforcement action under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. App. Section 501, *et. seq.*; and (e) state the Owner has the right not later than the thirtieth (30th) day after the date of the notice to submit a written request for a hearing to discuss and verify facts and resolve the matter in issue before the Security Committee appointed by the Board. The notice will also state the Owner has the right to appeal the Security Committee's decisions to the Board by written notice to the Board.

5.2 If the violation is a type that exists for only a short period of time, (e.g., a violation that no longer exists as of the date the notice is received by the Owner), the notice must describe the violation and notify the Owner that a fine will be levied if the same violation occurs again within six (6) months. The notice must

state the amount of the fine to be levied for each subsequent violation of the Policy.

5.3 If the Board deems it appropriate, the Association may also send any notice provided for in this section to a non-owner Resident or Visitor who violated the Policy.

5.4 Hearing. If an Owner timely requests a hearing before the Security Committee, the hearing will be scheduled within thirty (30) days of the date of the request. The Owner will be notified of the date, time and place of the hearing not later than the tenth (10th) day before the date of the hearing. No fine will be levied against the Owner until the conclusion of the scheduled hearing. However, if the Owner does not timely request a hearing before the Security Committee, a fine may be imposed in the manner described in the notice. The opportunity to cure the violation and avoid a fine is not required if the Owner was given notice and an opportunity to cure the same or a similar violation at any time within the preceding six (6) months. Upon levying the fine, the Association must give notice to the Owner of the levy.

I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing resolution was approved as set forth above and now appears in the books and records of the Association.

TO CERTIFY which witness my hand this the 12th day of May, 2016.

ROYAL OAKS RESIDENTIAL COMMUNITY ASSOCIATION, INC.

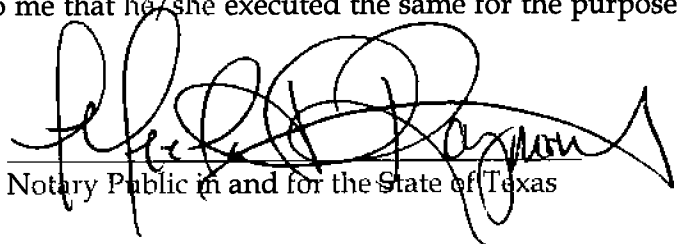
By: MASSOUD TABRIZI

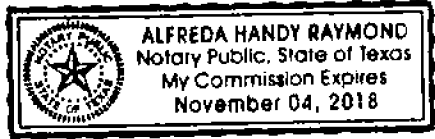
Printed: Massoud Tabrizi

Its: Secretary

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BEFORE ME, the undersigned notary public, on this 12th day of May, 2016 personally appeared Massoud Tabrizi, Secretary of Royal Oaks Residential Community Association, Inc. known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.


Notary Public in and for the State of Texas



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Pages 10
06/01/2016 09:18 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$48.00

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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