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Res
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B-0714.1

**CERTIFICATE OF CORPORATE RESOLUTIONS
OF
BOARD OF DIRECTORS**

VILLAGE OF KINGS LAKE HOMEOWNERS ASSOCIATION, INC.

Relating to the Adoption of

**RULES AND REGULATIONS
(Establishing a Fining Policy)**

The undersigned Officer of **VILLAGE OF KINGS LAKE HOMEOWNERS ASSOCIATION, INC.**, a Texas non-profit corporation ("Association"), does hereby certify, that at a regular meeting of the Board of Directors ("Board") of the Association held on February 7th, 2023, with at least a majority of the Board of Directors being present, the following Resolutions were duly made and approved by the Board of Directors:

[Capitalized terms used herein have the same meaning as set forth in the Declaration]

WHEREAS, pursuant to that certain (i) "**Declaration of Covenants, Conditions and Restrictions**" recorded on October 8, 2004 under Harris County Clerk File No. X976850 of the Real Property Records of Harris County, Texas, and (ii) the "**Declaration of Annexation of Village of Kings Lake Subdivision Section Three**" recorded on September 4, 2013 under Harris County Clerk File No. 20130454706 of the Real Property Records of Harris County, Texas, together with all amendments thereto (collectively "Declaration"), Articles of Incorporation of the Association ("Articles"), the Bylaws ("Bylaws") of the Association, Rules and Regulations of the Association now existing or hereafter adopted ("Rules"), and policies of the Association, now existing or hereafter adopted ("Policies"); the Association, acting by and through the Board, is responsible for administering the common area and facilities, Properties and Lots of **VILLAGE OF KINGS LAKE** Sections 1 and 3, a planned unit subdivision, and the restrictive covenants set forth therein governing the Subdivision; and

WHEREAS, (i) Section 204.010(a)(6) of the **TEXAS PROPERTY CODE** authorizes the Association, acting through its Board of Directors, to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision; in subsection (a)(19), to exercise other powers conferred by the restrictions, its articles of incorporation, or its bylaws; in subsection (a)(20), to exercise other powers that may be exercised in this state by a corporation of the same type as the property owners' association; and in subsection (a)(21), to exercise other powers necessary and proper for the governance and operation of the property owners' association; and Section 204.010(b) of the Texas Property Code provides that the powers enumerated by such section are in addition to any other powers granted to a property owners' association by this chapter or other law; (ii) **Article V, §§ (A), (B) and (B)(vi) of the Articles** provides the Association certain rights and powers, to be exercised by its Board of Directors, including without limitation, the rights and powers conferred upon non-profit corporations by the laws of the State of Texas in effect from time to time and all powers necessary, appropriate, or advisable to perform any purpose or duty of the Association as set out in the Articles, the Bylaws or the laws of the State of Texas;

and (iii) **Article III, Section 18 and 18(f) of the Bylaws** grants to the Board of Directors the power to exercise for the Association all powers, duties, and authority vested in or delegated to this Association and not reserved to the membership by other provisions of the Bylaws, Articles, or the Declaration; and

WHEREAS, pursuant to the authority provided by the TEXAS PROPERTY CODE, the Articles, and the Bylaws, the Board of Directors has deemed it necessary to adopt RULES AND REGULATIONS establishing a FINING POLICY for violations and infractions of the Declaration, Bylaws, Rules, Policies and Architectural Control Guidelines applicable to the Subdivision;

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors on behalf of the Association hereby adopts the following policy for the levy of fines, as follows:

**RULES AND REGULATIONS
(Establishing a Fining Policy)**

1. Owners are responsible for complying with the provisions of the Declaration, By-Laws, Rules, Architectural Control Guidelines and/or Policies, inclusive of compliance by the Owners' tenants and lessees, if applicable. In the event an Owner, occupant, lessee, guest or invitee of an Owner's Lot violates any of the provisions of the Declaration, By-Laws, Rules, Architectural Control Guidelines and/or Policies, the Board shall have the authority to impose a fine upon the Owner(s) of the Lot for each violation.

2. Upon determining that a violation of the Declaration, By-Laws, Rules, Architectural Control Guidelines and/or Policies of the Association or other damages has occurred, the Association or its agent shall give written notice to the Owner at the Owner(s)' last known address as shown in the Association's records by certified mail via the United States Postal Service. The Notice shall:

- (i) describe the violation that is the basis of the fine, stating the amount of the proposed fine; and
- (ii) provide the Owner with a reasonable period and specified date to cure the violation and avoid the fine *if the fine is of a curable nature and does not pose a threat to public health or safety*; state and allows the Owner the right to request a hearing before the Board on or before the 30th day after the notice was mailed to the Owner; and notifies the Owner that 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.) if the Owner is serving on active military duty.

Provided, however, that no written Notice pursuant to this ¶ 2 shall be required as to any violation which is the same or similar to a violation for which the Owner has been previously given Notice under this ¶ 2 within the preceding six (6) months.

In the event of any conflict between the foregoing and the provisions of Section 209.006 of the

Texas Property Code, the provisions of Section 209.006 of the TEXAS PROPERTY CODE shall prevail.

Further, Section 209.006(f) of TEX. PROP. CODE establishes the criteria as to whether a violation considered a threat to public health or safety; and Sections 209.006 (g), (h), and (i) establishes criteria and examples of “uncurable” and “curable” violations.

3. In the event an Owner requests a hearing before the Board, the Board shall hold a hearing not later than thirty (30) days after the date the Board receives the Owner’s request for a hearing and shall notify the Owner of the date, time, and place of the hearing no later than the tenth (10th) day before the date of the hearing. The Board or the Owner may request a postponement, and if requested, a postponement shall be granted for a period of not more than ten (10) days. Additional postponements may be granted by agreement of the parties. The Board, following the hearing, at its discretion and after hearing all of the evidence, may determine that:

- (i) the fine is reasonable;
- (ii) the amount of the fine should be lowered, in which case the Owner will receive a partial refund or credit; or
- (iii) the fine should be refunded or credited or removed in its entirety.

In the event of any conflict between the foregoing and the provisions of Section 209.007 of the TEXAS PROPERTY CODE, the provisions of Section 209.007 of the TEXAS PROPERTY CODE shall prevail.

4. The Association must give Notice of the levied fine to the Owner no later than the thirtieth (30th) day after the date a fine has been levied against the Owner. All fines will be due and payable to the Association immediately as of the date of the Notice stating that a fine has been levied.

5. Fines may be imposed against any Owner for any infraction of the Declaration, By-Laws, Rules, Architectural Control Guidelines and/or Policies. As of the date of the adoption of this FINING POLICY, the fining structure is as follows: **see EXHIBIT A, attached**, and is incorporated herein for all purposes.

The Fine Structure established above may be modified (increased or decreased) at any time and from time to time by the Board; provided, however, that any modification to such Fine Structure shall be made on a uniform basis to all Owners from and after the effective date of any such modification. Further, fines may be levied pursuant to the foregoing FINING POLICY in addition to and cumulative with any other enforcement action or procedure allowed by the Declaration and Bylaws or applicable law.

This FINING POLICY shall replace and supersede any prior or existing fining policy heretofore established by the Association.

EFFECTIVE DATE: This FINING POLICY shall be effective upon the recordation of this

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Policy as a "dedicatory instrument" in the Real Property Records of Harris County, Texas.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand at Houston, Texas,
this 7th day of February, 2023.

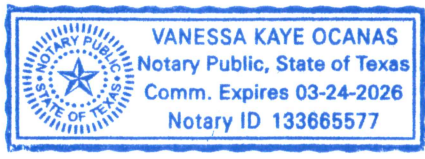
VILLAGE OF KINGS LAKE HOMEOWNERS
ASSOCIATION, INC., a Texas non-profit corporation

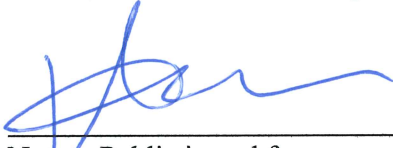
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Rec'd*

By: 
Sharon L. Provost
Its: President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 7th day of February, 2023, by
Sharon L. Provost, president of VILLAGE OF KINGS LAKE HOMEOWNERS
ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said corporation.




Notary Public in and for
the State of Texas

✓✓ **RECORD AND RETURN TO:**
Chesney Law Firm, P.L.L.C.
Attn: Wm. S. Chesney, III
9225 Katy Freeway Suite 314
Houston, Texas 77024-1501

EXHIBIT 'A'
[Rules and Regulations/Fining Policy]

ITEM/VIOLATION	FINE AMOUNT	ACTIVITY
A/C Window Units	\$250.00	A/C window units are prohibited in their entirety.
Animals: <ul style="list-style-type: none"> ● Loose, non-leashed ● Farm animals, livestock 	\$150.00	All domesticated animals prohibited to be unleashed at all times except when confined to enclosed backyard.
Basketball Goals, in public street	\$75.00	Item is not permitted to be placed or stationed in the public street when not in use; storage of same in rear of residence only or out of view from street.
Boats, Trailers, Capers, RVs,	\$250.00	No storage is permitted within the subdivision or residence at any time.
Business, operating from property (all types)	\$250.00	No business is permitted to be operating from an owner's residence for any purposes.
Dumpsters, Storage Pods	\$125.00	Roll-off Dumpsters and temporary storage Pods permitted in owner's driveway only for a period not to exceed 21 days.
Fence deterioration, No Fence, repairs	\$75.00	Owner's fences shall be no higher than 8 ft. from ground grade; deteriorated, broken, missing fencing shall be promptly repaired upon written notice from the Association.
Exterior Modifications, major renovations or repairs, paint color(s)	\$250.00	Owner's shall obtain an Architectural Control Application (obtained through the Assoc's office or its website) and submit to the Association prior to commencement of any and all such work.
Garage Sales	\$200.00	Individual garage sales are not permitted at any time. (Community Garage Sales are scheduled 4 times each year)
Home Exterior Maintenance, necessary repairs <ul style="list-style-type: none"> ● General ● Garage doors 	\$75.00	Failure to timely repair rotten residence's wood siding, fascia board, wood trim, damaged or sagging gutters.
	\$75.00	Doors shall be operable and maintained at all times.

Landscape including gardens	\$75.00	Vegetable gardens are prohibited from public view and shall be confined to the back yard of the residence only.
Lawn maintenance, debris	\$75.00	Unkept lawns, unremoved debris
Noise, excessive	\$125.00	Excessive and loud music, parties, wailing and barking dogs are prohibited at all times.
Parking, upon lawn etc.	\$125.00	Vehicle parking is prohibited on lawns or sidewalks.
Parking, Unlawfully	\$125.00	Vehicle(s) parked in the wrong direction on the street is prohibited; blocking street signs, mailboxes, fire hydrants, driveways is prohibited
Placards, Advertisements, Flyers, Signs	\$75.00	Items are prohibited on mailboxes, light poles, as yard signs etc.
Pools	\$250.00	All residential pools, both above ground and in ground, shall be kept cleaned and clear of living pests, rodents or alike.
Trash Cans, trash bins, bagged garbage, misc. items	\$50.00	All trash bags must be placed in a trash can(s) or trash bin(s). All trash can(s) or bin(s) may only be place out for collection after 6:00 pm. The day prior to regular scheduled collection days.
Trash, Debris Burning	\$175.00	The burning of trash, trees, misc. debris is prohibited at all times within the subdivision.
Trees, Tree Stumps, shrubbery	\$75.00	All trees, shrubs, grass and flower beds shall be maintained at all times; tree removal shall include stump removal, grinding below ground grade level.
Vehicles: <ul style="list-style-type: none"> ● Abandon, inoperable ● ATV, 4 wheelers ● Non-street legal vehicle ● Oversized trucks, 18 Wheel trucks 	\$150.00	All listed vehicles, trucks and ATV's, unlicensed or non-street legal vehicles are prohibited in the subdivision at all times.

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Window, coverings	\$75.00	Window coverings of boards, tape, plastic, sheets, towels, aluminum foil are prohibited at all times.
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RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED FOR RECORD

8:00:00 AM

Friday, February 17, 2023

Laneshia Hudspeth

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

Friday, February 17, 2023

Laneshia Hudspeth

COUNTY CLERK
HARRIS COUNTY, TEXAS

