

Violation Enforcement Guidelines and Fines Policy

For Canyon Crossing Section One Property Owner's Association, Inc.

In accordance with the Declaration of Covenants, Conditions and Restrictions ("DCCRs) for Canyon Crossing, Section One, filed and recorded in the Montgomery County Real Property Records on November 16, 2005, File No. 2005127807, the Board of Directors ("Board") of Canyon Crossing Section One Property Owner's Association, Inc. ("Association") has the authority to enforce restrictions, rules and regulations set out in the DCCR and any amendments thereafter.

The following guidelines and policies to enforce the restrictions, rules and regulations do not replace the DCCRs filed in the real property records, and the procedures and fines set forth in this policy or in addition to any other remedy allowed by the DCCRs, at law, or in equity.

1. Enforcement Actions by Association

The Association has been empowered to fine violators in accordance with the DCCRs in Article VIII Section 8.10 titled Power to Enforce Restrictions and Rules and Regulations.

Specifically, the section reads, "The Association (and any Owner with respect only to the remedies in (ii) below) shall have the power to enforce the provisions of this Declaration and the Rules and Regulations and shall take such action as the Board of Directors deems necessary or desirable to cause such compliance by each Member and each Related User. Without limiting the generality of the foregoing, the Association shall leave the power to enforce the provisions of the Declaration and of Rules and Regulations of the Association by any one or more of the following means:

- (i) By entry upon any property within the Subdivision after notice and hearing (unless a bona fide emergency exists in which even this right of entry may be exercised without notice (written or oral) to the Owner in such manner as to avoid any unreasonable or unnecessary interference with the lawful possession, use or enjoyment of the improvements situated thereon by the Owner or any other person) without liability by the association to the Owner thereof, for the purposes of enforcement of the Declaration or the Rules and Regulations;
- (ii) by commencing and maintaining actions and suits to restrain and enjoin any breach or threatened breach of the Provisions of this Declaration or the Rules and Regulations;
- (iii) by exclusion after notice and hearing of any Member or Related User from use of any recreational facilities within the Common Areas during and for up to sixty (60) days following any breach of this Declaration or such Rules and Regulations by such Member or any Related User, unless the breach is a continuing breach in which case exclusion shall continue for so long as such breach continues;
- (iv) by levying and collecting, after notice and hearing, an assessment against any Member for breach of this Declaration or such Rules and Regulations by such

- Member or Related User which assessment shall reimburse the Association for costs incurred by the Association in connection with such breach;
- (v) by levying and collection, after notice and hearing, reasonable and uniformly applied fines and penalties, established in advance in the Rules and Regulations of the Association, from any Member or a Related User for breach of this Declaration or such Rules and Regulations by such member or Related User;
 - (vi) by taking actions itself to cure or abate such violation and to charge the expenses thereof, if any, to such violating Members, plus attorney's fees incurred by the Association with respect to exercising such remedy."

Accordingly, the following procedure and fine schedule will apply to Owners found violating the DCCRs or any applicable Rules and Regulations:

Notice	Violation Notice**	Fine or Action
1st	Courtesy letter	No fine, sent via regular mail
2nd	Warning letter*	Sent via Certified Mail *
3rd	Fee Letter With Charge	Fine \$100, sent via Certified Mail
4th plus	Fee Letter With Charge	Fine \$200, sent via Certified Mail

***If the violation is a curable violation, the letter will provide thirty (30) days to correct the violation, and if not corrected the Association will have the authority to enter, or direct a contractor to enter, the property and perform the maintenance or repair at the Owner's expense, which will be applied to the Owner's account. The Association is not liable for trespass if the violation is present at the time the Association or its agents enter the property to perform maintenance or repair any part of the property due to the violation.**

****If the Board determines a violation is a non-curable violation (hazardous to the health and safety of neighborhood residents) legal action may be initiated without prior notice, and an immediate fine up to \$1,000 may be imposed without prior notice.**

Each violation will be considered a separate violation. Owners will be sent notice with each separate violation pursuant to the fining schedule referenced above.

All charges are secured by a continuing lien as set forth in Section 6.03 of the DCCRs for Canyon Crossing, Section One filed in the Real Property Records of Montgomery County, file number 2005127807. Failure to pay any charges may result in judicial or nonjudicial proceedings by the association pursuant to the DCCRs.

The first letter is a courtesy letter sent via regular mail or by electronic mail.

The second letter will be sent via certified mail and will warn of a fine if the violation is not cured within thirty (30) days of the date of the letter.

The third letter with fine assessed will be sent via certified mail and will warn of another fine if the violation is not cured within thirty (30) days of the date of the letter. Owners, or their agents, dependents or guests, accused of any violation may refute the fines through a hearing with the Association Board, the Board's appointed representative, or the Association attorney.

The fourth letter with fine assessed will be sent via certified mail and will warn of another fine if the violation is not cured within thirty (30) days of the date of the letter. Owners, or their agents, dependents or guests, accused of any violation may refute the fines through a hearing with the Association Board, the Board's appointed representative, or the Association attorney.

Owners unable to correct the violation within the prescribed thirty (30) days may submit a plan for correction to the Board for consideration. All such submissions or responses, including updates on what is being done to correct the problem or any appeals to the violation, must be submitted in writing (letter, facsimile, or by email).

The procedures set forth above shall in no way preclude the Board from pursuing any other remedies available under the Association governing documents, or under applicable law or in equity with regard to the enforcement of the DCCRs, Rules and Regulations, or other governing documents, such as restricting access and use of any recreational facilities within common areas, or maintaining a lawsuit to restrain or enjoin any breach of the provisions of the DCCRs or other applicable rules.

2. APPEALS/HEARINGS

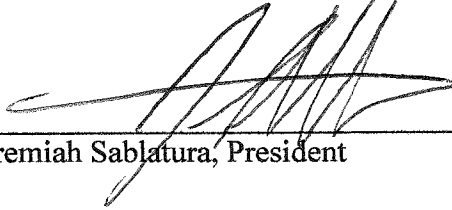
If an Owner receives a letter from the Association and disagrees with the violation notice or otherwise wishes to discuss the matter, the Owner may send a written request for a hearing directly to the Secretary of the Association via regular mail or via electronic mail at canyoncrossingpoa@gmail.com. The Owner must send a written request for a hearing, either by email, written correspondence, or fax, within 30 days of receiving a violation letter from the Association.

Failure or refusal to retrieve or sign for certified mailings from the Association, either in person or at the United States Post Office, is not grounds for an appeal and will not extend the number of days when an appeal can be submitted to the Association.

A hearing will be held within 30 days from the date the Association or its agents receive a written request for a hearing from an Owner. The Association or its agents will provide the Owner with date, time and place of the hearing at least ten (10) days before date the hearing is scheduled.

IN WITNESS WHEREOF, this Guidelines and Fines Policy is executed as of the 16 day of JUNE, 2018.

Canyon Crossing Section One Property Owner's Association, Inc.



Jeremiah Sablatura, President

Certification

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

I, the undersigned, to hereby certify: That I am the duly elected and acting Secretary of the Canyon Crossing Section One Property Owner's Association, Inc., a Texas non-profit corporation and that the foregoing constitutes the Guidelines and Fines Policy of said Association, as duly adopted at a properly noticed Meeting of the Directors held on the 16 day of JUNE, 2018 and further approved by a quorum of Directors present.

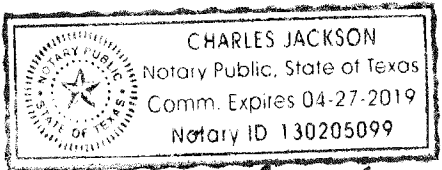
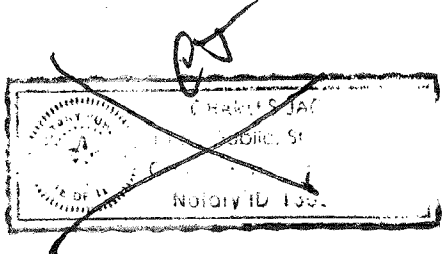
IN WITNESS WHEREOF, I have hereunto subscribed by name this 16 day of JUNE, 2018


Stephen Saflin, Secretary

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

BEFORE ME, on this day personally appeared STEPHEN SAFLIN, the Secretary of Canyon Crossing Section One Property Owner's Association, Inc., known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me and he executed the same for the purposes and consideration therein expressed and in the capacity therein and herein stated, and is the act and deed of said corporation.

Given under my hand and seal of office, this 16 day of JUNE, 2018.



Charles Jackson

Notary Public – State of Texas

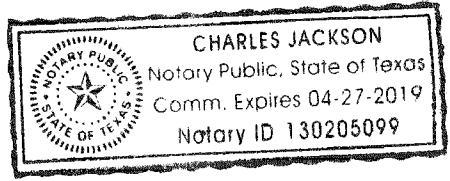
STATE OF TEXAS

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COUNTY OF MONTGOMERY

BEFORE ME, on this day personally appeared JEREMIAH SABLATON the President of Canyon Crossing Section One Property Owner's Association, Inc., known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me and he executed the same for the purposes and consideration therein expressed and in the capacity therein and herein stated, and s the act and deed of said corporation.

Given under my hand and seal of office, this 16 day of JUNE, 2018.



Charles Jackson

Notary Public – State of Texas

E-FILED FOR RECORD

06/18/2018 03:53PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

06/18/2018



County Clerk
Montgomery County, Texas