

VIOLATION FINES AND REMEDIES RESOLUTION

THE BOARD OF DIRECTORS OF  
PLUM CREEK HOMEOWNERS ASSOCIATION, INC.

WHEREAS, the Master Declaration of Covenants, Conditions and Restrictions of Plum Creek HOA, Inc. (the "Declaration") authorizes the Board of Directors of Plum Creek Homeowners Association, Inc. (HOA), to enforce provisions of any HOA rules and impose fines on violating members and in an effort to reduce repeat violations;

IT IS THEREFORE RESOLVED, that in accordance with section 5.10 of the Declaration and Chapter 209 of the Texas Property Code, the Board hereby establishes the following violation fine policy regarding repeat violations of the same or similar kind or restriction within six (6) months of the first courtesy notice, and authorizes Goodwin Management, Inc., as its agent, to enforce the following accordingly:

- Courtesy Notice \$0
- 1<sup>st</sup> Violation \$0
- 2<sup>nd</sup> Violation (and each repeat violation thereafter) \$25
- On any subsequent occasion, the Association's managing agent is directed to cause an appropriate lawn care contractor to enter the lot and cure all lawn maintenance violations or other corrective actions. The managing agent shall then charge the cost associated with such to the Owner's account and notify the owner, in writing, of such charge pursuant to applicable Texas Property Code.
- A second resident must report the same or similar noise nuisance issue before a fine letter will be issued.

Definition & Example: The 2<sup>nd</sup> notice for a violation, or the 2<sup>nd</sup> violation of a *similar kind*, will result in a \$25 fine and each subsequent similar violation will incur an additional fine. Example: 2 notices falling under the violation category of "Yard Maintenance Needed" will receive an initial \$25 fine. This can be any combination of mowing, edging, weed control, etc.; not just 2 notices to mow, or 2 notices to edge.

Under Section 5.10 of the Declaration, Covenants, Conditions and Restrictions, the Board has the authority to impose a fine of \$25 per violation, suspension of Owner's right to use Association property, the right to cure or abate a violation and charge the expense to the Owner and the right to seek injunction relief or other relief provided by law, along with costs. After notice to the Owner and right to hearing, the Board has the right to proceed with the remedies. Each day a violation continues is deemed a separate violation. Thus, the Board reserves the right to issue fewer warnings before fines are made at its discretion, and reserves the right to increase the frequency of fines at its discretion.

Notices of violation will be mailed and will include the date, type and number of the violation. Residents may report violations in writing. The recipient of a "concerned neighbor" violation will not know the source of the complaint; however the person notifying the Board of the alleged violation must identify himself/herself, as anonymous reports will not be addressed.

The above resolution was unanimously adopted on August 9, 2018 by the Board of Directors of The Association, as certified by the President of the Association.

By: Jennifer Crosby  
Name: Jennifer Crosby  
Title: President

STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me on this the 22 day of August, by Jennifer Crosby, President of and for the Association, for the purposes therein expressed.

**AFTER RECORDING PLEASE RETURN TO:**

Goodwin Management  
11149 Research Blvd., Suite 100  
Austin, TX 78759

Angela Ellis

Notary Public, State of Texas

