

RESOLUTION OF
WESTBURY GARDENS OWNERS ASSOCIATION, INC.
Regarding Ratification of
Amended Deed Enforcement & Fining Policy for the Purpose of Filing
in the County Real Property Records

DATED: Mar, 26, 2024.

STATE OF TEXAS

§

§

COUNTY OF HARRIS

§

I, Diane Packard, the Secretary of WESTBURY GARDENS OWNERS ASSOCIATION, INC. (the "Association"), do hereby certify that at a regular meeting of the Board of Directors of the Association held on 3/26, 2024, with a quorum present and remaining throughout, and being duly authorized to transact business, the following resolution for the ratification of the Amended Deed Enforcement & Fining **Policy** for the purposes of filing in this County's Real Property Records, was duly made and approved.

WHEREAS, the Association is a Texas non-profit corporation governed by the Texas Property Code;

WHEREAS, the Amended Deed Enforcement & Fining **Policy** attached hereto as Exhibit "A", is hereby ratified for the purpose of filing in this County's Real Property Records;

IT IS, HEREBY, RESOLVED that WESTBURY GARDENS OWNERS ASSOCIATION, INC. adopts this formal resolution for the purpose of filing the aforementioned document in this County's Real Property Records.

Dated: 3-26-24

Diane J Packard
Secy Westbury Gardens Owners Assn

STATE OF TEXAS

§

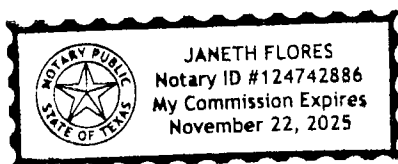
§

COUNTY OF HARRIS

§

ACKNOWLEDGMENT

This instrument was acknowledged before me on the 26 day of March, 2024, by Diane as Secretary of WESTBURY GARDENS OWNERS ASSOCIATION, INC., on behalf of said corporation.



Janeth Flores
Notary Public in and for the State of Texas

EXHIBIT "A"

*The Association will begin enforcement of this Policy
no later than thirty (30) days from the date of filing*

AMENDED FINING POLICY

Article I: Enforcement

1.1 Fines.

1.1.1 Fines may be imposed against Owner(s) for any infraction of the Condominium Declaration, Bylaws, any filed Rules, Regulations, Policies, Architectural Control Guidelines, or this policy by Owners, occupants or guests of their Property, subject to the guidelines below.

1.1.2 For each infraction, a written notice will be sent describing the violation, and the action required to correct the violation. The letter will also state that failure to correct the violation within thirty (30) days, or any further violations may result in the imposition of a fine. Fines shall be assessed per the following fining schedule, unless otherwise stated herein:

First Notice	No fine
Second Notice	No fine, \$15.00 cert. mail fee
Third Notice	\$100.00 fine per notice
Subsequent Notices	\$100.00 fine per notice

1.1.3 Fines for the construction of exterior improvements without notice to or approval of the Association shall be subjected to an accelerated fining schedule:

First Notice	No fine, \$15.00 cert. mail fee
Subsequent Notices	\$100.00 fine per notice

1.1.4 Fines for illegal / unauthorized dumping of heavy materials (e.g. appliances, heavy trash, furniture, construction materials) without notice to or approval of the Association shall be subjected to an accelerated fining schedule:

First Notice	No fine, \$15.00 cert. mail fee
Subsequent Notices	\$250.00 fine per notice

1.2 Recurrence.

- 1.2.1 Once a violation reaches the notice threshold for fines, the Association may continue to assess additional fines every month the violation exists until abated, with or without providing notice of same.
- 1.2.2 Should any ostensibly corrected violation reoccur within six (6) months after the first occurrence of a similar violation, no additional notice will be given and the appropriate fine will be immediately imposed.
- 1.3 Supersedes Previous Policies. To the extent this policy conflicts with any prior fining policy filed by the Association (excepting the Condominium Declaration, and any amendments thereto) this policy shall supersede and replace such policy.

Article II: Disputing a Fine

- 2.1 Disputing a Fine.
- 2.1.1 To dispute a fine, the Owner must request, in writing, a meeting with the Board postmarked no later than thirty (30) days from the date of the letter imposing the fine, setting forth the specific nature of the Owner's dispute.
- 2.1.2 At the meeting the Owner may present his or her reasons why the fine should not be imposed or should be abated. The Board's decision after the hearing is final.

Article III: Health and Safety Violations

- 3.1 Health and Safety Violations
- 3.1.1 For any Health and Safety Violation, the Association may immediately, and without notice suspend an owner's right to use a common area, file an injunction suit against an owner, charge an owner for property damage, levy a fine not to exceed \$150.00 per occurrence, or any combination thereof.
- 3.1.2 A violation is considered a Health and Safety Violation if the violation could, in the reasonable opinion of the Board of Directors, materially affect the physical health or safety of an ordinary resident. Examples of such violations include, but are not limited to: shooting fireworks; utilizing a firearm; an extraordinary noise; or property damage, including the removal or alteration of landscaping.

THEREFORE, BE IT RESOLVED THAT, **WESTBURY GARDENS OWNERS ASSOCIATION, INC.** adopts a uniform Policy to apply to all Unit Owners within the Association;

BE IT FURTHER RESOLVED THAT, the Policy approved by this resolution touches and concerns all Units within the Association and shall run with the land to all subsequent Owners of said Units;

The Board of Directors of **WESTBURY GARDENS OWNERS ASSOCIATION, INC.** hereby memorializes in its minutes its formal resolution providing a uniform policy for all Units within the Association.

AFTER RECORDING, RETURN TO:

LAMBRIGHT ★ MCKEE

940 Corbindale Rd.

Houston, Texas 77024

RP-2024-134135
Pages 5
04/16/2024 09:03 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$37.00

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.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2024-134135