



**FIRST SUPPLEMENTAL NOTICE OF FILING OF
DEDICATORY INSTRUMENTS
FOR
THE TURNBRIDGE MANOR HOMEOWNERS
ASSOCIATION, INC.**

Enforcement and Fining Policy

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF COLLIN §

We, the undersigned, being the directors of the **Turnbridge Manor Homeowners Association, Inc.**, a Texas non-profit Association (the "Association"), pursuant to Section 202 and Section 209 of the Texas Property Code, do, by unanimous consent, take the following corporate action and adopt the following resolutions, which corporate action and resolutions shall have the same force and effect as a unanimous vote of all the directors of the Association at a duly called meeting of the Board of Directors of said Association:

WHEREAS, Turnbridge Manor Homeowners Association, Inc. (the "Association") is an addition in Collin County, Texas. The final plats were recorded in the Real Property Records of Collin County, Texas as; Turnbridge Manor Phase One, Phase Two and Phase Three – File No. 2000-0084111, Volume 4724, Page 3841. Lots in Turnbridge Manor are subject to the Declaration of Covenants, Conditions & Restrictions for Turnbridge Manor Homeowners Association, recorded as Instrument Number 2001-0163636, Volume 5069, Page 3618 in the Real Property Records, Collin County, Texas.

WHEREAS, Pursuant to Article IV, Section 10 of the Bylaws, entitled "Powers of Board of Directors," the Board may "exercise all such powers, duties and authority vested in or delegated to the Association Bylaw, the Articles of Incorporation or the Declaration and do all other lawful acts and things, except to the extent that any of the foregoing are directed or require by law, the Articles of Incorporation, the Declaration or these Bylaws to be exercised or done by the Members."

WHEREAS, the Board of Directors of Turnbridge Manor Homeowners Association, Inc. (the "Association") is empowered to govern the affairs of the homeowners association pursuant to **Article III, Section 3.1 Governing Body; Composition.**

WHEREAS, the Board of Directors of the Association finds there is a need to establish orderly procedures for the enforcement of **ARTICLE IX, Construction of Improvements and Use of Lots** set forth in the Declaration of Covenants, Conditions and Restrictions for Turnbridge Manor Homeowners Association against violating owners.

NOW, THEREFORE, IT IS RESOLVED that the following procedures and practices are established for the enforcement of the Turnbridge Manor Homeowners Association's Governing Documents and for the elimination of violations of such provisions found to exist in, on and about the property subject to the Turnbridge Manor Homeowners Association Declaration (to be referred to herein as the "**Enforcement & Fining Policy**").

- **Establishment of Violation**. Any condition, use, activity or improvement which does not comply with the provisions of the Turnbridge Manor Homeowners Association's Governing Documents, shall constitute a "**Violation**" under this Policy for all purposes.
- **Report of Violation**. The existence of a Violation will be verified by a field observation conducted by the Board or its delegate. For the purpose of this Fining Policy, the delegate of the Board may include Management, an Officer or Director of the Board, or a Member of any Committee established by the Board for this purpose. A timely written report shall be prepared by the Association for each Violation.
- **Courtesy Notice**: A courtesy letter will be sent to the homeowner describing the nature, description and location of the alleged violation and notification that if the violation is corrected within ten (10) days from the date of the Courtesy Letter, no further action will be taken. The courtesy letter will be sent via first class mail no later than two (2) days following the observation of the violation.
- **Second Notice of Violation**: If alleged violation has not been corrected within ten (10) days from the date of the Courtesy Notice, a Second Notice of Violation will be sent via first class mail.
- **Final Notice of Violation**: If the alleged violation has not been corrected within ten (10) days of the Second Notice of Violation, a Final Notice of Violation will be sent by first class mail and certified mail, return receipt requested. This notice will describe the nature, description, and location of the uncured violation. It will state that failure to remedy the violation within ten (10) days of the date of the final notice will result in fines of up to \$500.00 per violation.
- **Notice of Fine**: If the alleged violation has not been corrected within ten (10) days from the date of the Final Notice, a Notice of Fine will be sent by first class mail. A fine of up to \$500.00 will be imposed for each violation. Fines will continue to occur every ten (10) days until the alleged violation has been cured.

Description	Minimum Amount	Maximum Amount	When Applied	Recurring
CC&R 1 st Fine	\$25.00	\$500.00	After Cure Period	Every 10 Days until cured
CC&R 2 nd Fine	\$50.00	\$500.00	After Cure Period	Every 10 Days until cured
CC&R 3 rd Fine	\$75.00	\$500.00	After Cure Period	Every 10 Days until cured
CC&R 4 th Fine	\$100.00	\$500.00	After Cure Period	Every 10 Days until cured

- **Request for a Hearing.** A hearing before the Board of Directors may be requested by the homeowner after the receipt of Second Notice of Violation. Written request for a hearing must be received ten (10) days prior to the requested date of the hearing. The hearings will be set on the next regularly scheduled meeting of the Board of Directors.
- **Appeal of Decision.** In the event a hearing has been conducted before the Board of Directors, the violator shall have the right to appeal the decision. A written notice of appeal must be sent to Management, if any, within ten (10) days of the date of the written notice of the Board's decision.
- **Repeated Violations of the Same Provision.** Whenever an Owner, who has previously cured or eliminated a violation after receipt of Notice of Violation, commits a separate violation of the same provision of the Turnbridge Manor Homeowners Association's Governing Documents or rules and regulations of the Association within six (6) months from the date of the first Notice of Violation, the Board of Directors shall reinstate the violation and pursue the procedures set forth herein, as if the violation had never been cured or eliminated.
- **Correction of Violation.** Where the Owner corrects or eliminates the violation(s) prior to the imposition of any sanction, no further action will be taken (except for collection of any monies for which the lot Owner may become liable under this Fining Policy and/or the Turnbridge Manor Governing Documents).
- **Referral to Legal Counsel.** Should a fine be imposed on the alleged violator, standard collection action may be pursued which may take the form of court action for damages, as provided by law.

IT IS FURTHER RESOLVED that this Enforcement and Fining Policy is to be effective as of November 1, 2015, and shall remain in force and effect until revoked, modified or amended by the Board of Directors. The notice and hearing provisions of the foregoing Enforcement and Fining Policy are intended to comply with Chapter 209 of the Texas Property Code and, to the extent any provisions governing same contained herein conflict with the Bylaws, Chapter 209 of the Texas Property Code and this Enforcement and Fining Policy shall control. This Enforcement and Fining Policy shall be filed or recorded in the Real Property Records of Collin County, Texas.

SIGNED AND ACKNOWLEDGED

This is to certify that the foregoing Enforcement and Fining Policy was adopted by the Board of Directors of Turnbridge Manor at a meeting of the same on October 7, 2015, in accordance with Section 202.006 of the Texas Property Code.

SIGNED this 14, day of OCT, 2015

Turnbridge Manor Homeowners Association, Inc.

By: *Donald Braatz*

Authorized Officer/Agent

DONALD BRAATZ

STATE OF TEXAS §
COUNTY OF COLLIN §

KNOW ALL MEN BY THESE PRESENTS:

This instrument was acknowledged before me on the 14, day of OCT 2015, by *Don Braatz*, authorized officer of the Association.



Robyn Gschwend
Notary Public, State of Texas

1-23-2016
My Commission Expires

AFTER RECORDING RETURN TO:

4Sight Neighborhood Management
4760 Preston Rd, STE 244-PMB 238
Frisco, TX 75034

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
10/16/2015 10:03:49 AM
\$38.00 CJAMAL
20151016001310200



Stacey Kemp