

**RESOLUTION OF THE BOARD OF DIRECTORS  
ADOPTING SUPPLEMENTAL POLICY  
FOR ARTICLE 2, SECTION 2.5(e)  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
HICKORY WATERVIEW ESTATES HOMEOWNERS ASSOCIATION, INC.  
(the "Association")**

WHEREAS, the Association desires to adopt a policy for the purpose of supplementing existing covenants, conditions and restrictions with regard to the use of Trash, Garbage, or other Waste Containers and for the purpose of setting a standard by which the Board of Directors feels the process for addressing violations in regard to this matter may best be handled.

WHEREAS, the Board of Directors desires to supplement the existing policy as set forth in the Declaration and more specifically in Article 2, Section 2.5(e) of the Covenants, Conditions and Restrictions (the "CCR's"); and

WHEREAS, the Board of Directors is exercising their rights under Article 5 of the Bylaws to establish, amend, and/or abolish from time to time, reasonable rules and regulations. Section 5.2 states "any rule and regulation may be adopted, amended, or terminated by the Board, provided that the rule and the requisite Board approval are properly recorded as a Resolution in the minutes of the meeting of the Board. The Board shall cause to be delivered by U.S. mail a copy of the Resolution to every Owner. So long as any adoption, amendment, or termination by the Board is recorded in the minutes of the meeting, recording with the county clerk is not required." And

WHEREAS, on the 12<sup>th</sup> day of June, 2018 the Board of Directors held an Open Meeting of the Board at which the plan of the Board to adopt / supplement rules with regard to the use of Trash, Garbage, or other Waste Containers and for the purpose of setting a standard by which the Board of Directors feels the process for addressing violations in regard to this matter may best be handled was publicly announced; and

WHEREAS, The Board has not implemented enforcement of this policy prior to the date of this Resolution. The attached Policy shall be enforceable for any action of non-compliance by an Owner, Occupant, Tenant, Guest, or Invitee notwithstanding, Owner shall be the person whom shall always have the primary and sole responsibility for ensuring compliance by all Members and Residents of any residence owned.

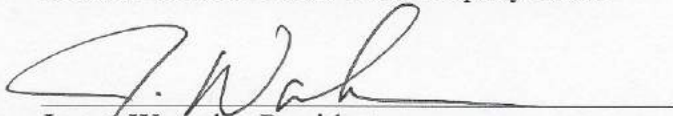
NOW THEREFORE BE IT RESOLVED, that the Board in unanimous consent hereby adopt and implement the Policy for the purpose of establishing / supplementing rules with regard to the use of Trash, Garbage, or other Waste Containers and for the purpose of setting a standard by which the Board of Directors feels the process for addressing violations in regard to this matter may best be handled.

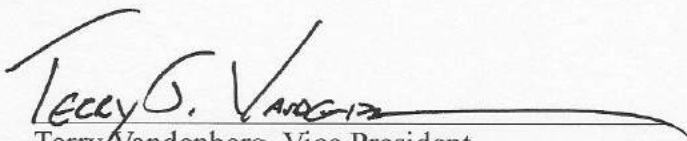
BE IT FURTHER RESOLVED that the Association's new Policy shall be effective three days from the date a copy of the Resolution and corresponding Policy are deposited with the U.S. Mail Carrier for delivery.

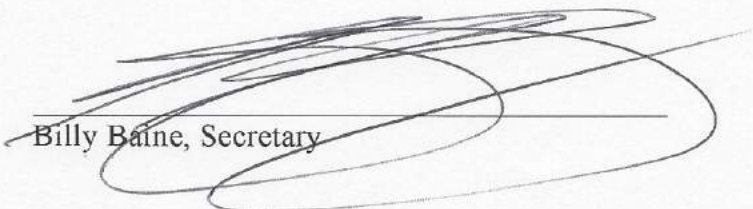
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- d. Owners who repeatedly violate this rule may be subject to the fining stage upon one (1) written "Notice of Fine Warning" which shall be submitted to the Owner by Certified and regular U.S. mail. The Association is not required to re-notice the Owner of a violation when the offense is repeated anytime within a six-month time frame.
- e. The Board of Directors shall have the right to initiate Self-Help Actions upon any Lot where an Owner refuses to comply with the Rules and Regulations of the Association. The Board of Directors may, if the Declaration so permits, levy a Special Assessment upon the Owner to cover costs incurred by the Association in bringing a Lot into compliance with the Declaration or the Rules and Regulations set forth in this Policy. *The Association, its delegates, or the Managing Agent or its delegates shall not be considered to have trespassed to initiate or carry out a Self-Help Action so long as the Owner has been duly notified. Said notification may be by personal delivery, posting to the door of the Owner's residence, by e-mail as long as the Association or its Agent is sure beyond reasonable doubt the Owner receives notifications sent to that e-mail address.*
- f. If a violation continues and the Owner refuses to comply with the rules and regulations of the Association, the Board of Directors may suspend the use of any person's or entity's right to use any recreational facilities within the Common Properties; provided, however, nothing herein shall authorize the Board to limit ingress or egress to or from a Lot.

This is to certify that the foregoing Policy was adopted by the Board of Directors, in accordance with Section 209.0062 of the Texas Property Code.

  
James Waverka, President

  
Terry Vandenberg, Vice President

  
Billy Baine, Secretary

**HICKORY WATERVIEW ESTATES HOMEOWNERS ASSOCIATION INC.**

**Policy adopting new or supplemental rules to Article 2, Section 2.5(e) of the Covenants, Conditions and Restrictions for the use of Trash, Garbage, or other Waste Containers and for the purpose of setting a standard by which the Board of Directors feels the process for addressing violations in regard to this matter may best be handled**

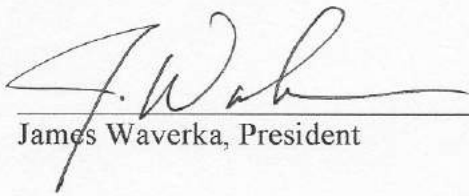
**WHEREAS**, the Board of Directors (the "Board") of Hickory Waterview Estates Homeowners Association Inc. (the "Association") wishes to adopt reasonable guidelines to address the use of Trash, Garbage, or other Waste Containers and for the purpose of setting a standard by which the Board of Directors feels the process for addressing violations in regard to this matter may best be handled; and

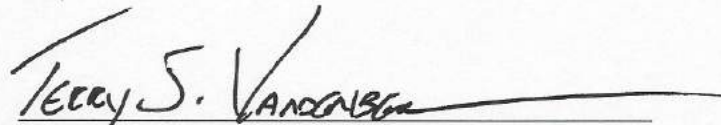
**WHEREAS**, the Board wishes to adopt these reasonable guidelines in compliance with Section 209.0062 of the Texas Property Code; and

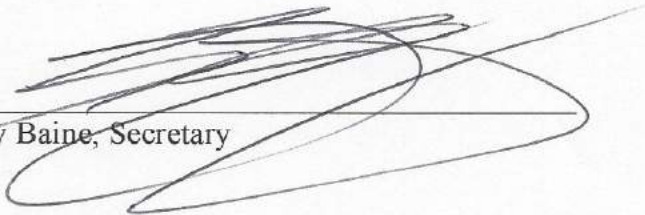
**WHEREAS**, the Board intends to mail a copy of the Resolution and these guidelines to each Owner of record in compliance with Article 5, Section 5.2 of the Bylaws; and

**NOW, THEREFORE, IT IS RESOLVED** that the following guidelines are established by the Board:

1. Upon the request of the Board or upon notice of a violation or upon notification from a reliable source that an Owner is violating the rules and regulations regarding trash containers as set forth in Article 2, Section 2.5(e) of the Covenants, Conditions and Restrictions (the "CCR's") and now henceforth as set forth in this Policy. The Rules set forth herein shall be enforceable in addition to the existing Rules in the CCR's. All Owners within Hickory Waterview Estates Homeowners Association shall be subject to the following additional rules:
  - a. Each Resident will endeavor to keep the Property clean and will dispose of all refuse in receptacles designated specifically by the Association or by the City for that purpose. Trash must be placed entirely within the designated receptacle. Containers may be taken to the curbside and remain in the designated area from dusk on the evening before trash pick up day until dusk on the day of trash pickup.
  - b. *At all other times, trash containers must be kept inside the garage, behind the fence, or in a concealed place out of public view.* At no time other than as outlined in Section 1a above shall a trash container be left out or visible to the public or adjoining / neighboring homes.
  - c. The Board of Directors may impose reasonable monetary fines which shall constitute a lien upon the Owner of the Lot related to or connected with the alleged violation. The Owner shall be liable for the actions of any occupant, guest, or invitee of the Owner of such Lot.

  
James Waverka, President

  
Terry Vandenberg, Vice President

  
Billy Baine, Secretary