

Riverchase HOA

Easement policy

Purpose:

To provide for a safe, family friendly atmosphere for all residents and guests of the Riverchase HOA.

Scope:

These guidelines apply to all of the paved easements in the Riverchase HOA. The specific homes that the easements are between are listed below:

- Phase Two, Block E lots 41 and 42.
- Phase Two, Block E lots 51 and 52.
- Phase Two, Block F lots 34 and 35.
- Phase One, Block A lots 94 and 95
- Phase Three, Block A lot 46 and Phase One, Block A lot 47
- Phase Three, Block A lot 35 and 36
- Phase Three, Block A lot 23 and 24
- Phase Three, Block A lot 31 and 32

In order to maintain these areas in accordance with the expectations of the City of Wylie and to provide for the safety, security and enjoyment of all residents the following terms of use are provided:

- No fences, barricades or other obstructions may be used to impede access to or egress across any paved easement in the Riverchase HOA.
- Parking of any vehicle of any type is not permitted at anytime on any paved easement in the Riverchase HOA.
- Grass and plants are not allowed to accumulate on the easements

Fine and appeal process for this easement policy alone:

1. **Violation Notice (Warning):** Homeowners will be notified when a violation occurs and will be given a maximum time period of 72 hours in which to correct the violation. Violations which present hazards for residents or are damaging property will require immediate correction and any costs for same will be assessed to the owner's account.
2. **Violation Notice (2nd Warning):** Homeowners will be notified a second time if the previously cited violation has not been corrected and will be given a maximum time period of 72 hours in which to correct the violation.
3. **Assessment of Fine:** If after the specific time period given the violation continues, the homeowner will be notified that a fine will be levied against his/her account.

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4. **"Damage Assessment"**: Violations that result in property damage or cause the Association to incur cleanup costs will result in a "Damage Assessment" on the homeowner's account. Non-payment of this type of assessment will result in a lien being placed on the property.
5. **"Appeal Process"**: If a homeowner so chooses, an appeal can be made via written request to the board within 5 days of receiving the first violation notice. Within 10 calendar days of receiving the homeowner's request, the board will give the homeowner notice of the date, time, and place of the hearing. This hearing will be scheduled for a date within 45 calendar days from the date the request was received by the board, and the hearing should be scheduled to provide a reasonable opportunity for both the homeowner and the board to attend. Failure to appear at a scheduled hearing will result in an automatic appeal denial. However during this period the violation must be corrected, or the appeal will be rejected and all fines will continue.

FINE SCHEDULE

- 1st Fine:** An owner will receive a fine of \$25.00 and a maximum of 72 hours to comply, if compliance is not met then;
- 2nd Fine:** An owner will receive an additional fine of \$50.00 and a maximum of 72 hours to comply, if compliance is not met then;
- 3rd Fine:** An owner will receive an additional fine of \$100.00. If compliance is not met within a maximum 72 hours, the owner will receive an additional \$100.00 fine automatically every 72 hours until compliance is met.

Note: Any accrued fines take precedence over HOA dues and will be deducted from payments prior to the reduction of a resident's dues balance. All of these fines will be collected thru the collections department the same as the association dues.

6. All notices regarding violations of the easement policy are considered active for 12 months from the date of the last notice

IT IS FURTHER RESOLVED that this covenant Enforcement and Fining Policy is effective upon adoption hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing resolution was adopted by the Board of Directors at a meeting of same on 17 November, 2007 and has not been modified, rescinded or revoked.

DATE: 30 November 2007

Horace A Smith - President
Signature & Position

ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared HORACE A SMITH, President of the Riverchase Homeowners Association acknowledged to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed on behalf of said corporation.

SUBSCRIBED AND SWORN TO BEFORE ME on this 30th day of November, 2007.

Mary Harvey
Notary Public for the State of Texas

MARY HARVEY
Notary Public
State of Texas
My Commission Expires 09-20-2011

Filed and Recorded
Official Public Records
Stacey Kemp
Collin County, TEXAS
12/03/2007 11:52:20 AM
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Stacey Kemp