

**SECRETARY'S CERTIFICATE FOR
SEVENTY-SIX FIFTY-FIVE SOUTH BRAESWOOD HOMEOWNERS ASSOCIATION, INC.
A TEXAS NON-PROFIT CORPORATION**

RESOLUTION ADOPTING RULES AND REGULATIONS AS TO VEHICLES AND PARKING

The undersigned, being duly elected, qualified, and acting Secretary of Seventy-six Fifty-five South Braeswood Homeowners Association, Inc., a Texas non-profit corporation (the "Association"), and the keeper of the minutes and records of the said corporation does hereby certify that the following is a true and correct resolution of the corporation as adopted by the Board of Directors (the "Board" at a duly called meeting held on July 16, 2003.

WHEREAS, the Association is responsible for the governance and maintenance of Seventy-Six Fifty-Five South Braeswood as described in the Declaration and Covenants, Conditions and Restrictions for Seventy-Six Fifty-Five South Braeswood, filed under County Clerk's File Number E113347 of the Real Property Records of Harris County, Texas, and any and all amendments thereto (the "Declaration"); and

WHEREAS, the Association exists pursuant to state laws and governing documents; and

WHEREAS, Article II, Section 3 of the Declaration provides that the use of the parking areas situated in the Common Area not assigned to a specific Lot shall be subject to the exclusive control and management of the Board of Directors of the Association; and

WHEREAS, Articles VII, Section 1(a) of the Bylaws of the Association provides that the Board of Directors shall have the power to adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof; and

WHEREAS, the Board of Directors is desirous of adopting rules and regulations as to vehicles and parking in the Common Area, and to make these rules and regulations a matter of record,

NOW THEREFORE BE IT RESOLVED, the following is a true and correct copy of the Rules and Regulations as to Vehicles and Parking as established by the Board of Directors in the interest of the community. Same shall become effective September 1, 2003

**FILE FOR RECORD
8:00 AM**

AUG 26 2003

Denise B. Hoffman
County Clerk, Harris County, Texas



E. T. Nicolaou, Secretary of Seventy-six
Fifty-five South Braeswood Homeowners
Association, Inc., a Texas non-profit
corporation

10R
Dowel

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579-24-1198

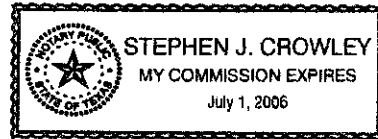
The State of Texas §

County of Harris §

This instrument was acknowledged before me on the 20th day of August, 2003, by ET Nicolaou, Secretary of Seventy-six Fifty-five South Braeswood Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Stephen J. Crowley

Notary Public in and for the State of Texas



RECORD AND RETURN TO:

Frank, Elmore, Lievens,
Chesney & Turet, L.L.P.
Attn: Richard C. Lievens
808 Travis, Suite 2600
Houston, Texas 77002-5778

[Handwritten signature]

151-38-643

RULES AND REGULATIONS AS TO VEHICLES AND PARKING

The following Rules and Regulations as to Vehicles and Parking restate and replace, in their entirety, any and all Rules and regulations regarding vehicles and parking which have been previously adopted or may have been adopted by the Board of Directors of Seventy-Six Fifty-Five South Braeswood (the "Association").

1. **RESTRICTIVE COVENANTS.** The Declaration of Covenants, Conditions and Restrictions for Seventy-Six Fifty-Five South Braeswood (the "Declaration"), filed under County Clerk's File No. E113347 of the Real Property Records of Harris County, Texas contains the following restrictive covenants regulating vehicles and parking at Seventy-Six Fifty-Five South Braeswood:

Article II, Section 3 of the Declaration expressly provides that:

In the event a dwelling is on a Lot which is not designated for on-site parking of automobiles(s), and parking is provided in the Common Area, then ownership of each Lot shall entitle the Owner or Owners thereof to the use of not more than two (2) automobile parking spaces, which shall be as near as convenient to said Lot as reasonably possible, together with the right of ingress and egress in and upon said parking area. In such event, the Association shall permanently assign two (2) automobile parking spaces for each such Lot.

The use of all other parking areas situated in the Common Area shall be subject to the exclusive control and management of the Board of Directors of the Association.

Further, Article VIII, Section 4 of the Declaration expressly provides that:

No repair work, dismantling or assembling of motor vehicles or any other machinery or equipment shall be permitted in any street, driveway or yard adjacent to a street, or in the Common Area.

2. PERMITTED VEHICLES.

(a) For purposes of these Rules, "vehicle" generally includes automobiles, motorcycles, motorized bikes, passenger trucks, small vans and similar passenger vehicles.

(b) Vehicles not in operating condition shall not be parked, repaired or stored (on blocks or otherwise) on any private street, alley, or in any guest parking area or any other area within the property. Without limitation, a vehicle shall be deemed to be not in operating condition if it has expired or missing license tags or inspection stickers, or is incapable of being driven due to mechanical condition of any kind. Boats, jet skis, trailers, campers, motor homes, recreational vehicles, trucks (other than standard pick-up trucks), trucks with dualie wheels and the like shall not be parked anywhere on the property.

(c) However, trailers, boats, motor homes, recreational vehicles or campers may be temporarily parked in streets and driveways as is necessary for residents to make preparations for the use of such vehicles, but in no event shall such temporary parking exceed a period of 48 hours.

(d) Commercial vehicles are permitted under the following conditions: 1) they must be used in trade by a resident; 2) their design must conform to the restrictions in the paragraph defining "vehicle"; and 3) when on the property they must fit and be parked entirely within a carport or garage, along with any racks, supplies or equipment on or attached thereto.

3. VEHICLE REGISTRATION.

(a) Each vehicle that is operated and parked on the property by a resident shall be registered by the resident with the Association through its management company. A decal or sticker will be issued for all registered vehicles.

(b) Such decal or sticker must be visibly displayed on the vehicle at all times.

4. PARKING.

(a) Garages and carports are for vehicle parking. When parked, a vehicle must be parked entirely within the garage or carport. Any other use of garage or carport space shall not displace any vehicle, in whole or in part, to the Common Area. A vehicle may be parked on the apron of a carport, if and only if, the entire vehicle fits on the apron in the same orientation of the carport (i.e. not diagonally or crosswise). Wherever parked on the property a vehicle must be parked as far into the parking space as its design will allow.

(b) No vehicle may be parked in a manner such that it obstructs the ingress, egress and free flow of traffic within the property, or in any way blocks or obstructs access to any garage or carport. No vehicle may be parked, even temporarily, such that it blocks the carport or garage of any resident without the express permission of that resident.

(c) Vehicles parked on the property may not be covered to conceal their nature or condition.

(d) Motorcycles, ATV's, golf carts and the like must be parked entirely within a garage or carport and must not displace any vehicle, in whole or in part, to the Common Area.

(e) If a resident owns or operates on the property more vehicles than can be accommodated by a garage or carport, the designated parking area for these additional vehicles will be the auxiliary parking area on the east side of the property, along the fence on the south side of the property or in the guest parking spaces in the mailbox area.

5. **GUEST PARKING.** No resident may use any guest or auxiliary parking area to circumvent any provision of these regulations. Temporary use of such areas is permitted if the garage or carport is being used for some activity. If a resident intends to have overnight guests for more than five (5) days, the resident must contact the Association's management company to obtain a guest-parking permit.
6. **VEHICLE OPERATION.** Each owner, resident or guest shall operate his or her vehicle in a safe and cautious manner while entering, exiting or maneuvering on the property so as to minimize the risk of property damage or personal injury.
7. **REPAIRS.** Minor repairs to a resident's vehicle are allowed provided that such minor repairs are completed within a 24-hour time period and such work is done wholly within the resident's garage or carport. Major repairs, rebuilding, restoration or maintenance of vehicles is prohibited, except for emergency repairs, and then only to the extent necessary to enable movement of the vehicle to a repair facility.
8. **NUISANCES.** Each vehicle shall be muffled and shall be maintained and operated to minimize noise, odor and oil or other fluid emissions. No owner, resident or guest shall cause or permit the blowing of a horn of any vehicle in which such resident, guest or family member shall be occupants while approaching the property or within the property. Unless placed wholly within an enclosed garage, no vehicle may be placed or kept on the property if the Board deems it to be unsightly, inoperable, inappropriate or otherwise in violation of these Rules.

9. **NO PARKING AREAS.** The Board shall have the right to designate, from time to time, "No Parking" areas on any street or parking area on the property.

10. **ENFORCEMENT.**

(a) The Board of Directors, in its sole discretion, may elect to levy fines for violation of these Rules. In accordance with 209.006 of the Texas Property Code, and before levying a fine, the Association or its management company, shall give written notice to the owner by certified mail, return receipt requested. The notice shall: (i) describe the violation that is the basis for the fine and state the amount of the fine; (ii) inform the owner that the owner is entitled to a reasonable amount of time to cure the violation and avoid the fine, unless the owner was given notice and reasonable opportunity to cure a similar violation within the past six (6) months; and (iii) inform the owner that the owner may request a hearing under 209.007 of the Texas Property Code on or before the 30th day after the date the owner receives the notice.

(b) The fine for the first violation of these Rules shall be Twenty and no/100 dollars (\$20.00). The fine for the second violation of these Rules shall be Twenty-five and no/100 dollars (\$25.00). The fine for the third violation of these Rules shall be Fifty and no/100 dollars (\$50.00). In the event of a fourth violation of these Rules, the vehicle shall be towed.

(c) Any vehicle in violation of these Rules is subject to being towed pursuant to the provisions of, and in accordance with Chapter 684, Texas Transportation Code ("Removal of Unauthorized Vehicle From Park Facility or Public Roadway"), at the sole expense and risk of the vehicle's owner.

(d) In addition to, or in lieu of the foregoing, in the event these Rules are violated, the Association may bring action at law for declaratory and/or injunctive relief with any court of competent jurisdiction; or seek any other remedy by law. In any event, the Association shall be entitled to seek and collect reasonable attorneys' fees, costs and expenses incurred in the enforcement of these Rules.

(e) The Association, its Board of Directors and its managing agent shall have no liability. The Association expressly disclaims any liability for any damages to vehicles to which the Association exercises these remedies for violation of these Rules.

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 the 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 on

AUG 26 2003



Beverly L. Kaufman
COUNTY CLERK
HARRIS COUNTY, TEXAS

Addendum to Rules and Regulations as to Vehicles and Parking

The following is an addendum to the parking policy that became effective on September 1, 2003. The purpose is to address the issue of short vs. long-term visitor parking on the property. This addendum shall clarify (not amend or replace) the rules and regulations as to vehicles and parking that remain in effect. Please refer to Appendix A for a visual description of the parking areas in question.

The two areas of the property shown in Appendix A, which collectively comprise four parking spaces, shall together be regarded as short-term visitor parking. For purposes of this addendum, both of these areas that each contain two parking spaces shall be regarded as a single conceptual entity, i.e., short-term visitor parking area.

Use of the short-term visitor parking area shall be limited to a maximum of five days within any 30-day period. Residents who detect use exceeding this amount may submit a report to the board, including evidence of the alleged violation. Should the board find the report to be accurate, then either the board or management company will issue a notice of violation on the vehicle's windshield and notify the community by e-mail. Subsequent violations by the same vehicle will generate additional violation notices. On the fourth occasion of violation, the vehicle will be towed at the owner's expense.

Longer-term visitor parking is available in the east and central parking areas. Visitors or guests who will be parking for more than five days on the property must obtain and display a visitor parking permit. Such permits are available at no charge and may be obtained by e-mailing board@7655hoa.org. As a reminder, all resident vehicles must be registered and have a parking sticker clearly displayed.

This addendum was adopted and published on May 9, 2010.

Melissa J. Brinkmeyer, President
Robert N. Davis, Vice President
Lori S. Johnson, Secretary-Treasurer

Appendix A



SEVENTY-SIX FIFTY-FIVE SOUTH BRAESWOOD

POLICY RESOLUTION: PARKING

WHEREAS Article II, Section 3 of the Declaration of Covenants, Conditions and Restrictions of Seventy-Six Fifty-Five South Braeswood provides that "The use of all other parking areas situated in the Common Areas shall be subject to the exclusive control and management of the Board of Directors of the Association."; and

WHEREAS for the mutual benefit of all owners of the property and to promote the health, safety and welfare of the residents within the property, the Board of Directors of the Association wishes to establish a policy regarding the use of parking spaces and drives at Seventy-Six Fifty-Five South Braeswood,

NOW THEREFORE BE IT RESOLVED that the following rules and regulations be and are hereby adopted:

1. Parking spaces shall be for the parking of motor vehicles only.
2. No large commercial type vehicles, boats or any recreational type vehicles, or other vehicles deemed to be a nuisance by the Board shall be parked, stored or kept within the property at any time.
3. No resident shall park, store or keep any vehicle except within the parking space designed therefore and no inoperable or unlicensed vehicles shall be parked, stored, or kept in Common Areas. Inoperable or unlicensed vehicles shall include but shall not be limited to the following:
 - (a) Vehicles with flats
 - (b) Vehicles without engines or transmissions
 - (c) Vehicles sufficiently wrecked as to appear inoperable
 - (d) Vehicles not driven regularly deemed to be in storage
 - (e) Vehicles without license plates and/or inspection stickers
 - (f) Vehicles with expired license plates and/or inspection stickers
 - (g) Vehicles that cannot be lawfully operated on a public street or highway.

4. No person shall conduct major repairs or restoration of any motor vehicles upon any portion of the Common Areas.
5. Vehicles parked contrary to any of the above shall be noted by regular inspection and shall be subject to being towed at the owners expense.
6. Motorcycles, motorbikes, motor scooters or other similar vehicles shall not be operated within the property except for purposes of transportation directly from a parking space to a point outside the property or from a point outside the property directly to a parking space.

ATTEST:

October 1, 1987
Date



President

Patricia A. Wittley

Richard G. Fred