

DOC #2018110298

**CORPORATE CERTIFICATE
DEL LAGO ESTATES PROPERTY OWNERS ASSOCIATION**

The undersigned certifies that he is the Attorney for Del Lago Estates Property Owners Association (the "Association"). The Association is the property owners' association for Del Lago Estates, a subdivision in Montgomery County, Texas, according to the maps or plats thereof recorded in the Map Records of Montgomery County, Texas (the "Subdivision").

The Association is a Texas nonprofit corporation, and attached to this certificate is a true and correct copy of the Association's **FINE SCHEDULE (Adopted August 2018)**.

Signed this 13th day of November, 2018.

**DEL LAGO ESTATES PROPERTY OWNERS
ASSOCIATION**

BRYAN P. FOWLER, Attorney

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

SWORN TO AND SUBSCRIBED BEFORE ME on the 13th day of November, 2018, by **BRYAN P. FOWLER**, Attorney for **DEL LAGO ESTATES PROPERTY OWNERS ASSOCIATION**, a Texas nonprofit corporation.


Notary Public - State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 13th day of November, 2018, by **BRYAN P. FOWLER**, Attorney for **DEL LAGO ESTATES PROPERTY OWNERS ASSOCIATION**, a Texas nonprofit corporation, on behalf of said corporation.


Notary Public - State of Texas

AFTER RECORDING RETURN TO:

**BRYAN P. FOWLER
The Fowler Law Firm
300 West Davis, Suite 510
Conroe, Texas 77301**

**FINE SCHEDULE OF
DEL LAGO ESTATES PROPERTY OWNERS ASSOCIATION**
(Adopted August, 2018)

WHEREAS, the property affected by this Fine Schedule is subject to certain dedications, covenants and restrictions (the "Declaration") which are of record in the Official Public Records of Real Property at Montgomery County, Texas, as follows:

- First Amended and Restated Declaration of Covenants – Clerk's File No. 8801854, Official Records, Montgomery County, Texas;
- Regarding Existing Four-Inch Well – Clerk's File No. 9046000, Official Records, Montgomery County, Texas;
- Regarding Proposed Six-Inch Well – Clerk's File No. 9046001, Official Records, Montgomery County, Texas;
- Amendment to First Amended and Restated Declaration of Covenants -- Clerk's File No. 9100356, Official Records, Montgomery County, Texas; and
- Modification and Regulations Applicable to Use of the Lots – Clerk's File No. 9805753, Official Records, Montgomery County, Texas; and

WHEREAS, pursuant to the authority vested in DEL LAGO ESTATES PROPERTY OWNERS ASSOCIATION (the "Association") under the Declaration and pursuant to the express authority of the TEXAS PROPERTY CODE, the Board of Directors of the Association (the "Board") hereby promulgates the following Fine Schedule; and

WHEREAS, pursuant to the applicable provisions of the Declaration and Bylaws, the Board of Directors of the Association is authorized to levy fines for violations of promulgated rules, architectural standards or restrictive covenants, as it deems necessary or desirable with respect to the interpretation and implementation of the Bylaws, Architectural Design Standards and Regulations, Subdivision Rules, Construction Guidelines, and the Declaration; and

WHEREAS, the Association desires, pursuant to the authority set out in the Declaration and Bylaws, and as set out in Chapter 204.010 of the TEXAS PROPERTY CODE, to adopt a Fine Schedule and to impose, implement and levy fines as set out in the Fine Schedule, and as may be deemed necessary or desirable, as determined by the Board of Directors of the Association, for the interpretation and implementation of the Bylaws, Architectural Design Standards and Regulations, Subdivision Rules, Construction Guidelines, and the Declaration.

NOW, THEREFORE, for the purpose of adopting a Fine Schedule for the implementation and enforcement of the Bylaws, Architectural Design Standards and Regulations, Subdivision Rules, Construction Guidelines, and the Declaration; be it

RESOLVED by the Board of Directors of DEL LAGO ESTATES PROPERTY OWNERS ASSOCIATION that the following Fine Schedule be adopted.

FINE SCHEDULE

1. **Violation Policy and Penalties.** Any violation of any of the Bylaws, Architectural Design Standards and Regulations, Subdivision Rules, Construction Guidelines, and the Declaration, which are applicable to the Subdivision or the Association, by an individual owner, or resident, shall result in the following actions and penalties.
 - a. **First Violation** – a warning will be issued in writing to the owner and, if known to the Association, to the resident of the property. The warning, which may be in the form of a letter, shall contain all required statutory notices, including, without limitation, the notice required under the TEXAS RESIDENTIAL PROPERTY OWNERS PROTECTION ACT, TEXAS PROPERTY CODE Section 209.006, as it may be amended from time to time. Any Unauthorized Tree Removal, whether a first or subsequent occurrence, shall result in an immediate fine of \$500 per tree.
 - b. **Subsequent Violations** – owners and residents will be subject to the following penalties for any subsequent violations:
 - (1) **Non-Continuing Violations.** For all non-continuing violations re-occurring within six (6) months of the First Violation:
 - (a) \$100.00 per occurrence.
 - (2) **Grass and Shrubbery.** For failure to mow, trim and weed the yard:
 - (a) \$100.00 per occurrence.
 - (3) **Continuing Violations.** For failure to obtain Architectural Control Committee approval, failure to maintain improvements as required, and other continuing violations:
 - (a) \$500.00 per month, per occurrence.
2. **Forced Mowing or Cleaning.** In the event that the Association is required to provide mowing or cleaning services on an owner's property, the charge for such services shall be assessed against the owner, as follows:
 - a. **Forced Mowing** – All forced mowing shall result in a charge of \$150.00 per occurrence per lot.
 - b. **Forced Cleaning** – All force cleaning shall result in a charge of \$250.00 per occurrence per lot.
3. **Penalties Responsibility of Owner.** All monetary penalties will be billed to the owner's account and will be payable by the owner to the Association within 30 days of the date of billing.

4. **Penalties Cumulative.** All penalties shall be cumulative but the total amount fined will not exceed \$1,500.00 during the six (6) month period following the First Violation. If the violation continues for more than six (6) months or reoccurs after the end of a six (6) month period, such violation shall be subject to an additional \$1,500.00 cap for each subsequent six (6) month period.
5. **Non-Exclusive Remedies.** The imposition of the monetary penalties provided herein shall not be construed to be an exclusive remedy, and shall be in addition to all other rights and remedies to which the Association may otherwise be entitled, including, without limitation, the filing of an Affidavit of Non-Compliance in the Real Property Records of Montgomery County, Texas, and/or the initiation of legal proceedings seeking injunctive relief and/or damages, attorneys fees, costs of court and all other remedies, at law or in equity, to which the Association may be entitled.
6. **Violation by Resident, Tenant, or Agent.** A violation by a resident, tenant, guest, or agent of the owner shall be treated as a violation of the owner of the property. If the resident is someone other than the owner, then both the resident and the owner will be penalized. All monetary penalties shall be billed to the owner and, if applicable, the resident.
7. **Courtesy Notice.** For less severe violations, the Association may provide the owner and, if known by the Association, the resident, a courtesy notice and request for compliance within a specified time prior to initiating the notice procedure contained in paragraph 3.

This policy replaces and supercedes any previous Fine Schedule or policy of DEL LAGO ESTATES PROPERTY OWNERS ASSOCIATION and was duly adopted by the Board of Directors of DEL LAGO ESTATES PROPERTY OWNERS ASSOCIATION, on the 12th day of NOVEMBER, 2018.

The Board of Directors hereby approves and authorizes the Fine Schedule.

Signed this 12th day of NOVEMBER, 2018.

**DEL LAGO ESTATES PROPERTY OWNERS
ASSOCIATION**



President -

FILED FOR RECORD
11/16/2018 01:41PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was filed in the file number
sequence on the date and time stamped herein
by me and was duly RECORDED in the Official Public
Records of Montgomery County, Texas.

11/16/2018



County Clerk
Montgomery County, Texas