

**HOMEOWNERS ASSOCIATION OF PARKWAY AT ELDRIDGE  
PRESIDENT'S CERTIFICATE  
(Towing Policy)**

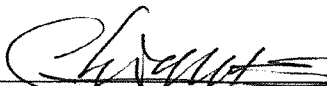
I, the undersigned, do hereby certify:

(1) I am the duly elected and acting President of Homeowners Association of Parkway at Eldridge, a Texas non-profit corporation (the "Association"), and,

(2) Attached hereto is a true and correct copy of the Certificate of Corporate Resolutions of Homeowners Association of Parkway at Eldridge adopting the Towing Policy of the Association.


IN WITNESS WHEREOF, I have hereunto subscribed my name on this 30<sup>th</sup> day of January, 2018.

**Homeowners Association of Parkway at Eldridge,  
a Texas non-profit corporation**

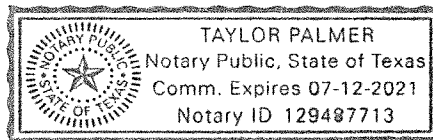
By:   
John Chiang, President

THE STATE OF TEXAS    §  
                                  §  
COUNTY OF HARRIS    §

This instrument was acknowledged on this 30<sup>th</sup> day of January, 2018 by John Chiang, President of Homeowners Association of Parkway at Eldridge, a Texas non-profit corporation, on behalf of said corporation.

  
Notary Public, State of Texas

When Recorded, Return to:  
Hoover Slovacek LLP  
Galleria Tower II  
5051 Westheimer, Suite 1200  
Houston, Texas 77056  
Attn: Mark K. Knop



RP-2018-57959

**CORPORATE RESOLUTIONS OF  
HOMEOWNERS ASSOCIATION OF PARKWAY AT ELDRIDGE  
TOWING POLICY**

**WHEREAS**, the Board of Directors (the "Board") of Homeowners Association of Parkway at Eldridge, as Texas non-profit corporation (the "Association") is the governing entity for the Parkway at Eldridge Subdivision (the "Subdivision") and is charged with the responsibility of enforcing the Declaration of Protective Covenants for Parkway at Eldridge dated effective January 31, 2014, and recorded in the Real Property Records of Harris County, Texas, under Clerk's File No. 20140044130 (the "Declaration"); and

**WHEREAS**, Article XII, Section 2(a) of the Declaration provides, in part, that vehicles shall be parked only in the garage or driveway serving the unit, or in such other paved areas as have been approved by the Board for parking vehicles; and

**WHEREAS**, Article XII, Section 2(a) of the Declaration further provides, in part, that the Board may authorize on-street parking on a temporary basis for visitors and guests subject to reasonable rules and regulations; and

**WHEREAS**, Article XII, Section 2(b) of the Declaration provides, in part, that any vehicle parked in violation of this section or parking rules promulgated by the Board may be towed in accordance with the By-Laws of the Association (the "Bylaws"); and

**WHEREAS**, Article III(C), Section 6(c) of the Bylaws provides, in part, that the Association, acting through the Board, may elect to enforce any provision of the Declaration, Bylaws and rules and regulations of the Association by self-help (specifically including, but not limited to, the towing of vehicles that are in violation of parking rules and regulations); and

**WHEREAS**, the Board has adopted parking rules, a copy of which is attached hereto as *Exhibit "A"* (the "Parking Rules"); and

**WHEREAS**, pursuant to Article III(B), Section 5 of the Bylaws, at all meetings of the Board, a majority of the directors shall constitute a quorum for the transaction of business, and the votes of a majority of the directors present at a meeting at which a quorum is present shall constitute the decision of the Board; and

**WHEREAS**, from time to time, owners of lots within the Subdivision ("Owners"), their guests, visitors and service providers park their cars and vehicles on the streets in the Subdivision which are in violation of the Parking Rules; and

**WHEREAS**, the Board deems it to be in the best interest of the Association to adopt a uniform and systematic procedure for timely dealing with vehicles parked on the streets in the Subdivision which are in violation of the Parking Rules and further believes it to be in the best interest of the Association to refer such vehicles for towing so as to enforce the provision in the

Declaration and Parking Rules concerning the parking of vehicles on the streets within the Subdivision; and

WHEREAS, at a meeting of the Board on January 30, 2018, at least a majority of the directors were present and at least a majority of the directors present voted to adopt the Resolutions set forth below;

NOW, THEREFORE, the undersigned directors, being at least a majority of the Board, on behalf of the Association, duly adopts the following Resolutions:

BE IT RESOLVED, that pursuant to the Declaration, Bylaws and Section 2308 of the Texas Occupations Code, *et. seq.* (the "Texas Towing Statute"), the Association hereby establishes the following policy (the "Towing Policy") for towing vehicles parked on the streets within the Subdivision and which are in violation of the Parking Rules.

1. Vehicular Parking. Owners and guests, visitors and service providers of an Owner may only park on the streets in the Subdivision strictly in accordance with the Parking Rules.

2. Sticker Notice of Intent to Tow. The Association shall provide a conspicuous notice (the "Sticker Tow Notice") in the form of an adhesive sticker attached to the vehicle's front windshield on vehicles which are parked in violation of the Parking Rules, which Sticker Tow Notice states:

- (a) that the vehicle is in a parking space in which the vehicle is not authorized to be parked;
- (b) a description of all other unauthorized parking areas in the Subdivision;
- (c) that the vehicle will be towed at the expense of the owner or operator of the vehicle if it remains in an unauthorized parking area of the Subdivision; and
- (d) a telephone number that is answered 24 hours a day to enable the owner or operator of the vehicle to locate the vehicle.

3. Certified Notice of Intent to Tow. After the Sticker Tow Notice has been attached to the windshield of the vehicle which is parked in violation of the Parking Rules as set forth above, the Association may mail a notice (the "Certified Tow Notice") to the owner of the vehicle by certified mail, return receipt requested to the last address shown for the owner according to the vehicle registration records of the Texas Department of Transportation or, if the vehicle is registered in another state, the appropriate agency of that state and containing the following:

- (a) statement that the vehicle is in a space where the vehicle is not authorized to park;
- (b) description of all other unauthorized parking areas in the Subdivision;

RP-2018-57959

(c) a warning that the unauthorized vehicle will be towed at the expense of the owner or operator of the vehicle if it is not removed from its unauthorized parking position before the 15<sup>th</sup> day after the postmarked date of the notice; and

(d) state a telephone number that is answered 24 hours a day to enable the owner or operator to locate the vehicle.

4. Towing of Vehicle. If the vehicle is not removed from the unauthorized parking position before the 15<sup>th</sup> day after the Certified Tow Notice is postmarked, the Association may cause the vehicle to be towed. Further, after the Sticker Tow Notice has been placed on the vehicle, the Association may cause the vehicle to be immediately towed (without the 15-day notice period) if the owner or operator of the vehicle moves the vehicle to another location where parking is unauthorized according to the Sticker Tow Notice.

**BE IT FURTHER RESOLVED**, that the Association will contract with a towing company who is insured against liability for property damage incurred in towing vehicles and has a telephone number that is answered 24 hours a day.

**BE IT FURTHER RESOLVED**, that upon adoption of these Resolutions, a copy of this Towing Policy shall be sent to all owners at their last known address according to the records of the Association.

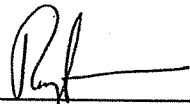
This Resolution shall be effective upon recordation in the Real Property Records of Harris County, Texas.



\_\_\_\_\_  
Doug Bergen, Director



\_\_\_\_\_  
John Chiang, Director



\_\_\_\_\_  
Raymond Gabriele, Director



\_\_\_\_\_  
Tom Quilling, Director

EXHIBIT "A"  
**PARKING RULES  
HOMEOWNERS ASSOCIATION OF  
PARKWAY AT ELDRIDGE**

**PREAMBLE:**

Article XII, Section 2 of the Declaration of Protective Covenants for Parkway at Eldridge (the "Declaration") sets forth the rules concerning parking within the Parkway at Eldridge.

Under Article XII, Section 2(a) of the Declaration: a) occupant parking is restricted to the garage and driveway of the unit and b) the Board of Directors (the "Board") of Homeowners Association of Parkway at Eldridge (the "Association") has the power to approve areas for guest and visitor parking in addition to the garages and driveways of the units.

Suburban living is automobile centric and the residents of Parkway at Eldridge and their visitors and guests reflect this fact. In adopting parking rules, the Board deems it reasonable to take the resulting need for on-street parking into account.

The Board also recognizes that one of the purposes of parking rules is to provide fair and reasonable access to the on-street parking to the visitors and guest of all residents. As a result, some restrictions are warranted to ensure that the limited amount of on-street parking in any one area or section of Parkway at Eldridge is not monopolized by a few residents.

Additionally, the Board recognizes that safety is another compelling principle underlying the establishment of on-street parking rules.

**ADOPTION OF ON-STREET PARKING RULES:**

In recognition of the facts and circumstances set forth above and the Board's desire to promote cooperation and civility within the Parkway at Eldridge neighborhood, the following rules are adopted for on-street parking (the "Parking Rules").

1. On-street parking is limited to the hours of 7:00 AM to 12:00 Midnight, no on-street parking is permitted between the hours of 12:01 AM to 6:59 AM.
2. The use of on-street parking is limited to visitors and guests (collectively herein "Visitors"), and service providers of the residents ("Invitees"). The parking of resident vehicles on the street directly in front of their residence for a period not to exceed one (1) hour during the hours of 7:00 AM to 12:00 Midnight is not considered to be "Parking" as that term is used in the Declaration.
3. No Invitee or Visitor may use on-street parking more than three (3) times in any seven (7) day period (herein the "Maximum Frequency"). Any parking requirements of an Invitee or Visitor in excess of the Maximum Frequency shall be met through such Invitee or Visitor parking in the driveway or garage of the applicable resident.

4. Parking by a resident or the Visitors or Invitees or a resident in a manner that obstructs the driveway of another resident's unit is prohibited.
5. No vehicle shall be parked within fifteen (15) feet of an intersection.
6. No vehicle shall be parked within fifteen (15) feet of a fire hydrant or along any curb that is painted red.
7. Each resident shall encourage his or her Visitors, and require his or her Invitees, to park in the residents' driveway or directly in front of the resident's unit.
8. To the extent the number of Visitors and/or Invitees of a resident at any one time exceeds the on-street parking capacity in front of such resident's unit, the excess Visitors shall be permitted to utilize the on-street parking in front of adjacent units for periods of time not to exceed four (4) hours in duration during the hours of 7:00 AM to 12:00 Midnight, provided the owner of each adjacent unit consent to the on-street parking in front of their respective units.
9. Each resident shall be responsible for informing each of his or her Visitors and Invitees of these Parking Rules and shall be responsible for any failure of his or her Visitors and Invitees to comply with the requirements of these Parking Rules.
10. All vehicles parked on the street shall be parked within six (6) inches of the curb.
11. Use of the facilities of Parkway at Eldridge by residents and their Visitors and Invitees, including the streets, is at their sole risk and liability. The establishment of rules by the Board is not an endorsement of any permitted use and does create not any liability on the part of the Board.
12. It shall be the responsibility of the adjacent units' residents to bring violations of these rules to the attention of the Board.
13. The Board reserves the right to modify the rules set forth herein and to grant exceptions at its discretion.

The foregoing rules related to on-street parking are adopted and effective upon recordation in the Real Property Records of Harris County, Texas.

RP-2018-57959  
# Pages 7  
02/12/2018 12:53 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$36.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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 File 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.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2018-57959