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**CORPORATE CERTIFICATE**  
**POINT AQUARIUS PROPERTY OWNERS ASSOCIATION**

The undersigned certifies that he is the Attorney-in-Fact for Point Aquarius Property Owners Association (the "Association"). The Association is the property owners' association for Point Aquarius and Summerchase Section One, subdivisions 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 non-profit corporation, and attached to this certificate is a true and correct copy of the Point Aquarius Property Owners Association **On-the-Street Parking Policy**.

Signed this 24<sup>th</sup> day of October, 2014.

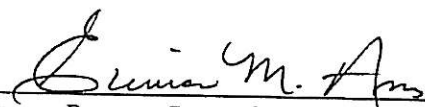
**POINT AQUARIUS PROPERTY OWNERS  
ASSOCIATION**

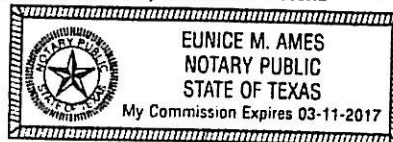
By:   
**BRYAN P. FOWLER, Attorney-in-Fact**

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

SWORN TO AND SUBSCRIBED BEFORE ME on the 24<sup>th</sup> day of October, 2014, by **BRYAN P. FOWLER, Attorney-in-Fact for POINT AQUARIUS PROPERTY OWNERS ASSOCIATION**, a Texas non-profit corporation.

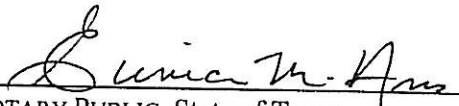
  
NOTARY PUBLIC, State of Texas

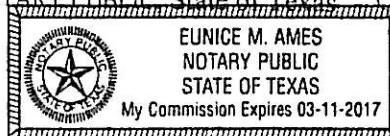


THE STATE OF TEXAS §

COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 24<sup>th</sup> day of October, 2014, by **BRYAN P. FOWLER, Attorney-in-Fact for POINT AQUARIUS PROPERTY OWNERS ASSOCIATION**, a Texas non-profit corporation, on behalf of said corporation..

  
NOTARY PUBLIC, State of Texas



**AFTER RECORDING RETURN TO:**  
The Fowler Law Firm  
300 West Davis, Suite 510  
Conroe, Texas 77301

## POINT AQUARIUS PROPERTY OWNERS ASSOCIATION

### ON-THE-STREET PARKING POLICY

WHEREAS, the property affected by this instrument is subject to certain dedications, covenants and restrictions (the "Declaration") set out in instruments recorded in the Official Public Records of Real Property at Montgomery County, Texas, as follows:

- *Section One* – Clerk's File No. 267859; *Section One (Amendment)* – Clerk's File No. 273735; *Section One (Amendment)* – Clerk's File No. 289514; *Section One (Amendment)* – Clerk's File No. 289517; *Section One (Amendment)* – Clerk's File No. 363418; *Section Two* – Clerk's File No. 267860; *Section Two (Amendment)* – Clerk's File No. 363419; *Section Three* – Clerk's File No. 274519; *Section Three (Amendment)* – Clerk's File No. 363420; *Replat of Section Five (Amendment and Restatement)* – Clerk's File No. 9147286; *Section Six* – Clerk's File No. 291427; *Section Six (Amendment)* – Clerk's File No. 363423; *Section Seven* – Clerk's File No. 8931385; *Section Seven (First Amendment)* – Clerk's File No. 8947594; *Section Seven (Second Amendment)* – Clerk's File No. 9019239; *Section Eight* – Clerk's File No. 9021168; *Section Nine* – Clerk's File No. 9021170; *Partial Replat of Section One* – Clerk's File No. 9125463; *Partial Replat of Reserve of Section One (First Amendment)* – Clerk's File No. 9131033; *Section Ten (Amended and Restated)* – Clerk's File No. 9149702; *Summerchase Section One (Corrected Declaration)* – Clerk's File No. 2006-047887; and

WHEREAS, pursuant to the authority vested in Point Aquarius Property Owners Association (the "Association") in the Declaration and as required by the TEXAS PROPERTY CODE, the Board of Directors of the Association (the "Board") hereby promulgates the following on-the-street parking policy; and

WHEREAS, TEXAS PROPERTY CODE Section 204.010 permits the Association, acting through its board of directors, exercise all powers necessary and proper for the governance and operation of the Association; and

WHEREAS, the Association finds it necessary and desirable, in order to set out a clear, concise, and uniform policy regarding the Declaration's prohibition regarding on-the-street parking in the Point Aquarius Subdivisions (the "Subdivision");

NOW, THEREFORE, BE IT RESOLVED that the following policy is hereby established for the Association regarding on-the-street parking within the Subdivision.

1. **On-the-Street Parking:** On-the-Street Parking shall be defined as any parking in any private street right-of-way located in the Subdivision.
2. **Violation:** An action is initiated under this Policy when the Association's management company, a contractor for the Association, or another Association designee notes a vehicle

that is parked in violation of this Policy (a "Violation"). The Association's management company, contractors for the Association, and other Association designees are authorized by the Association to provide the operator of the vehicle who is violating this Policy, or whose guests, invitees or family members are violating this Policy, any or all of the notices described in this Policy.

3. **Penalty:** The Board of Directors of the Association (the "Board") has adopted the following penalties for Violations of this On-the-Street Parking Policy:
  - a. First Violation of Policy ("Initial Violation"): Demand Letter;
  - b. Second Violation of Policy ("Second Violation"): Sticker Notice; and
  - c. Any Subsequent Violation of Policy ("Final Violation"): Towing of Vehicle.

Nothing herein shall prevent (or require) the Board from providing (to provide) more than one Demand Letter, or Sticker Notice, provided all Association Members are treated similarly in this regard.

Notice given to a household member, guest or invitee of an Association Member is deemed to have been given to the Association Member. It is the Association Member's responsibility to communicate this Policy with their household members, guests and invitees.

4. **Sticker Notice:** The Association shall be obligated upon a Second Violation to place, or cause to be placed, a sticker ("Sticker Notice") on the offending vehicle noting (a) that the vehicle is parked in violation of this On-the-Street Parking Policy; (b) vehicles in Violation of this On-the-Street Parking Policy are subject to being towed; and (c) the name or organization to contact to get more information about this policy. The Association Member is liable for any and all cost, liabilities, or damages associated with the Sticker Notice, including, but not limited to, operating the vehicle with the Sticker Notice affixed.
5. **Towing of Vehicle:** Upon a Final Violation, the Association shall authorize a bonded and licensed Montgomery County, Texas-based towing company to relocate the offending vehicle to a secure holding yard. The Association Member is liable for all damages, penalties, fines and costs associated with relocating and releasing the towed vehicle.
6. **Lien:** Attorney's fees and costs incurred by the Association as a result of a violation will be charged to an owner's account, if permitted by the Declaration. Such amounts shall be collected in the same manner as delinquent assessments pursuant to the Declaration.
7. **Temporary Exemption:** The Association may grant temporary (for periods not greater than two weeks) exceptions to this policy. Evidence of the Temporary Exemption will be in the form of an authorized Exemption Notice that the exempted vehicle is required to display in a conspicuous location under the driver's side windshield. Displaying an unauthorized or expired Temporary Exemption notice will result in a fine of \$100 dollars.

This instrument is effective upon recordation in the Public Records of Montgomery County, Texas, and supersedes any instrument regarding overnight parking and towing policies which may have previously been in effect. Except as affected by the TEXAS PROPERTY CODE and/or by this instrument, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

This is to certify that the foregoing On-the-Street Parking Policy was adopted by the Board of Directors until such date as it may be modified, rescinded or revoked.

The Board of Directors hereby adopts, approves and authorizes the above On-the-Street Parking Policy.

Signed this 11 day of September, 2014.

POINT AQUARIUS PROPERTY OWNERS  
ASSOCIATION

By:

  
BOBBY LIGHT, President

Attest:

  
Secretary

**FILED FOR RECORD**

10/29/2014 3:11PM

*Mark Turnbull*

COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS

COUNTY OF MONTGOMERY

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

10/29/2014



*Mark Turnbull*

County Clerk  
Montgomery County, Texas