

SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS
for
SIERRA VISTA AT CANYON GATE PROPERTY OWNERS ASSOCIATION

THE STATE OF TEXAS §
 §
 COUNTY OF BRAZORIA §

The undersigned, being the authorized representative of Sierra Vista at Canyon Gate Property Owners Association (the "Association"), a property owners' association as defined in Section 202.001 of the Texas Property Code, hereby supplements the "Notice of Dedicatory Instruments for Sierra Vista at Canyon Gate Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sierra Vista at Canyon Gate Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sierra Vista at Canyon Gate Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sierra Vista at Canyon Gate Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sierra Vista at Canyon Gate Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sierra Vista at Canyon Gate Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sierra Vista at Canyon Gate Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sierra Vista at Canyon Gate Property Owners Association" and "Supplemental Notice of Dedicatory Instruments for Sierra Vista at Canyon Gate Property Owners Association" recorded in the Official Public Records of Real Property of Brazoria County, Texas under Clerk's File Nos. 2017050032, 2017050875, 2017054665, 2017060054, 2017062288, 2018005449, 2018023841 and 2019006925, respectively (collectively, the "Notice"), which Notice was filed of record for the purpose of complying with Section 202.006 of the Texas Property Code.

1. **Restrictive Covenants.** In addition to the documents imposing restrictive covenants on the Property contained in the Notice, the following documents likewise impose restrictive covenants on the Property:
 - a. Documents:
 - (1) Fifth Amendment to Declaration of Covenants, Conditions and Restrictions for Sierra Vista.
 - (2) First Amendment to Annexation and Supplemental Declaration of Covenants, Conditions and Restrictions for Sterling Lakes at Iowa Colony, Section Thirteen (13) a Subdivision in Brazoria County, Texas [Annexation into Sierra Vista].
 - b. Recording Information:
 - (1) Brazoria County Clerk's File No. 2019011248.
 - (2) Brazoria County Clerk's File No. 2019042143.
2. **Additional Dedicatory Instrument.** In addition to the Dedicatory Instruments identified in the Notice, the following document is a Dedicatory Instrument governing the Association:

- a. Certificate of Secretary of Sierra Vista at Canyon Gate Property Owners Association regarding Board Resolution adopting Fining Policy.

A true and correct copy of such Dedicatory Instrument is attached to this Supplemental Notice.

This Supplemental Notice is being recorded in the Official Public Records of Real Property of Brazoria County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Supplemental Notice is true and correct and that the copy of the Dedicatory Instrument attached to this Notice is a true and correct copy of the original.

Executed on this 27th day of September, 2019.

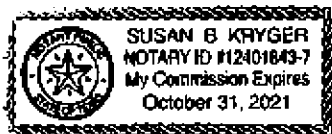
SIERRA VISTA AT CANYON GATE PROPERTY OWNERS ASSOCIATION

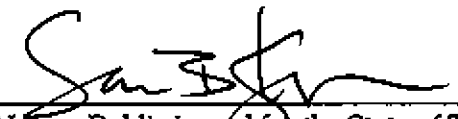
By:


Cliff Davis, authorized representative

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 27th day of September, 2019 personally appeared Cliff Davis, authorized representative of Sierra Vista at Canyon Gate Property Owners Association, known 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 purpose and in the capacity therein expressed.




Notary Public in and for the State of Texas

CERTIFICATE OF SECRETARY
of
SIERRA VISTA AT CANYON GATE PROPERTY OWNERS ASSOCIATION
regarding
BOARD RESOLUTION
adopting
FINING POLICY

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

I, LINDA HOUSTON Secretary of Sierra Vista at Canyon Gate Property Owners Association (the "Association"), do hereby certify that in the open session of a properly noticed meeting of the Association's Board of Directors (the "Board") duly called and held on the 12th day of September, 2019, with at least a quorum of the members of the Board being present and remaining throughout, and being duly authorized to transact business, the following resolution was duly made and approved by a majority vote of the members of the Board:

Article IX, Section 9.20, of the "Declaration of Covenants, Conditions and Restrictions for Sierra Vista" recorded in the Official Public Records of Real Property of Brazoria County, Texas under Clerk's File No. 2017049777 (the "Declaration"), provides that the Board shall have the power to impose reasonable fines for violations of the Declaration and/or the Association's Dedicatory Instruments.

The Board of Directors wishes to standardize the policies and procedures related to the power of the Board of Directors to levy fines and hereby adopts the "Sierra Vista at Canyon Gate Property Owners Association Fining Policy" attached hereto.

This Fining Policy replaces and supersedes any previous fining policy adopted by the Association.

I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing resolution was approved as set forth above and now appears in the books and records of the Association.

**SIERRA VISTA AT CANYON GATE
PROPERTY OWNERS ASSOCIATION**

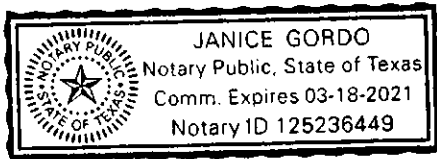
By: Linda Houston

Printed: LINDA HOUSTON

Its: Secretary

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 26th day of September, 2019 personally appeared Linda Houston, as Secretary of Sierra Vista at Canyon Gate Property Owners Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for the purpose and in the capacity therein expressed.



Janice Gordo
Notary Public in and for the State of Texas

**SIERRA VISTA AT CANYON GATE PROPERTY OWNERS ASSOCIATION
FINING POLICY**

1. This Fining Policy ("Policy") replaces and supersedes any previous fining policy adopted by the *Sierra Vista at Canyon Gate Property Owners Association* ("Association").
2. All capitalized terms in this Policy have the same meaning ascribed to them in the *Declaration of Covenants, Conditions and Restrictions for Sierra Vista* recorded in the Official Public Records of Real Property of Brazoria County, Texas under Clerk's File No. 2017049777, as amended ("Declaration") unless otherwise defined in this Policy.
3. Each Owner is responsible for assuring that the Owner and the Owner's tenant(s), occupant(s), guest(s) and invitees comply with the provisions of the Association's Dedicatory Instruments [as that term is defined by Section 209.002(4) of the *Texas Property Code* or its successor statute] that are applicable to the properties under the jurisdiction of the Association. In the event that an Owner, tenant, occupant, guest or invitee of an Owner violates any of the provisions of the Dedicatory Instruments, the Association's *Board of Directors* ("Board") has the authority to impose a fine as described below upon the Owner and/or occupant of a Lot under the jurisdiction of the Association.
4. The Association will, before a fine is imposed, give the Owner of the Lot the notice required by law, if any. The Board may, at its sole and absolute discretion, also provide the notice required by law, if any, to the occupant(s) of the Lot.
5. If the violation continues from day to day without intervening activity (a "Curable Violation") as determined at the sole and absolute discretion of the Board, the Fine Schedule shall be as follows:

\$100.00 per day until corrected

5.1 Curable Violations - By way of example and not in limitation, the Texas Property Code lists the following as examples of Curable Violations:

- a. An ongoing parking violation;
- b. A maintenance violation; and
- c. An ongoing noise violation.

6. If the violation consists of single occurrence (an "Uncurable Violation") or separate occurrences (i.e., repeat instances of an Uncurable Violation) as determined at the sole and absolute discretion of the Board, the Fine Schedule shall be as follows:

First Violation: \$150.00 per occurrence

Each Additional Similar or Substantially Similar Violation: \$200.00 per occurrence

- 6.1 Uncurable Violation - A violation that has occurred but is not a continuous action or a condition capable of being remedied by affirmative action. By way of example and not

in limitation, the Texas Property Code lists the following as examples of Uncurable Violations:

- a. An act constituting a threat to health or safety;
- b. A one-time or non-ongoing parking violation or
- c. discharging fireworks;
- d. A one-time noise violation that is not ongoing;
- e. Holding a garage sale or other event prohibited by the Association's Dedicatory Instruments.

7. Notwithstanding any other language in this Policy, the Fine Schedule for a violation of any term or provision of Article II (Architectural Control) of the Declaration shall be as follows:

\$200.00 per day until corrected

8. The Board is hereby authorized at its sole and absolute discretion to impose a lesser fine or no fine at all for a violation of the Dedicatory Instruments. Any adjustment to the Fine Schedule by the Board shall not be construed as a waiver of the Fine Schedule or the Dedicatory Instruments.

9. In accordance Article IX, Section 9.20 and Article I, Section 1.1 and of the Declaration, fines are defined as "Assessments" and are secured by the Association's lien established in Article V, Section 5.3 of the Declaration.

10. This Fining Policy is in addition to any other remedy the Association may have to pursue a violation of the Dedicatory Instruments and in no way limits or estops the Association from pursuing any other remedy to enforce the Dedicatory Instruments.

FILED and RECORDED

Instrument Number: 2019047995

Filing and Recording Date: 09/27/2019 04:40:43 PM Pages: 7 Recording Fee: \$46.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-jessie