

SCANNED



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JUL 20 2004

### The Villas of Babcock (Summerwind) Homeowners Association, Inc.

RESOLUTION Control: #06102004-1



Subject: Park Rules and Regulations

WHEREAS, Article II of the Declaration of Protective Covenants grants the authority to enter upon and make rules and regulations relating to the use of the Areas of Common Responsibility; and because the Association is solely obligated to maintain and improve the Areas of Common Responsibility in a prudent manner to enhance the safety, security and overall appearance of the Development; and Article VII of the Declaration of Protective Covenants grants the Association the right to enforce by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declarations, the By-Laws and Articles of Incorporation; and

WHEREAS, the property located at 46 McLennan Oak and described as Lot 28, Block 2, NCB 14685, was deeded to the Association by Declarant under deed recorded in Volume 9549, Page 2202, Real Property Records of Bexar County, Texas, and now constitutes an Area of Common Responsibility designated as the "Community Park;"

WHEREAS, there is a need to pass a resolution regarding specific rules and regulations relating to the use of 46 McLennan Oak; and

WHEREAS, it is the intent that this Resolution shall be applicable to all homeowners, from and after, June 10, 2004, and shall remain in effect until otherwise rescinded, modified or amended by a majority of the Board of Directors.

NOW, THEREFORE, BE IT RESOLVED that the following resolution has been adopted by the Association pursuant to the laws of the State of Texas, at a regular meeting of the Board of Directors:

#### RECITALS

A. The Association is charged with certain responsibilities regarding the care, maintenance, and service of certain portions of the Villas of Babcock (Summerwind) Homeowners Association, Inc.

B. The Board of Directors of the Association desires to identify the Area of Common Responsibility designated as the "Community Park."

C. The Board of Directors of the Association desires to adopt a uniform and systematic procedure for delineating the rules and conditions, by which the Area of Common Responsibility designated as the "Community Park," may be used by homeowners and visitors.

D. The Board of Directors of the Association desires to adopt a uniform and systematic procedure for the enforcement of the rules and regulations pertaining to use of the Area of Common Responsibility designated as the "Community Park."

NOW, THEREFORE, BE IT RESOLVED that the ASSOCIATION does hereby adopt the following rules, regulations, and procedures for the use of the Area of Common Responsibility designated as the "Community Park" and to ensure the safety, security and overall appearance of the "Community Park":

1. Identification of the Community Park. The Area of Common Responsibility designated as the "Community Park" is Lot 28, 46 McLennan Oak.

2. Times of Operation. The Community Park will be open for use between 7 a.m. and 9 p.m. daily, September 1<sup>st</sup> through May 31<sup>st</sup>, and between 7 a.m. and 10 p.m. daily, June 1<sup>st</sup> through August 31<sup>st</sup>.

3. Lighting. The Community Park will be lit fully from the hours of 6 p.m. until closing time\*, the last Sunday of October through the first Saturday of April, and between 8 p.m. until closing time\*, the first Sunday of April through the last Saturday of October; and during special events as approved by the Board of Directors. The Community Park will be partially lit (back light) from closing time\* until 5 a.m., the first Sunday of April through the last Saturday of October and closing time\* until 7 a.m., the last Sunday of October through the first Saturday of April.

*\* refer to Times of Operation*

4. Rules.

- a. Children 14 years old and younger must have parental supervision while on Community Park grounds.
- b. Unsupervised children 14 years old and younger will not be allowed on Community Park grounds and may either be asked to return to their home immediately, escorted home or held while a parent is contacted to pick-up the child.
- c. The Association will not be responsible for injuries, accidents or misuse of park.

5. Restrictions. The following activities or items are not allowed on Community Park grounds at any time:

- a. alcoholic beverages;
- b. smoking in or around play areas;
- c. glass containers;
- d. barbequing;
- e. weapons, e.g., firearms, knives, bow and arrows, pellet guns, sling shots;
- f. music\*, portable players, radios;
- g. bikes, scooters, skateboards;
- h. profanity, vulgar language;
- i. littering;
- j. pets;
- k. tampering with basketball goal e.g., dunking, hanging from net or rim, adjusting height;
- l. vandalizing property on park grounds, e.g., signs, benches, fences, play system; and
- m. parties or gatherings\*.

*\* with the exception of special events as approved by the Board of Directors.*

6. Enforcement. Violation of any of the rules or restrictions contained herein will result in the following actions:

- a. First violation – a warning letter will be sent to the owner.

- b. Second violation occurring within 6 months of the first violation – owner’s right to use the Community Park will be suspended for a period of 2 weeks.
- c. Subsequent violations occurring within 6 months of the first violation – owner’s right to use the Community Park will be suspended for a period of 6 weeks.

These enforcement actions are in addition to and not in substitution of such other and further remedies as provided under the terms of the governing documents of the Association and applicable law.

Motion was made, seconded and approved by the majority vote during the Villas of Babcock (Summerwind) Homeowners Association Board Meeting dated June 10<sup>th</sup>, 2004 (see minutes).

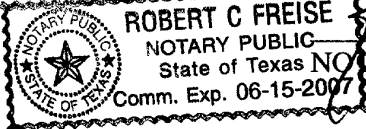
Angela M. Casas  
 Angela M. Casas, President

Wayne Williams  
 Wayne Williams, Vice-President

Haydee Guzman  
 Haydee Guzman, Secretary

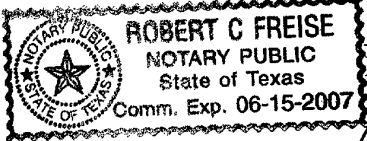
STATE OF TEXAS           §  
   §  
 COUNTY OF BEXAR       §

This instrument was acknowledged before me on the 13<sup>th</sup> of July 2004 by ANGELA M. CASAS.

 Robert C Freise  
 NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS           §  
   §  
 COUNTY OF BEXAR       §

This instrument was acknowledged before me on the 13<sup>th</sup> of July 2004 by WAYNE WILLIAMS.

 Robert C Freise  
 NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS

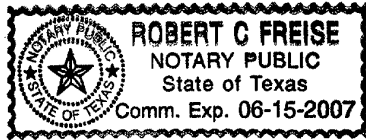
§

COUNTY OF BEXAR

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§

This instrument was acknowledged before me on the 13<sup>th</sup> of July 2004 by HAYDEE GUZMAN.



*Robert C Freise*  
 NOTARY PUBLIC, STATE OF TEXAS

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law  
 STATE OF TEXAS, COUNTY OF BEXAR  
 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 Record of Real Property of Bexar County, Texas on :

AUG 05 2004



*Gerry Rickhoff*  
 COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20040179964 Fees: \$20.00  
 08/05/2004 3:12PM # Pages 4  
 Filed & Recorded in the Official Public  
 Records of BEXAR COUNTY  
 GERRY RICKHOFF COUNTY CLERK