

**ADDITIONAL DEDICATORY INSTRUMENT  
for**

**BELLAVITA AT GREEN TEE HOMEOWNERS' ASSOCIATION, INC.**

THE STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS           §

BEFORE ME, the undersigned authority, on this day personally appeared Margaret R. Maddox who, being by me first duly sworn, states on oath the following:

My name is Margaret R. Maddox I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

I am the Attorney/Agent for **BELLAVITA AT GREEN TEE HOMEOWNERS' ASSOCIATION, INC.** Pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

**AMENDED AND RESTATED POLICY REGARDING ASSESSMENT OF FINES FOR VIOLATIONS OF RESTRICTIVE COVENANTS AND/OR RULES AND REGULATIONS**

**for**

**BELLAVITA AT GREEN TEE HOMEOWNERS' ASSOCIATION, INC.  
A TEXAS NON-PROFIT CORPORATION**

DATED this 30<sup>th</sup> day of January, 2024.

**BELLAVITA AT GREEN TEE  
HOMEOWNERS' ASSOCIATION, INC.**

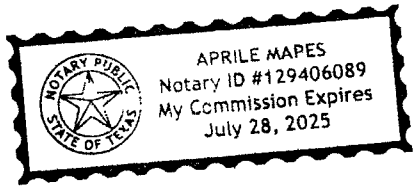
**BY:** *Margaret R. Maddox*

Margaret R. Maddox, Attorney/Agent  
(Printed Name)

RP-2024-33045

THE STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS           §

THIS INSTRUMENT was **acknowledged** before me on this the 30<sup>th</sup> day of JANUARY, 2024 by the said Margaret R. Maddox, Attorney/Agent for **BELLAVITA AT GREEN TEE HOMEOWNERS' ASSOCIATION, INC.**, a Texas non-profit corporation, on behalf of said corporation.



Aprile Mapes  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

RP-2024-33045

BELLAVITA AT GREEN TEE HOMEOWNERS' ASSOCIATION, INC.  
**AMENDED AND RESTATED**  
**POLICY REGARDING ASSESSMENT OF FINES FOR VIOLATIONS OF**  
**RESTRICTIVE COVENANTS AND/OR RULES AND REGULATIONS**

WHEREAS, the community's Amended and Restated Declaration of Covenants, Conditions, Restrictions, and Easements for Bella Vita at Green Tee Homeowners' Association, Inc. is recorded in the Real Property Records of Harris County, Texas under Clerk's File No. 20090149957 along with any supplements or annexations related thereto (hereinafter referred to as the "Declaration");

WHEREAS, Article XII, Section I of the Declaration authorizes the Association to impose monetary fines for violations of the Declaration or any rules and regulations or architectural guidelines adopted by the Association; and

WHEREAS, the Association, by and through its Board of Directors, desires to completely amend and restate its current fine policy, which is recorded under Harris County Clerk's File No. RP-2019-66702.

NOW THEREFORE, BE IT RESOLVED THAT: the following Amended and Restated Policy Regarding Assessment of Fines for Violations of Restrictive covenants and/or Rules and Regulations, which is intended to completely replace any previously adopted fine policy and be in compliance with Tex. Prop. Code §209.0061, is hereby adopted:

**POLICY REGARDING ASSESSMENT OF FINES**

The Association may, but is not obligated to, assess monetary fines for violations of the Declaration and/or any recorded dedicatory instrument of the Association including, but not limited to the following categories of violations:

- |   |  |
|---|--|
| <ul style="list-style-type: none"><li>• Lawn/landscaping maintenance</li><li>• Exterior maintenance</li><li>• Nuisance/annoyance</li><li>• Trash cans, improper storage of items</li><li>• Improper parking &amp; storage of vehicles</li><li>• Unapproved construction and/or exterior alterations</li></ul> | <b>All Violations:</b><br>First Fine Notice: \$50.00 per violation<br>Second Fine Notice: \$100.00 per violation |
|---|--|

Each of the above-listed categories of violations shall be assessed fines as follows:

1. Courtesy Notice: Owners shall be provided with at least one written courtesy notice of violation, giving owner 10 days to correct the violation. The Board may also direct that a reminder notice be sent giving owner additional time to correct prior to further action.
2. Certified Mail Notice: Owner shall be provided with written notice of a violation by certified mail which complies with Section 209.006 of the Texas Property Code, and which

RP-2024-33045

gives the owner opportunity to correct the violation within 30 days to avoid the fine. **Owner shall have 30 days from the date of mailing of the Certified Mail Notice to submit a written request for a hearing under Section 209.006 of the Texas Property Code;** however, Association shall not be obligated to halt further action pending the outcome of the hearing.

3. **1st Fine Notice (\$50.00 Fine):** After the expiration of 30 days from the Certified Mail Notice, notice will be sent to the owner advising that a fine of \$50.00 has been assessed and giving the owner an additional 10 days to correct in order to avoid further fines.
4. **2<sup>nd</sup> Fine Notice (\$100.00 Fine):** If the violation has still not been corrected, notice will be sent to the owner advising that a second fine of \$100.00 has been assessed. If the owner does not respond to this notice and correct the violation within 10 days, the matter will be turned over to the association's attorney for legal action.

The Board of Directors of the Association hereby reserves the authority to levy fines which may vary on a case-by-case basis.

#### **Information Regarding Hearings per Texas Property Code Section 209.007**

1. If an owner is entitled to an opportunity to cure the violation, the owner has the right to submit a written request for a hearing to discuss and verify facts and resolve the matter in issue before the board.<sup>1</sup>
2. The association shall hold a hearing under this section not later than the 30th day after the date the board receives the owner's request for a hearing and shall notify the owner of the date, time, and place of the hearing not later than the 10th day before the date of the hearing. The board or the owner may request a postponement, and, if requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties. The owner or the association may make an audio recording of the meeting.
3. An owner or property owners' association may use alternative dispute resolution services.
4. Not later than 10 days before the association holds a hearing under this section, the association shall provide to an owner a packet containing all documents, photographs, and communications relating to the matter the association intends to introduce at the hearing.
5. If an association does not provide a packet within the period described by Subsection (f), an owner is entitled to an automatic 15-day postponement of the hearing.
6. During a hearing, a member of the board or the association's designated representative shall first present the association's case against the owner. An owner or the owner's designated

---

<sup>1</sup> Note: The notice and hearing provisions of Section 209.006 and 209.007 do NOT apply if the Association is filing a lawsuit seeking a temporary restraining order, temporary injunctive relief, or foreclosure as a cause of action. They also do not apply to a temporary suspension of a person's right to use common areas if the temporary suspension is the result of a violation that occurred in a common area and involved a significant and immediate risk of harm to others in the subdivision. The temporary suspension is effective until the board makes a final determination on the suspension action after following the procedures prescribed by this section.

representative is entitled to present the owner's information and issues relevant to the appeal or dispute.

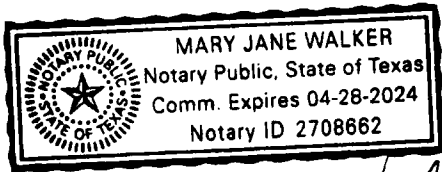
**CERTIFICATION**

I, Billy Potter, Secretary of BELLAVITA AT GREEN TEE HOMEOWNERS' ASSOCIATION, INC. ("Association"), do hereby certify that in the open session of a properly noticed meeting of the Board of Directors of the Association, duly called and held on the 24<sup>th</sup> day of January, 2024, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, this POLICY REGARDING ASSESSMENT OF FINES FOR VIOLATIONS OF RESTRICTIVE COVENANTS AND/OR RULES AND REGULATIONS was duly approved by at least a majority vote of the members of the Board present at said meeting.

Subsequent to recording, a copy of this Policy shall be provided to all owners of record by posting a copy on the internet website maintained by the Association and shall be made available on any publicly accessible internet website maintained by the property owners' association or an agent acting on behalf of the association pursuant to Tex. Prop. Code §209.0061(d).

This Policy supersedes any previously adopted resolution regarding assessment of fines for violation of restrictive covenants..

This Policy was approved by the Board of Directors of BELLAVITA AT GREEN TEE HOMEOWNERS' ASSOCIATION, INC. on the 24<sup>th</sup> day of January, 2024.



*Mary Jane Walker*

Billy Potter  
Secretary (Signature)

Billy Potter  
Print Name

RP-2024-33045

RP-2024-33045  
# Pages 6  
01/31/2024 11:05 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
TENESHIA HUDSPETH  
COUNTY CLERK  
Fees \$41.00

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.



*Teneshia Hudspeth*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2024-33045