

SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS
for
COMMUNITY ASSOCIATION OF HARMONY, INC.

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

The undersigned, being the Managing Agent for Community Association of Harmony, Inc. (formerly known as Discovery at Spring Trails Property Owners Association, Inc.), a property owners' association as defined in Section 202.001 of the Texas Property Code (the "Association"), hereby amends and supplements those certain instruments entitled "Notice of Dedicatory Instrument for Discovery at Spring Trails Property Owners Association, Inc.", "Supplemental Notice of Dedicatory Instruments for Discovery at Spring Trails Property Owners Association, Inc.", "Supplemental Notice of Dedicatory Instruments for Community Association of Harmony, Inc.", "Supplemental Notice of Dedicatory Instruments for Community Association of Harmony, Inc.", "Supplemental Notice of Dedicatory Instruments for Community Association of Harmony, Inc.", "Supplemental Notice of Dedicatory Instruments for Community Association of Harmony, Inc." and "Supplemental Notice of Dedicatory Instruments for Community Association of Harmony, Inc." filed of record in the Official Public Records of Real Property of Montgomery County, Texas under County Clerk's File Nos. 2008-019559, 2012000660, 2012118157, 2013087249, 2013122279, 2014009929 and 2014023307 (the "Notice") was filed of record for the purpose of complying with Section 202.006 of the Texas Property Code.

Additional Dedicatory Instrument. In addition to the Dedicatory Instruments identified in the Notice, the following document is a Dedicatory Instrument governing the Association.

Certificate of Secretary of Community Association of Harmony, Inc. regarding Board Resolution adopting Parking Rules.


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 Montgomery 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 Supplemental Notice is a true and correct copy of the original.

Executed on this 17th day of August, 2014.

COMMUNITY ASSOCIATION OF HARMONY, INC.

By: First Service Residential, Managing Agent



Devyn Harris, Community Manager

CERTIFICATE OF SECRETARY
of
COMMUNITY ASSOCIATION OF HARMONY, INC.
regarding
BOARD RESOLUTION
adopting
PARKING RULES

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

I, Janice Gordo, Secretary of Community Association of Harmony, Inc. (the "Association"), do hereby certify that at a meeting of the Association's Board of Directors (the "Board") duly called and held on the 22 day of July, 2014, 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:

WHEREAS, Article III, Section 3.4 of that certain instrument entitled "Amended and Restated Declaration of Covenants, Conditions and Restrictions for Community Association of Harmony, Inc." recorded in the Official Public Records of Real Property of Montgomery County, Texas, under County Clerk's File No. 2013087248 provides in pertinent part:

... The Association may adopt rules for the regulation of the admission and parking of vehicles within the Property, the Common Areas, and adjacent street right-of-ways, including the assessment of charges and fines to Owners who violate, or whose invitees violate, such rules after notice and hearing. If a complaint is received about a violation of any part of this section, the Association will be the final authority on the matter.

WHEREAS, Article III, Section 3.10 of the Association Bylaws provides as follows:

Section 3.10. Powers and Duties. All of the powers, authority and duties of the Association existing under the Texas Non-Profit Corporation Act, the Declaration, Certificate of Formation and these By-Laws shall be exercised exclusively by the Board, its agents, contractors or employees, subject only to approval by members when such is specifically required by law, the Declaration or these By-Laws. Provided, however, the Board of Directors must comply with all the applicable provisions of Chapter 209 of the Texas Property Code.

WHEREAS, the Board wishes to standardize the policies and procedures related to the power of the Board of Directors to enforce parking and hereby adopts the "Parking Rules" set forth below.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby adopts the following Parking Rules:

PARKING RULES

I. Definitions

The capitalized terms used in these Parking Rules will have the same definitions as set forth in the Declaration, unless otherwise defined below. Some of the terms defined below are also defined in the Declaration, but are included here for ease in the review and interpretation of these Parking Rules.

- 1.1 Association - shall mean and refer to Community Association of Harmony, Inc., a Texas non-profit corporation, its successors and assigns.
- 1.2 Board of Directors - shall mean the duly appointed or elected board of directors of the Association.
- 1.3 Daylight Hours - shall mean the hours of a day between sunrise and sunset.
- 1.4 Declaration - shall collectively mean the Declaration and Supplemental Declarations (as amended) for all of the subdivisions under the jurisdiction of the Association, as the term "Declaration" is defined in No. 4 of the Management Certificate.
- 1.5 Driveways - as used in these Parking Rules shall mean all Driveways on all Lots.
- 1.6 Gated Section - shall mean those Sections of the Property that are located behind limited access entrance gates.
- 1.7 Management Certificate - shall mean the document required by Section 209.004 of the Texas Property Code and filed of record in the Official Public Records of Real Property of Montgomery County, Texas, as amended and supplemented from time-to-time.
- 1.8 Non-Gated Section - shall mean those Sections of the Property that are not located behind limited access entrance gates.
- 1.9 Owner - shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any Lot or parcel of land which is a part of the Property, including executory contract sellers, but excluding those having such interest merely as security for the performance of an obligation.
- 1.10 Parking Rules - shall mean these "Parking Rules for Community Association of Harmony, Inc."
- 1.11 Permitted Vehicle(s) - shall mean motorized vehicles that: (i) do not exceed either eight feet (8') in height, and/or seven feet six inches (7'6") in width, and/or twenty-one feet (21') in length; (ii) are in operating condition; and (iii) have current license plates and inspection stickers.

- 1.12 Private Street(s) – shall mean the private streets in the Gated Sections of the Property.
- 1.13 Property – shall mean all real property in all of the Sections under the jurisdiction of the Association.
- 1.14 Public Street(s) – shall mean the public streets in the Non-Gated Sections of the Property.
- 1.15 Resident – shall mean and refer to (i) each Owner residing in his/her residence; (ii) each person residing in a residence who is a bona fide tenant of the Owner of such residence; and (iii) each person domiciled in a residence other than an Owner or bona fide tenant.
- 1.16 Resident Permitted Vehicle – shall mean a Permitted Vehicle owned, operated, or in the possession, custody or control of a Resident.
- 1.17 Section – shall mean a subdivision under the jurisdiction of the Association as defined in the Management Certificate.
- 1.18 Street(s) – shall mean both the Public and Private streets in the Property.

II. Introduction

In accordance with its authority to do so in the Declaration and Bylaws and in order to facilitate the intent of the Declaration, the Board of Directors has adopted these Parking Rules.

III. Rules

- 3.1 Except as provided in Section 3.2, Resident Permitted Vehicle(s) must be parked within the Resident's garage or on the driveway of his/her residence, such that the Resident Permitted Vehicle(s) does not block the sidewalk.
- 3.2 Resident Permitted Vehicles may be parked in the Street during DAYLIGHT HOURS when (and ONLY when) the driveway of their Lot is NOT capable of being occupied by a Permitted Vehicle. Resident Permitted Vehicles may not be parked in the Street at any other time.
- 3.3 Guests of Residents are permitted to park their Permitted Vehicles in the Street when (and ONLY when) the Driveway of the Resident they are visiting is not capable of being occupied by their Permitted Vehicle. Otherwise, guests of Residents must park their Permitted Vehicles in the Driveway of the Resident they are visiting such that the Permitted Vehicles do not block the sidewalk. This provision does not apply to periodic service providers that are providing a service to a Resident's Lot (e.g. construction workers, landscapers, plumbers, etc.), but does apply to caregivers or domestic help that provide services to the Resident on a routine basis.

- 3.4 Depending on the construction of the Driveway, Permitted Vehicles parked on Driveways must be parked so that either (i) the front or rear of the Permitted Vehicle faces the garage, or (ii) the front or rear of the Permitted Vehicle faces the Street in front of the residence, as applicable. The intent of this section is to prohibit unorthodox parking on Driveways (e.g. horizontal parking on a Driveway in front of a garage).
- 3.5 The provisions of Sections 3.1, 3.2 and 3.3 do not apply to (i) Permitted Vehicles that are official law enforcement vehicles (e.g. city, county or state), clearly identified as such, or (ii) emergency vehicles providing services to a Lot, including but not limited to fire or emergency medical services.
- 3.6 The Board of Directors may grant temporary variances to the provisions of this Article III as it deems appropriate and necessary in its sole discretion. The Board may require vehicles granted a temporary variance to maintain a pass prominently displayed in or on the vehicle so as to be easily identified.

IV. Enforcement

- 4.1 Towing. These Parking Rules may be enforced on Private Streets by towing pursuant to Chapter 2308 of the Texas Occupations Code.
- 4.2 Fines. All violations of the provisions relating to vehicle parking set forth in the Declaration and these Parking Rules (collectively hereinafter "Parking Rules") shall be verified by the Association's personnel. Residents reporting violations of the Parking Rules by other Residents must (i) accompany reports with pictures and times verifying the violation, and (ii) be willing to testify at the hearing required by this Section 4.1 and/or in court. Upon verification of a violation, the Association shall forward written notice thereof to the Owner who violated these Parking Rules. If these Parking Rules are violated by a tenant or guest of an Owner, or the guest of a tenant, written notice shall also be forwarded to the tenant. All notices of violation shall be forwarded to the appropriate Owner at the most current mailing address provided to the Association by such Owner. The notice shall:
 - (a) describe the violation;
 - (b) state a reasonable period of time within which the Owner shall have to cure the violation and avoid a fine, and
 - (c) notify the Owner that a fine will be levied unless the violation is cured within the stated period of time.

If the violation is a type that exists for only a short period of time, (e.g., a violation that may no longer exist as of the date the notice is received by the Owner), the notice shall describe the violation and notify the Owner that a fine will be levied in the event the same violation occurs again within six (6) months. Each notice shall further

set forth the amount of the fine to be levied and indicate how frequently the fine will be levied if the violation of the Parking Rules continues to exist.

Not later than the thirtieth (30th) day after the date of the Association's notice, the Owner/Resident may request a hearing before the Board of Directors to contest the fine. If a request for a hearing before the Board of Directors is timely submitted by the Owner/Resident, a hearing shall be scheduled within thirty (30) days of the date of the request. The Owner/Resident shall be notified of the date, time and place of the hearing not later than the tenth (10th) day before the date of the hearing. No fine shall be levied against the Owner/Resident until the conclusion of the scheduled hearing. However, if a request for a hearing before the Board of Directors is not timely submitted by the Owner/Resident, a fine may be imposed in the manner described in the notice. The opportunity to cure the violation and avoid a fine need not be given to an Owner if the Owner was given notice and an opportunity to cure the same or a similar violation at any time within the preceding six (6) months. Upon levying the fine, the Association shall give written notice to the Owner/Resident of the levy. As of the date of the adoption of these Parking Rules, the amount of the fine for each violation of these Parking Rules is:

- (i) \$50.00 for the first violation;
- (ii) \$75.00 for the second violation; and
- (iii) \$100.00 for each violation following the second violation.

In accordance with Article I, Section 1.1 of the Declaration, fines are defined as "Assessments" and all Assessments are secured by the Association's lien established in Article V, Section 5.2 of the Declaration. The amount of the fine may be increased or decreased as deemed appropriate by the Board of Directors.

- 4.3 Lawsuit. In addition to towing and/or fining as allowed above, the Association may also file suit against the Owner/Resident violating the Parking Rules.

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.

TO CERTIFY which witness my hand this the 22 day of July, 2014.

COMMUNITY ASSOCIATION OF HARMONY, INC.

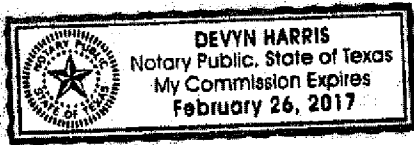
By: _____

Printed: _____

Its: Secretary

THE STATE OF TEXAS §
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BEFORE ME, the undersigned notary public, on this 20th day of July, 2014 personally appeared Chance Gordon, Secretary of Community Association of Harmony, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.



Devyn Harris
Notary Public in and for the State of Texas

E-FILED FOR RECORD
08/20/2014 8:36AM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

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

08/20/2014



County Clerk
Montgomery County, Texas