



**CORPORATE RESOLUTION OF O.O. (OLD ORCHARD) COMMUNITY ASSOCIATION, INC.**  
**AMENDED AND RESTATED TOWING POLICY**

WHEREAS, the Board of Directors (the "Board") of O.O. Community Association, Inc., a Texas non-profit corporation (the "Association") is the governing entity for the Old Orchard Subdivision (the "Subdivision") and is charged with the responsibility of enforcing the Declaration of Covenants, Conditions, and Restrictions for Old Orchard and all amendments thereto, including but not limited to the Second Amendment to Declaration of Covenants, which are recorded in the Real Property Records of Fort Bend County, Texas (collectively the "Declaration");

WHEREAS, pursuant to Article VI, Section 3 of the By-Laws, at all meetings of the Board, a majority of the directors shall constitute a quorum for the transaction of business, and every decision made by a majority of the directors present shall constitute the decision of the Board; and

WHEREAS, the Board deems it to be in the best interest of the Association to amend, replace and restate the policy on parking and towing of all motor vehicles ("Vehicles") in the Subdivision; and

WHEREAS, at a meeting of the Board on **April 24th, 2014**, at least a majority of the directors were present and at least a majority of the directors present voted to adopt the resolutions set forth below;

NOW, THEREFORE, the Board, on behalf of the Association, duly adopts the following resolutions:

BE IT RESOLVED, that pursuant to the Declaration, By-Laws and Article 2308 of the Texas Occupations Code (the "Texas Towing Statute"), the Association hereby establishes the following policy for parking Vehicles and towing Vehicles parked on the streets within the Subdivision ("Parking and Towing Policy"):

**1. Enforcement.**

- a. **No Street Parking:** Owners, guests and/or visitors of a resident may not park on the streets in the Community unless the home's driveway is fully occupied as defined in paragraph 1(b) and only on the terms set forth in paragraph 2. This rule applies 24 hours per day/7 days per week.
- b. **Fully Occupied Driveway:** In order for a driveway to be considered fully occupied, the following guidelines must be met:
  - i. To accommodate the maximum number of Vehicles in a driveway, the Vehicles in the front row of a driveway shall be parked as close to the garage door as possible but in no event more than 2 feet from the garage door. Cars in the second row shall be parked as close as possible to the bumper of the car in front of it but in no event more than 2 feet away.
  - ii. To further accommodate the maximum number of Vehicles on a driveway, if a driveway can accommodate 2 or 3 Vehicles across, then the space between the Vehicles shall be no more than 3 ft., and no less than 1 ft. from the edge of the driveway.
  - iii. If the guidelines in 1(b)(i) and 1(b)(ii) are followed, but the rear wheels of a Vehicle remain on the street and not on the driveway, then that Vehicle can be parked directly in front of the resident's property in the street.
  - iv. The aim/goal of this section is to utilize as much of the driveway space as possible, both length and width, before Vehicles are parked in the street. This will account for those shorter driveways where it is difficult to fit 4 cars. These guidelines will be used to determine if a car is illegally parked in the street.

- v. Periodic and random inspections will be conducted by the Association, Association Parking Committee, and/or its management company. Vehicles in violation of this Parking and Towing Policy may be towed.

2. **Guest/Visitor Parking.** If a resident will have guests and/or visitors, street parking is prohibited provided the resident's driveway is not fully occupied as defined above. The resident is responsible for ensuring that all vehicles are parked in the home driveway at all times. If the driveway is fully occupied as defined above, then the guest or visitor may park directly in front of the resident's property. If there are more Vehicles of guests or visitors (like a party or other function) than the space available in the driveway and in front of the resident's property, then the resident must notify the association by going to the official website and **filling out the guest parking form**. The request for variance shall clearly state the **start time and date**. The variance will be in **effect for a 24 hour period** from the **start time** and date. The variance shall be given for 5 homes left and right (all directions) of the property on both sides of the street. Otherwise, any Vehicle(s) parked on the street may be towed. **For any special circumstances not covered by this guideline or the variance form, the resident shall contact the Community Management Company to discuss alternatives.**
3. **Signs** The Association shall cause a sign, indicating that Vehicle parking on the streets within the Subdivision is not allowed and that unauthorized Vehicles will be towed at the owner's or operator's expense (the "Sign") to be posted at the entrance to the Subdivision. The Sign will be facing and conspicuously visible to the driver of a vehicle that enters the Subdivision and otherwise be in compliance with the Texas Towing Statute.

BE IT FURTHER RESOLVED, that the Association will contract with a towing company which is insured against liability for property damage incurred in towing vehicles and has a telephone number that is answered 24 hours a day.

BE IT FURTHER RESOLVED that the Association will cause a copy of these Resolutions to be mailed to all owners in the Subdivision.

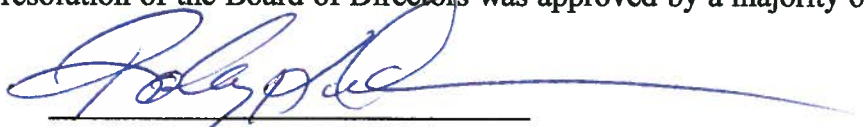
BE IT FURTHER RESOLVED that this Resolution was adopted by the Board on **May 6, 2014**, and shall be effective immediately.

  
\_\_\_\_\_  
Frank Kalkattawi, President/Treasurer

5-5-2014  
Date

**CERTIFICATE OF SECRETARY**

I hereby certify as secretary of O.O. Community Association, Inc. that a quorum of the Board of Directors was present and the foregoing resolution of the Board of Directors was approved by a majority of the Board of Directors present.



Rodney Warner, Secretary

5-5-2014

Date

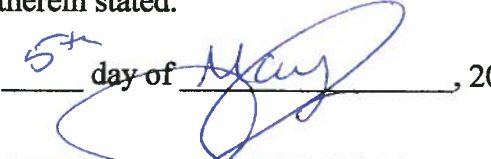
**ACKNOWLEDGEMENT**

STATE OF TEXAS §  
  §  
COUNTY OF FORT BEND §

Before Me, the undersigned authority, on this day, personally appeared Frank Kalkattawi, President/Treasurer of the Association, whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act of the Association for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 5<sup>th</sup> day of May, 2014.



  
\_\_\_\_\_  
Notary Public, State of Texas

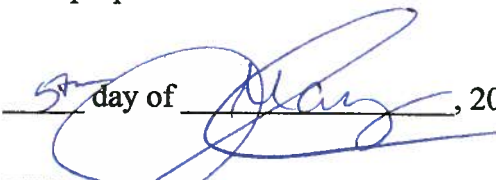
**ACKNOWLEDGEMENT**

STATE OF TEXAS §  
  §  
COUNTY OF FORT BEND §

Before Me, the undersigned authority, on this day, personally appeared Rodney Warner, Secretary of the Association, whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act of the Association for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 5<sup>th</sup> day of May, 2014.



  
\_\_\_\_\_  
Notary Public, State of Texas

After Recording Return to:

Gary F. Cerasuolo  
Smith & Cerasuolo, LLP  
7500 San Felipe, Suite 410  
Houston, Texas 77063

**FILED AND RECORDED**  
**OFFICIAL PUBLIC RECORDS**

*Dianne Wilson*

Dianne Wilson, County Clerk  
Fort Bend County, Texas



May 21, 2014 02:15:43 PM

FEE: \$19.00 RMM  
RES

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