

CHISUM TRAIL PROPERTY OWNERS ASSOCIATION, INC.
FINES SCHEDULE AND POLICY

STATE OF TEXAS §
 §
COUNTY OF WILSON §

Chisum Trail Property Owners Association, Inc. (“CTPOA”), acting through its Board of Directors and in accordance with Section 209.0061, Texas Property Code, approves the following Fine Schedule and Policy for violations of the Declaration of Covenants, Conditions and Restrictions for Chisum Trail (“CC&Rs”).

II. Fines Notices and Amounts

Property Owners with any violation(s) of Section 5.02, or any section of Article VI or Article VII, of the CC&Rs, are subject to the following actions and penalties, except in emergency circumstances:

1. Property owners will receive a courtesy letter from CTPOA (by email, if CTPOA has an email address; otherwise by first class mail) reminding them of the CC&Rs along with a description of their violation(s). In addition, property owners will be asked to rectify the specific CC&R violation(s) no later than thirty days from the date of the letter.
2. Property owners who do not rectify violations by the specified cure date on the first violation letter will receive a second letter emailed and sent via certified mail requesting rectification of their violation(s), as required by the Texas Property Code. The second letter will provide the following information:
 - Property owners will be instructed to rectify CC&R violation(s) within a reasonable period of time from the date of the certified letter of at least fifteen days, with a specific cure date stated.
 - For each CC&R violation not rectified per the instructions on the certified letter, a fine of \$50.00 will be levied against the property for outstanding violation(s).
 - Each day a violation continues uncured after notice has been given said violation shall be deemed a separate violation and an additional daily charge of \$50.00 will be levied against the Owner’s account until the violation is cured.
 - CTPOA property owners have the right to request a hearing with the CTPOA Board of Directors. Hearing information is listed below.
 - CTPOA owners may have special right or relief related to the enforcement action under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. App. Section 501 et seq.), if the owner is serving on active military duty.
3. Property owners who fail to correct their property CC&R violation(s) per the specific date in the second letter, sent via email and certified mail, will receive a third and final letter from the Chisum Trail Property Owners Association informing them that they have been fined, that they are subject to collection action, and liable for the costs of collection if they fail to pay the fine within thirty days.

4. CTPOA requests the property owners (violators) to cure the violation by the required date by submitting proof of the cure with a photo or other evidence of said cure to the email address or mailing address of the Association listed on the violation letter.
5. Any association member may send a complaint regarding a potential violation only if documentation is provided to the Board specifying the violation. This should include the time, date, and any proof (i.e. photos) and should be submitted by email or mail to the Board of Directors. Complaints that are received without documentation and which cannot be independently observed and documented by a representative of the Board of Directors, will not be acted upon.
6. If a Property Owner (Alleged Violator) has received a violation letter and does not agree that a violation has occurred, they are invited to provide fair and concise documentation describing why they feel it is NOT a violation. This documentation should specify the violation, time, date and any proof (e.g., photos) submitted that indicate there is NOT a violation.
7. When the owners have been notified of a violation, they have thirty days to submit a written request for a hearing with the Board of Directors to contest the violation. The owners can discuss and verify facts and resolve the matter in issue before the Board of Directors and contest any fine that is assessed against his or her account.
8. The Texas Property Code requires the notice resulting in a fine and all subsequent fine notices be sent via certified mail which constitutes legal notice to the owners. Owners are required to keep the Association notified of a current valid mailing address (one at which the owners receive certified mail without being forwarded).

II. Hearing Information:

In accordance with Section 209.007, Texas Property Code, CTPOA observes the hearing process:

1. If the 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.
2. The CTPOA shall hold a hearing under this section not later than the thirtieth 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 tenth 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. The notice and hearing provisions do not apply if (a) CTPOA files a suit seeking a temporary restraining order or temporary injunctive relief or files a suit that includes

foreclosure as a cause of action, or (b) 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.

- 4. Not later than ten days before CTPOA holds an enforcement hearing it shall provide to an owner a packet containing all documents, photographs, and communications relating to the matter CTPOA intends to introduce at the hearing.
- 5. If CTPOA 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 CTPOA's designated representative shall first present the association's case against the owner. An owner or the owner's designated representative is entitled to present the owner's information and issues relevant to the appeal or dispute.

The foregoing was approved by majority vote of the Board of Directors of the Association at a duly called meeting of the Board, as certified by the signature of the President of the Association below.

Signed this the 28th day of February, 2025.

CHISUM TRAIL PROPERTY OWNERS
ASSOCIATION, INC.,
a Texas nonprofit corporation




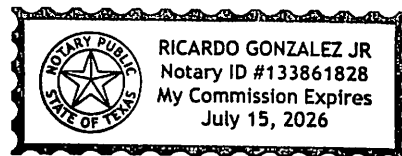
By: Steven Cain, Its President

STATE OF TEXAS §
 §
COUNTY OF WILSON §

Before me, the undersigned notary public, on this day personally appeared, Steven Cain, President of Chisum Trail Property Owners Association, Inc., known to me or proved to me by presentation to me of a governmentally-issued identification card to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me he executed it for the purposes and consideration expressed in it.

Given under my hand and seal of office the 28th day of ~~January~~ ^{February}, 2025.



Notary Public, State of Texas



VG-3612-2025-150092

**Wilson County
Genevieve Martinez
Wilson County Clerk**

Instrument Number: 150092

Real Property Recordings

Recorded On: March 03, 2025 01:09 PM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: \$33.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

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.

File Information:

Document Number: 150092
Receipt Number: 20250303000036
Recorded Date/Time: March 03, 2025 01:09 PM
User: Jennifer F
Station: cclerk01

Record and Return To:

NIX MICHELLE



**STATE OF TEXAS
Wilson County**

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Wilson County, Texas

Genevieve Martinez

Genevieve Martinez
Wilson County Clerk
Floresville, TX