

STATE OF TEXAS

§

COUNTY OF DALLAS

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WATERVIEW COMMUNITY ASSOCIATION, INC.

**ADDENDUM TO COVENANT ENFORCEMENT AND
FINING POLICY: HEARING BEFORE THE BOARD**

WHEREAS, pursuant to the Declaration for the Waterview Community (the "*Declaration*"), the Board of Directors of the Waterview Community Association, Inc. (the "*Association*") is authorized to pursue violations of the Association's dedicatory instruments, including but not limited to the Declaration, Bylaws, rules and regulations, policies, resolutions, or design/architectural guidelines.

WHEREAS, relevant provisions of the Texas Property Code have been amended which govern the hearing afforded to homeowners following a notice of enforcement action; and

WHEREAS, the Board of Directors (the "*Board*") previously adopted a Violation and Fine Policy (the "*Enforcement Policy*") which is recorded as Instrument No. 201100333233 in the Official Public Records of Dallas County, Texas; and

WHEREAS, the Board of Directors desires to approve an addendum to the Enforcement Policy to incorporate the relevant provisions of the Texas Property Code, as amended (the "*Addendum*"); and

WHEREAS, in the event of a conflict between the Addendum and the Enforcement Policy, the terms and conditions of the Addendum shall govern and control.

NOW, THEREFORE, IT IS RESOLVED, in order to comply with the procedures set forth in Chapter 209 of the Texas Property Code, the following procedures and practices are established and adopted as an Addendum to the Enforcement Policy.

1. Request for a Hearing and Hearing. If the owner challenges the proposed action by timely requesting a hearing, the hearing may be held in executive session of the Board affording the alleged violator a reasonable opportunity to be heard.

- a. Such hearing shall be held no later than the 30th day after the date the Board receives the owner's request for a hearing. The notice requirement shall be deemed satisfied if the alleged violator appears at the meeting.
- b. The notice of the hearing shall be sent no later than the 10th day before the date of the hearing.
- c. The Board or the owner may request a single postponement, and, if requested, a postponement shall be granted for a period of not more than ten (10) days. Additional postponements are allowed but only by agreement between the Board and the owner requesting the hearing.

- d. Not later than 10 days before the Board holds a hearing, the Association shall provide to the owner a packet containing all documents, photographs, and communications relating to the matter which the Association intends to introduce at the hearing (the "*Evidence Packet*"), if any.
- e. If the Board intends to produce any documents, photographs, and communications during the hearing, and does not send an Evidence Packet to the owner in a timely manner, the owner is entitled to an automatic 15-day postponement of the hearing.
- f. At the commencement of the hearing, a member of the Board or the Association's designated representative shall present the Association's case against the owner.
- g. Following the presentation by the Board, the owner or the owner's designated representative is entitled to present the owner's information and issues relevant to the appeal or dispute.
- h. The owner or the Board may make an audio recording of the hearing.
- i. The minutes of the hearing shall contain a written statement of the results of the hearing and the sanction, if any, imposed by the Board. The Board shall notify the owner in writing of its action within ten (10) days after the hearing. The Board may, but shall not be obligated to, suspend any proposed sanction if the Violation is cured within the ten-day period. Such suspension shall not constitute a waiver of the right to sanction future violations of the same or other provisions and rules by any owner.

IT IS FURTHER RESOLVED this Addendum was duly introduced, seconded, and adopted at a meeting of the Board, at which a quorum was present, by a majority vote of the members of the Board present, and shall remain in force and effect until revoked, modified or amended by the Board. This Addendum shall be filed of record in the Official Public Records of Dallas County, Texas.

Date: May 9, 2022.

**WATERVIEW COMMUNITY
ASSOCIATION, INC.,
a Texas non-profit corporation**


President

AFTER RECORDING, PLEASE RETURN TO:

Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201

**TWENTY-THIRD SUPPLEMENTAL CERTIFICATE AND
MEMORANDUM OF RECORDING OF DEDICATORY
INSTRUMENTS FOR
WATERVIEW COMMUNITY ASSOCIATION, INC.**

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The undersigned, as attorney for Waterview Community Association, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instruments affecting the owners of property described on Exhibit B attached hereto, hereby states that the dedicatory instruments attached hereto are true and correct copies of the following:

- *Policy Establishing the Composition of the Architectural Review Committee (Exhibit A-1);*
- *Policy Resolution of the Board of Directors of Waterview Community Association, Inc. Establishing Criteria for Obtaining Bids or Proposals for Certain Contracts (Exhibit A-2);*
- *Guidelines for the Display of Certain Religious Items (Exhibit A-3);*

- *Addendum to Covenant Enforcement and Fining Policy: Hearing Before the Board (Exhibit A-4);*
- *Guidelines for Security Measures (Exhibit A-5);*
- *Guidelines for the Installation of Swimming Pool Enclosures (Exhibit A-6); and*
- *Procedures for Informing Owners of Architectural Decisions and Exercising the Right to Appeal Architectural Decisions to the Board of Directors (Exhibit A-7).*

All persons or entities holding an interest in and to any portion of property described on Exhibit B attached hereto are subject to the foregoing dedicatory instruments. The attached dedicatory instruments replace and supersede all previously recorded dedicatory instruments addressing the same or similar subject matter and shall remain in force and effect until revoked, modified or amended by the Board of Directors.

IN WITNESS WHEREOF, Waterview Community Association, Inc. has caused this Twenty-Third Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments to be filed with the office of the Dallas County Clerk, and serves to supplement, only to the extent necessary, those certain dedicatory instruments recorded in the Official Public Records of Dallas County, Texas, to wit: (i) as Instrument No. 20080378811; (ii) as Instrument No. 200900157922; (iii) as Instrument No. 20110 0333233; (iv) as Instrument No. 201200018756; (v) as Instrument No. 201200080506; (vi) as Instrument No. 201300035417; (vii) as Instrument No. 201300102013; (viii) as Instrument No. 201300131858; (ix) as Instrument No. 201300310918; (x) as Instrument No. 201300355719; (xi) as Instrument No. 201400092825; (xii) as Instrument No. 201400116084; (xiii) as Instrument No. 201400295066; (xiv) as Instrument No.

201500227319; (xv) as Instrument No. 201500306486; (xvi) as Instrument No. 201600061784; (xvii) as Instrument No. 201600183505; (xviii) as Instrument No. 201600217196; (xix) as Instrument No. 201700310908; (xx) as Instrument No. 201900072065; (xxi) as Instrument No. 202000147428; (xxii) as Instrument No. 202000335071; and (xxiii) as Instrument No. 202100161630.

**WATERVIEW COMMUNITY
ASSOCIATION, INC.,
A Texas Non-Profit Corporation**

By: 
Its: Attorney

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BEFORE ME, the undersigned Notary Public, on this day personally appeared Judd A. Austin, Jr., attorney for Waterview Community Association, Inc., known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 26th day of July, 2022.


Notary Public, State of Texas

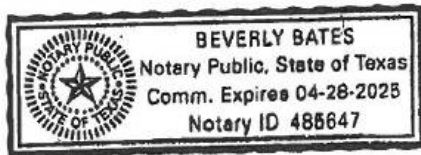


EXHIBIT B

Those tracts and parcels of real property located in the City of Rowlett, Dallas County, Texas and more particularly described as follows:

- (a) All real property subject to the Declaration of Covenants, Conditions and Restrictions for The WaterView Community, executed by Snapdragon Properties Associates, L.P., as Declarant, recorded on July 7, 1998, in Volume 98131, Page 00453, *et seq.*, in the Real Property Records of Dallas County, Texas, and any other applicable refilings or replatings thereof or amendments, corrections or supplements thereto; and
- (b) All lots and tracts of land situated in WaterView, PHASE ONE, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 98203, Page 10, Map Records, Dallas County, Texas; and
- (c) All lots and tracts of land situated in WaterView, PHASE TWO, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 98203, Page 9, Map Records, Dallas County, Texas; and
- (d) All lots and tracts of land situated in WaterView, PHASE THREE, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 98203, Page 8, Map Records, Dallas County, Texas; and
- (e) All lots and tracts of land situated in WaterView, PHASE 4A, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 99083, Page 88, Map Records, Dallas County, Texas; and
- (f) All lots and tracts of land situated in WaterView, PHASE 4B, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 99137, Page 723, Map Records, Dallas County, Texas; and
- (g) All lots and tracts of land situated in WaterView, PHASE 5A, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 99191, Page 423, together with a replat thereof recorded in Volume 2000097, Page 908, Map Records, Dallas County, Texas; and
- (h) All lots and tracts of land situated in WaterView, PHASE 5B, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2000151, Page 2744, Map Records, Dallas County, Texas; and

- (i) All lots and tracts of land situated in WaterView, PHASE 5C, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2001129, Page 01092, Map Records, Dallas County, Texas; and
- (j) All lots and tracts of land situated in WaterView, PHASE 5D, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2000093, Page 03565, Map Records, Dallas County, Texas; and
- (k) All lots and tracts of land situated in WaterView, PHASE 6A, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2000151, Page 2738, Map Records, Dallas County, Texas; and
- (l) All lots and tracts of land situated in WaterView, PHASE 6B, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2000151, Page 2741, Map Records, Dallas County, Texas; and
- (m) All lots and tracts of land situated in WaterView, PHASE 6C, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2002040, Page 00011, Map Records, Dallas County, Texas; and
- (n) All lots and tracts of land situated in WaterView, PHASE 7, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2001001, Page 143, Map Records, Dallas County, Texas; and
- (o) All lots and tracts of land situated in WaterView, PHASE 8A, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2001058, Page 00111, Map Records, Dallas County, Texas; and
- (p) All lots and tracts of land situated in WaterView, PHASE 8B, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2002229, Page 102, Map Records, Dallas County, Texas; and
- (q) All lots and tracts of land situated in WaterView, PHASE 8C, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2003102, Page 68, Map Records, Dallas County, Texas; and

- (r) All lots and tracts of land situated in WaterView, PHASE 9, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2004019, Page 89, Map Records, Dallas County, Texas; and
- (s) All lots and tracts of land situated in WaterView, PHASE 10, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2001076, Page 02955, Map Records, Dallas County, Texas; and
- (t) All lots and tracts of land situated in WaterView, PHASE 11A, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2001076, Page 02961, Map Records, Dallas County, Texas; and
- (u) All lots and tracts of land situated in WaterView, PHASE 11B, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2001058, Page 00114, Map Records, Dallas County, Texas; and
- (v) All lots and tracts of land situated in WaterView, PHASE 12, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2001076, Page 02959, Map Records, Dallas County, Texas; and
- (w) All lots and tracts of land situated in WaterView, PHASE 13, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2002229, Page 104, Map Records, Dallas County, Texas; and
- (x) All lots and tracts of land situated in WaterView, PHASE 14, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 2004221, Page 208, Map Records, Dallas County, Texas; and
- (y) All lots and tracts of land situated in Villas at WaterView, PHASE 1, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 98158, Page 00608, Map Records, Dallas County, Texas; and
- (z) All lots and tracts of land situated in Villas at WaterView, PHASE 2, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 98158, Page 00609, Map Records, Dallas County, Texas; and

- (aa) All lots and tracts of land situated in Villas at WaterView, PHASE 3, an addition to the City of Rowlett, Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 98158, Page 00612, Map Records, Dallas County, Texas.

**Dallas County
John F. Warren
Dallas County Clerk**

Instrument Number: 202200204624

eRecording - Real Property

Recorded On: July 26, 2022 11:37 AM

Number of Pages: 22

" Examined and Charged as Follows: "

Total Recording: \$106.00

******* 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: 202200204624
Receipt Number: 20220726000417
Recorded Date/Time: July 26, 2022 11:37 AM
User: Kevin T
Station: CC18

Record and Return To:

CSC Global



**STATE OF TEXAS
COUNTY OF DALLAS**

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 Dallas County, Texas.

John F. Warren
Dallas County Clerk
Dallas County, TX