

SCANNED



**RESOLUTION ADOPTED BY
THE BOARD OF DIRECTORS OF
SUMMERGLEN PROPERTY OWNERS ASSOCIATION, INC.**

The Board of Directors of the Summerglen Property Owners Association, Inc. (the "Association"), a corporation organized under the Texas Non-Profit Corporation Act, has legally adopted the following Resolution in accordance with the law and the By-Laws of the Association:

WHEREAS, the Board of Directors has determined that there is a need to establish a policy for parking restrictions for homeowners and visitors in the Summerglen community; and

WHEREAS, the Board of Directors is charged with the obligation of making, establishing and promulgating, in its discretion, rules, regulations and policies for the interpretation and enforcement of Summerglen's Covenants, Conditions and Restrictions.

IT IS THEREFORE:



RESOLVED, that the Association will adopt and enforce the attached Statement of Towing Policy.

RESOLVED FURTHER, that the Board of Directors does hereby authorize its managing agent to record a copy of this Resolution in the Official Public Records of Bexar County, Texas.

Dated: March 14, 2008. 

Anne He Muller
PRESIDENT


SECRETARY

THE STATE OF TEXAS

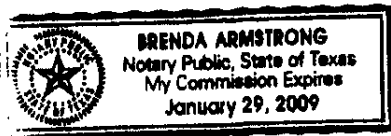
§

COUNTY OF BEXAR

§

§

This instrument was acknowledged before me on the 1 day of April, 2008, by Annette Muller, as President of the Summerglen Property Owners Association, Inc., on behalf of said corporation.



Brenda Armstrong
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS

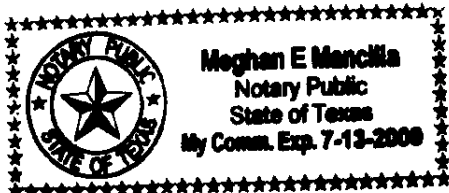
§

COUNTY OF BEXAR

§

§

2008 This instrument was acknowledged before me on the 14th day of March, 2007, by Don Vana, as Secretary of the Summerglen Property Owners Association, Inc., on behalf of said corporation.



Meghan E. Mancilla
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING, RETURN TO:

Michael B. Thurman
Thurman & Phillips, P.C.
8000 IH 10 West, Ste 1000
San Antonio, Texas 78230

K:\CLIENTS\Summerglen HOA\Towing\Resolution.doc

AFFIDAVIT IN COMPLIANCE WITH SECTION 202.006
OF THE TEXAS PROPERTY CODE

THE STATE OF TEXAS

§

§

COUNTY OF BEXAR

§

BEFORE ME, the undersigned authority, on this day personally appeared Dan Vana, being by me duly sworn according to law, stated the following under oath:

"My name is DAN VANA. I am fully competent to make this Affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.

I am the Secretary of SUMMERGLEN PROPERTY OWNERS ASSOCIATION, INC., a Texas corporation (the "Association"). I am also a custodian of records for the Association and I have been authorized by the Association's Board of Directors to sign this Affidavit.

The Association is a "property owners' association" as that term is defined in *Section 202.001 of the Texas Property Code*. The Association's jurisdiction includes the Summer Glen subdivision as set forth and described in Attachment A attached to The Statement of Towing Policy attached hereto.

Attached hereto is a true and correct copy of the following dedicatory instrument, including known amendments or supplements thereto, governing the Association, which instrument has not previously been recorded:

Statement of Towing Policy

The document attached hereto is subject to being supplemented, amended or changed by the Association. Any questions regarding the dedicatory instruments of the Association may be directed to the Association at:

SUMMERGLEN PROPERTY OWNERS ASSOCIATION, INC.
c/o Association Management Services
Attention: Eva Hecox
1600 N.E. Loop 410, Suite 202
San Antonio, Texas 78209
Telephone number: 210-829-7202
Telefax number: 210-829-5207

SIGNED on this the 1st day of April, 2008.

*Dan Vana as Secretary for the
Summer Glen Property Owners Association, Inc.*

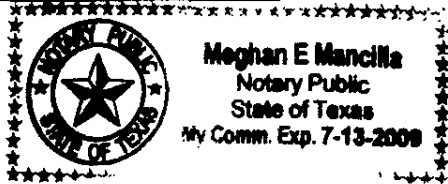
THE STATE OF TEXAS

§
§
§

COUNTY OF BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared Dan Vana as Secretary for the Summerglenn Property Owners Association, Inc., who, after being duly sworn state under oath that he has read the above and foregoing Affidavit and that every factual statement contained therein is within his personal knowledge and is true and correct.

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this the 1st day of April, 2008.



Meghan E. Mancilla
NOTARY PUBLIC, STATE OF TEXAS

After Records, Return To:
Michael B. Thurman
Thurman & Phillips, P.C.
8000 IH 10 West, Ste 1000
San Antonio, Texas 78230

STATEMENT OF TOWING POLICY

STATE OF TEXAS

§

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BEXAR

§

WHEREAS, the Board of Directors of the Summerglenn Property Owners Association, Inc. ("Property Owners Association") is the established governing body for the subdivision commonly as Summerglenn as set forth in the dedicatory instruments for each of the defined units as set forth in "Attachment A," incorporated herein for all purposes; and

WHEREAS, in accordance with the duties and responsibilities imposed by the Covenants, Conditions and Restrictions for each of the referenced units, the Board of Directors of the Property Owners Association is charged with the obligation of making, establishing and promulgating, in its discretion, rules, regulations and policies for the interpretation and enforcement of each of the applicable Covenants, Conditions and Restrictions for the referenced units; and

WHEREAS, it has been determined by the Board of Directors that it is necessary to adopt and state a Statement of Towing Policy for the interpretation and enforcement of the prohibition contained in the Covenants, Conditions and Restrictions under Section 3.21 and to do so, the Board of Directors have adopted the hereinafter stated towing policy.

THEREFORE, BE IT RESOLVED:

The Board of Directors of Summerglenn Property Owners Association, Inc. has and do hereby adopt the revised policy set out herein.

1. **Towing Policy.** Each property owner, resident, visitor, invitee, and any and all third parties entering in the Summerglenn Subdivision shall be subject to the following rules and regulations:

A. **Parking Restrictions.** In addition to other parking restrictions herein, no unattended parking of any automobile, truck, trailer, recreational vehicle, tractor, grader, wagon, boat, personal watercraft, wave runner, jet ski or other watercraft, bus, motor scooter, garden maintenance equipment, construction equipment, camper, or motorcycle (whether powered or unpowered) (collectively referred to as "Vehicle") is allowed on any private street or parking lot within the Summerglenn Subdivision commencing as of 2:00 o'clock a.m. through 6:00 o'clock a.m. without the express written consent from the Board of Directors or its appointed designee. The Board of Directors shall cause the posting of signs in the neighborhood advising of the towing policy as required by the Texas Tow Act of the Texas Occupations Code, as amended, which shall advise all parties of the fact that vehicles parked in violation of this prohibition may be towed at the owner's expense.

B. Property Owners Association Property. No parking, driving or operating of any Vehicle is allowed at anytime on Property Owners Association property, including but not limited to, all recreational areas, , greenbelts, or other property (unless specifically permitted in Section I.A.) owned by the Property Owners Association without the express written consent of the Board of Directors or its designee.

C. Prohibition Against Unattended Vehicles In Certain Areas. The owner or operator of a vehicle may not leave unattended on Property Owners Association property a vehicle that:

- (1) Does not conspicuously display a valid Summerglenn decal or visitor's permit;
- (2) Is parked in a designated tow-away zone;
- (3) Is parked in a designated "fire lane" or next to a red curb;
- (4) Is parked on grass or other landscaped areas;
- (5) Is parked in a marked handicap space with no valid handicap permit or license plat;
- (6) Is parked in an area that obstructs a traffic aisle, entry or exit of any Summerglenn common area parking;
- (7) Is parked in an area that obstructs the free flow of traffic on the Summerglenn private streets;
- (8) Is parked in an area designated by the Summerglenn Board of Directors as a "no parking area;"
- (9) Is parked on a Summerglenn private street or common area and leaks excessive fluids;
- (10) Is abandoned as determined by the Summerglenn Board of Directors;
- (11) Is wrecked and legally not driveable on city streets;
- (12) That displays a sign or notation the vehicle is "For Sale";
- (13) Is inoperable;
- (14) Is parked within fifteen (15) feet of a fire hydrant;
- (15) Is parked in any area that hinders or interferes with an emergency operation by an appropriate emergency department or entity.

Vehicles in violation of this Section 1C shall be subject to immediate towing and removal subject to the requirements and restrictions of the Texas Towing Act, Chapter 2308 of the Texas Occupations Code.

2. Violation of Policy and Penalties. Violation of any of the policies herein adopted, or such other applicable covenants, conditions and restrictions, may result in the towing of the Vehicle which is in violation of the herein adopted policy and such remedy shall be in addition to and not an election of other rights, remedies, fines, penalties and other remedies available to the Board of Directors for such violation.

3. Violation of Resident, Tenant. Any visitor, invitee, and any and all third parties the guest of a property owner shall be treated as a violation of the owner. All monetary

penalties, if any, shall be assessed against the identifiable property owner of the property as the responsible party.

4. Compliance With Applicable Statute. Notwithstanding any stated provision contained herein, the towing of a Vehicle shall be in strict compliance with the Texas Towing Act, Chapter 2308 of the Texas Occupations Code. Any towing requested by the Summerglenn Board of Directors shall be by contract with a licensed towing company as regulated by the Texas Tow Act.

5. No Waiver. The failure of the Board of Directors to act to cause the towing of any Vehicle which is in violation of the policy herein adopted shall not be considered a waiver for the purposes of future enforcement hereof.

This Statement of Policy is adopted this 11th day of March, 2008 by the Board of Directors of Summerglenn Property Owners Association, Inc. and shall be effective as of the date hereof.

SUMMERGLEN PROPERTY OWNERS
ASSOCIATION, INC. BOARD OF DIRECTORS

Annette M. Mollave

John H. Bunn

K. J. Hall
John

ATTACHMENT A

Declaration of Covenants, Conditions and Restrictions Summerlin, Unit-1, Bexar County, Texas, recorded in Volume 7578, Page 1138 et seq., Official Public Records of Real Property of Bexar County, Texas; First Amendment of Declaration of Covenants, Conditions and Restrictions Summerlin, Unit 1 (Planned Unit Development), recorded in Book D, Volume 7604, Page 63 et seq., Official Public Records of Real Property of Bexar County, Texas; Declaration of Covenants, Conditions and Restrictions Summerlin, Unit-2A (Planned Unit Development), Bexar County, Texas, recorded in Book D, Volume 7831, Page 535 et seq., Official Public Records of Real Property of Bexar County, Texas; Declaration of Covenants, Conditions and Restrictions Summerglenn, Unit-2B, (Planned Unit Development), Bexar County, Texas, recorded in Book D, Volume 7980, Page 296 et seq., Official Public Records of Real Property of Bexar County, Texas; Declaration of Covenants, Conditions and Restrictions, Summerglenn, Unit-3, (Planned Unit Development), Bexar County, Texas, recorded in Volume 8157, Page 1425 et seq., Official Public Records of Real Property of Bexar County, Texas; Declaration of Covenants, Conditions and Restrictions, Summerglenn, Unit-3A, (Planned Unit Development), Bexar County, Texas, as recorded in Volume 8487, Page 772 et seq., Official Public Records of Real Property of Bexar County, Texas; Declaration of Covenants, Conditions and Restrictions, Summerglenn, Unit-4, (Planned Unit Development, Bexar County, Texas, as recorded in Volume 8621, Page 92 et seq., Official Public Records of Real Property of Bexar County, Texas; Declaration of Covenants, Conditions and Restrictions, Summerglenn, Unit-5, (Planned Unit Development), Bexar County, Texas, as recorded in Volume 8507, Page 1766 et seq., Official Public Records of Real Property of Bexar County, Texas; Second Amendment of Declaration of Covenants, Conditions and Restrictions Summerglenn, Unit 1, and First Amendment of Declaration of Covenant, Conditions and Restrictions Summerglenn, Unit 2-A, 2-B, Unit-3, Unit-3A, Unit-4 and Unit-5 (Planned Unit Development), recorded in Volume 9102, Page 324 et seq., Official Public Records of Real Property of Bexar County, Texas; Declaration of Covenants, Conditions and Restrictions Summerglenn, Unit 5A-1, (Planned Unit Development), Bexar County, Texas, as recorded in Book 10440, Page 403 et seq., Official Public Records of Real Property of Bexar County, Texas; Corrected Third Amendment of Declaration of Covenants, Conditions and Restrictions, Summerlin, Unit 1 and Second Amendment of Declaration of Covenants, Conditions and Restrictions, Summerlin, Unit 2-A and Second Amendment of Declaration of Covenants, Conditions and Restrictions, Summerglenn, Unit 2-B, Unit-3, Unit-3A, Unit-4, Unit-5 (Planned Unit Development), Bexar County, Texas, recorded in Volume 10605, Page 1039, et seq., Official Public Records of Real Property of Bexar County, Texas; First Amendment of Declaration of Covenants, Conditions and Restrictions, Summerglenn, Unit 5A-1 (Planned Unit Development), Bexar County, Texas, as recorded in Book 10605, Page 1045 et seq., Official Public Records of Real Property of Bexar County, Texas (collectively "Summerglenn Subdivision").

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

APR 14 2008



Gerard Rickhoff
COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20080678523 Fees: \$48.00
04/14/2008 10:22AM # Pages 9
Filed & Recorded in the Official Public
Records of BEXAR COUNTY
GERARD RICKHOFF COUNTY CLERK