



Villages of Westcreek

Owners' Association

VILLAGES OF WESTCREEK OWNERS ASSOCIATION

Administrative Resolution No. 45

NOTIFICATION OF COVENANTS VIOLATIONS

WHEREAS, Article VIII, Section 8.14 of the BYLAWS directs the Board of Directors ("BOARD") to exercise for the ASSOCIATION all powers, duties and authority vested in or delegated to this ASSOCIATION and not reserved to the membership by other provisions of these BY-LAWS, the ARTICLES OF INCORPORATION, or the VILLAGES OF WESTCREEK DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("PROJECT DOCUMENTS"); and

WHEREAS, Article XV of the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS establishes remedies for the violation of restrictions; and

WHEREAS, there is a need to establish orderly procedures for the notification of Owners of wrongful performance, non-performance or defective performance; and

WHEREAS, it is the intent of the BOARD to establish orderly steps to notify Owners and to request a cure the wrongful performance, defective performance or failure of performance, to allow for due process,

NOW THEREFORE, BE IT RESOLVED THAT the procedures for notification be as follows:

Except where damage or injury to persons or property is imminent as a result of the performance, or by a failure to perform, or the defective performance of any obligation imposed or restricted under the DECLARATION, the resident will be given a notice stating the condition observed and to be corrected, the COVENANTS, CONDITIONS AND RESTRICTIONS violated, and a request for cure of the violation. Cure to be sought in accordance with Chapter 209 Texas Residential Property Owners Protection Act.

Listed below is a timeline for notifications if the violation has not cured. Notifications will be in the form of a first and second Courtesy Notice (except when immediate resolution is required as identified in the table below) and if the violation has not cured a Pre-Texas Property Code Letter is mailed to the Owner.

If the condition has not been cured, the name and address of the owner(s) will be turned over to the BOARD for determination of further action and may be turned over to the legal counsel for the ASSOCIATION who will take the actions specified in Article XV of the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS and/or as decided by the BOARD.

IN WITNESS HEREOF, THE UNDERSIGNED HAVE EXECUTED THIS CONSENT AS OF

John B. Steele, President

Kevin Drummonds, Secretary

COURTESY NOTICE (CN) DISCREPANCIES & TIME LIMITS	
Discrepancies	Time Limits Per CN
Maintenance/Repair: House damage/painting, Roof repair, Major fence, etc.	30 days, 15 days--TPC
Ground cover required.	30 days, 15 days--TPC
Improvements/changes made without ARC approval - Attach a blue PIA to CN.	10 days, 5 days--TPC
New improvements/changes approved by the ARC and: ready for inspection; <u>not completed</u> within 90 days - Attach a white PIA to CN for an extension.	10 days, 5 days--TPC
Removal of metal storage sheds, gazebos, pergolas & children's swing sets.	10 days, 5 days--TPC
General Maintenance: Stain removal, fence, trimming trees/plants, inoperable vehicles, etc.	10 days, 5 days--TPC
Property Maintenance: General lawn care (Mow, edge, trim, leaves, weeds)	10 days, 5 days--TPC
Storage containers in driveways such as Pack-Rat or Pod are allowed for 5 days without ARC approval. (After 5 days - Attach a white PIA to the CN for an extension)	10 days, 5 days--TPC
Commercial vehicles exceeding 1 ton.	1 day, 1 day--TPC
RV's such as motor homes, buses, travel trailers, campers, jet ski, boats, boat trailers. (After 48 hours before, and after, each trip)	1 day, 1 day--TPC
Canopies for special events such as birthdays, anniversaries, etc. (After 3 allowed days)	1 day, 1 day--TPC
Outside decorations out more than 30 days before or more than 15 days after the holiday for which they were displayed.	1 day, 1 day--TPC
Remove/Store Items: Gardening items, children's bikes/toys, non approved furniture.	1 day, 1 day--TPC
Constant trash/recycle containers or basketball pole violations.	1 day--3 w/in 30 days, TPC
Garage Sale without VWOA Permit--must apply.	Immediately--TPC
Estate Sale without VWOA Permit--must apply.	Immediately--TPC
<p>Extensions must be approved by the Standards Superintendent. For situations and time limits not shown above, request guidance from the Standards Superintendent before contacting the resident.</p> <p>Use good judgment and common sense also.</p>	

Revised: April 18, 2013