

**COPPERFIELD HOMEOWNERS ASSOCIATION
DEED RESTRICTIONS ENFORCEMENT
AND FINE POLICY**

WHEREAS, the property encumbered by this Deed Restriction enforcement and Fine Policy (the "Policy") is that property restricted by the Declaration of Covenants, Conditions, and Restrictions of COPPERFIELD HOMEOWNERS ASSOCIATION ("Copperfield"), originally recorded in Volume 552, page 406, Official Records, Brazos County, Texas, as same may be amended from time to time and which is subject to the authority of Copperfield Homeowners Association, Inc. (the "Association"); and

WHEREAS, the Association is charged with administering and enforcing those certain covenants, conditions, and restrictions contained in the Deed Restriction; and

WHEREAS, pursuant to the Dedicatory instruments (as that term is defined in the Texas Property Code) governing Copperfield, the Association, acting through its Board of Directors, is vested with the authority to enforce the covenants and make whatever rules or bylaws it may choose to govern the organization; provided, however, that the same are not in conflict with the terms and provisions here of; and

WHEREAS, in order to comply with the requirements of chapter 209 of the Texas Residential Property Owners Act (as amended from time to time, The "Act"), the Board of Directors of the Association (the "Board") desires to adopt the following rules and regulations for enforcing said rights, easements, restrictions reservations, and covenants including our intention to establish fines, and enforcing other remedies for violations: and

WHEREAS, pursuant to the Declaration and Bylaws, the Board of Directors (the "Board") of the Association hereby adopts this Policy in an effort to provide homeowners with a better understanding of the process of deed restriction enforcement and allow for steps leading up to any proceeding at law; and

WHEREAS, reference is hereby made to the Declaration or Bylaws for all purposes, and any and all capitalized terms used herein shall have the meanings set forth in the Declaration or Bylaws, unless otherwise specified in this Policy; and

WHEREAS, in the event of a conflict between the terms of this Policy and any previously adopted regulations and/or policies addressing the enforcement of deed restrictions and fines as set forth herein, this Policy shall control.

NOW, THEREFORE, IT IS RESOLVED, that the following Policy is hereby adopted by the Board:

ARTICLE I: DEED RESTRICTION ENFORCEMENT AND OWNERS RIGHT TO REQUEST A HEARING

Owners will be given a reasonable time to cure violations, regardless of the number of violations, unless the violation is of such a nature to pose a threat to the health or safety of the members of the Association. The time period given may vary in relation to the difficulty, planning and expense associated with rectifying the violation which shall be determined in the sole discretion of the board. Specifically, violations related to Recreational Vehicles, Trailers, Boats, Campers, Motor Homes, Travel Travelers, Campers, Motor Vehicles, Inoperable Vehicles, and Signs will be given a minimum of 72 hours to cure; Unauthorized animals, livestock or poultry violations will be given a minimum of 14 days to cure; Landscaping, Maintenance, Storage and Fencing violations will be given a minimum of 7 days to cure. Other violations of the dedicatory instruments will be given a minimum of 7 days to cure, provided that they are not of such a nature to pose a threat to the health or safety of the members of the Association. Additionally, the board may, in its own discretion, take into consideration the specific circumstances and the overall effect of the violation on the community when determining the time period to cure such violation, but in no event shall the Association be responsible or required to consider such factors. If an Owner is unable to correct the violation within the time specified, a written request for an extension must be submitted to the Board, which the Board may approve in their sole discretion.

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COURTESY LETTER:

Upon verification of a violation, a Courtesy Letter may be sent to the Owner stating that a violation of the dedicatory instruments have been observed, a description of the deed restriction violation and requesting that the Owner cure the violation within a stated time period. 1, 2, or 3 courtesy letters may be sent prior to sending a demand letter. Courtesy letters may be sent via USPS 1st class Regular mail and/or email, if the Association's records reflect a current email address for the member in violation.

DEMAND LETTER:

Either upon initial verification of a violation that is of such a nature to pose a threat to the health or safety of the members of the Association, or after the expiration of the time period stated in the Courtesy Letter(s), a Demand Letter may be sent to the Owner. This letter will be sent postage prepaid, via USPS 1st class Regular mail and certified mail, return receipt requested. Depending on the severity of the violation and/or the history of previous violations on the Owner's property, this may be the first letter sent (rather than a Courtesy Letter) as determined in the sole discretion of the Board. The Demand Letter will state:

Violation: A description of the deed restriction violation(s), the action required to correct the violation(s), the proposed suspension action, proposed charge or fine and any amount due the Association;

Right to Request Hearing: Owner may request a hearing before the Board or designated committee, such request to be made in writing on or before the 30th day after the date the Owner receives the notice, and if the hearing is held before a designated committee, there will be a right to appeal the decision of that committee to the Board upon written notice to the Board;

Timing and Notice of Hearing: If requested, a hearing shall be held not later than the 30th day after the date the Board receives the Owner's written request for a hearing. Notification of the date, time and place of the hearing will be sent not later than the 10th day before the hearing. If a postponement of the hearing is requested by either the Board or the Owner, it must be granted for a period of not more than 10 days, any additional postponements may be granted by agreement of the parties;

Hearing not Requested--Timeframe to Cure Violation: If Owner chooses not to request a hearing, the violation must be cured within the timeframe set forth in the Demand Letter. Fines, suspension of right to use common areas, and other remedies available to the Association may be implemented after the expiration of the 30-day timeframe provided to the Owner to request a hearing;

Active Military Duty: owner may have special rights or relief related to the enforcement action under federal law, including the Service members Civil Relief Act (50 U.S.C.app.Section 501 et seq.), If the Owner is serving on active military duty;

Association Remedies: Owner shall be liable for, and the Association may collect reimbursement of reasonable attorney's fees and other reasonable costs incurred by the Association after the conclusion of a hearing, or, should a hearing not be requested, after the date **by** which the Owner must request a hearing. Said attorney's fees and costs shall be charged to the Owners Assessment account. Additionally, rights to access common areas may be suspended. In addition to charging fines, the Association reserves its right under any Dedicatory instrument and under Texas law, to file a lawsuit for damages and injunctive relief, and pursuant to Section 202.004 (c) of the Texas Property Code, a court in such a lawsuit may assess civil penalties of up to \$200.00 per day for each violation of a restrictive covenant; and

Certificate of Non-Compliance: A Certificate of Non-Compliance may be recorded in the real property records should the violation not be cured within the specified time frame.

SUBSEQUENT SIMILAR VIOLATIONS AND ENFORCEMENT THROUGH PROCEEDING AT LAW OR IN EQUITY:

If an owner has a violation within 12 months after being sent a Demand Letter for a previous, similar

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violation, the Board may take enforcement measures by implementing fines or suspension of Common Areas for the subsequent violation without sending another Demand Letter to Owner. If a violation occurs again after the 3rd fine or suspension of Common Areas, the Association will turn the owner in violation over to the Association's legal counsel for further enforcement action at law or in equity, including but not limited to seeking \$200 per day per violation as authorized in Texas Property Code Section 202.004.

CASE-BY-CASE BASIS:

Nothing contained herein, unless otherwise required by the Declaration, shall require the Board to take any of the specific actions contained herein. The Board shall have the right, but not the obligation, to evaluate each deed restriction violation on a case-by-case basis as it, in its best judgment, deems reasonable.

ARTICLE II: GENERAL CATEGORIES OF RESTRICTIVE COVENANTS AND FINE SCHEDULE

Description of Violation of Restrictive Covenants	1 st Fine	2 nd Fine	3 rd Fine & Continuing
Damage to HOA property, including but not limited to common areas, fences, irrigation, and structures	\$100	\$150	\$200
Yard & Landscaping Maintenance including Maintenance of Property, Easements, Drainage Detention Areas, Areas Designated for Courtyard	\$25	\$50	\$75
Recreational Vehicles, Trailers, Boats, Campers, Motor Homes, Travel Travelers, Campers, Motor Vehicles on any part of lot	\$25	\$50	\$75
Signs	\$25	\$50	\$75
Inoperable vehicle(s) parked on street or Homeowners Property	\$25	\$50	\$75
Fence Violation, including but not limited to improper or defective fencing materials, improper fence placement, damaged or missing fence	\$25	\$50	\$75
Unauthorized Animals, livestock, or poultry	\$25	\$50	\$75
Unapproved Architectural Change or Improvement to Property (all); Antennae*, Rentals, Buildings, Garage and Carports	\$25	\$50	\$75
Open Storage and Storage of materials	\$25	\$50	\$75
Nuisances	\$25	\$50	\$75

** As directed by Congress in Section 207 of the Telecommunications Act of 1996, the Federal Communications Commission adopted the Over-the-Air Reception Devices ("OTARD") rule concerning governmental and nongovernmental restrictions on viewers' ability to receive video programming signals from direct broadcast satellites ("DBS"), broadband radio service providers (formerly multichannel multipoint distribution service or MMDS), and television broadcast stations ("TVBS"). The rule prohibits restrictions that impair the installation, maintenance or use of antennas used to receive video programming and certain antennas used to receive or transmit fixed wireless signals. The rule applies to certain antennas, including direct-to-home satellite dishes that are less than one meter (39.37") in diameter (or of any size in Alaska), TV antennas, wireless cable, and certain fixed wireless antennas. The rule prohibits most restrictions that: (1) unreasonably delay or prevent installation, maintenance or use; (2) unreasonably increase the cost of installation, maintenance or use; or (3) preclude reception of an acceptable quality signal. The Association may still require approval of the satellite appearance, size, and location, and may request modifications to the appearance, size, and/or location of the satellite or antenna, provided that it does not impair the installation, maintenance, or use of such.*

Fines are assessed only after a demand letter is sent, if required. Please note that the following guidelines and fines shall be applied to all Homeowners equally and without bias. All costs associated with enforcing violations will be billed to the Homeowner allowed by the Dedicatory Instruments.

For violations of the Dedicatory instruments affecting the use and enjoyment of owners, the Board may set the amount of the fine as it reasonably relates to the violation of the Dedicatory instruments and the number of owners affected by the violation.

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Each day that such violation continues may be considered to be a new violation.

Fines against an Owner will be assessed against the Owner's lot. The Owner will be responsible for the actions of all residents, guests and invitees of the Owner and any fines against such residents, guests and invitees will also be assessed against the Owner's Lot.

CERTIFICATION

I hereby certify that the foregoing Deed Restriction Enforcement and Fine Policy was approved on the 12th day of August, 2024, at a meeting of the Board of Directors at which a quorum was present. DATED this 19 day of August, 2024.

Copperfield Homeowners Association, Inc.
By: [Signature]
Monica Palasota, HOA President
Printed Name, Title

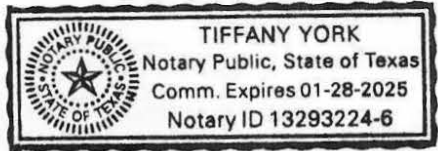
STATE OF TEXAS §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 19th day of August, 2024, by Monica Palasota
HOA President of Copperfield Homeowners Association, Inc, a Texas corporation, on behalf of said corporation and in the capacity herein stated.

[Signature]

Notary Public, State of Texas

AFTER RECORDING RETURN TO:
Copperfield Homeowners Association, Inc.
1701 Southwest Pkwy Ste 209
College Station, TX 77840





VG-267-2024-1537107

Brazos County
Karen McQueen
County Clerk

Instrument Number: 1537107

Volume : 19394

Real Property Recordings

Recorded On: August 22, 2024 03:22 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$37.00

******* 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: 1537107
Receipt Number: 20240822000083
Recorded Date/Time: August 22, 2024 03:22 PM
User: Mary C
Station: CCLERK10

Record and Return To:

COPPERFIELD HOMEOWNERS ASSOCIATION, INC
1701 SOUTHWEST PKWY STE 209

COLLEGE STATION TX 77840



STATE OF TEXAS
COUNTY OF BRAZOS

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 Public Records of Brazos County, Texas.

Karen McQueen
County Clerk
Brazos County, TX