NOTICE OF DEDICATORY INSTRUMENTS
for
CARLSON PARK RESIDENTIAL COMMUNITY, INC.

THE STATE OF TEXAS §
§
COUNTY OF BEXAR §

The undersigned, being the authorized representative of Carlson Park Residential Community, Inc. ("Association"), a property owners' association as defined in Section 202.001 of the Texas Property Code hereby certifies as follows:

1. Property: The Property to which the Notice applies is described as follows:

    a. Carlson Park, Phase I, a recorded subdivision in Bexar County, Texas, according to the map or plat thereof, recorded in Clerk's File No. 20000146092 of the Official Public Records of Real Property of Bexar County, Texas, and all amendments and annexations thereto or replats thereof, if any.

    b. Carlson Park, Phase II, a recorded subdivision in Bexar County, Texas, according to the map or plat thereof, recorded in Clerk's File No. 20190222083 of the Official Public Records of Real Property of Bexar County, Texas, and all amendments and annexations thereto or replats thereof, if any.

    c. Carlson Park, Phase III, a recorded subdivision in Bexar County, Texas, according to the map or plat thereof, recorded in Clerk's File No. 20110152558 of the Official Public Records of Real Property of Bexar County, Texas, and all amendments and annexations thereto or replats thereof, if any.

2. Restrictive Covenants: The description of the documents imposing restrictive covenants on the Property, the amendments to such documents, and the recording information for such documents are as follows. This recitation may not include further restrictive covenant documents, amendments and supplements governing the Property:

    a. Documents:

        (1) Declaration of Covenants, Conditions and Restrictions Carlson Park.

    b. Recording Information:

        (1) Bexar County Clerk's File No. 20200084754.

3. Other Dedicatory Instruments: In addition to the Restrictive Covenants identified in Paragraph 2 above, the following documents are Dedicatory Instruments governing the Association which were previously recorded in the Official Public Records of Real Property of Bexar County, Texas:

   a. Document:

      (1) Carlson Park Community Manual.

      (2) Carlson Park Modification Design Guidelines.

      (3) Carlson Park Adoption of Working Capital Assessment.

      (4) Carlson Park Residential Community, Inc. Records Production Policy.

   b. Recording Information:

      (1) Bexar County Clerk's File No. 20200086183.

      (2) Bexar County Clerk's File No. 20200086186.

      (3) Bexar County Clerk's File No. 20200086182.

      (4) Bexar County Clerk's File No. 2011158278.

3. Dedicatory Instruments: In addition to the Restrictive Covenants identified in Paragraphs 2 and 3 above, the following document is a Dedicatory Instrument governing the Association:

   - **Parking and Towing Policy for Carlson Park Residential Community, Inc.**

   A true and correct copy of such Dedicatory Instrument is attached to this Notice.

This Notice is being recorded in the Official Public Records of Real Property of Bexar County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Notice is true and correct and that the copy of the Dedicatory Instrument attached to this Notice is a true and correct copy of the original.

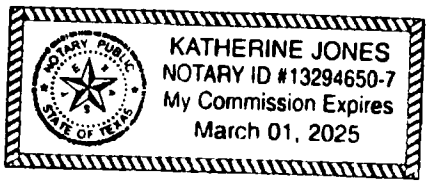
Executed on this 6th day of April, 2023.

CARLSON PARK RESIDENTIAL COMMUNITY, INC.

By: _____
Clint Brown, authorized representative

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

BEFORE ME, the undersigned notary public, on this 6th day of April, 2023, personally appeared Clint Brown, authorized representative of Carlson Park Residential Community, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.



Notary Public in and for the State of Texas

PARKING AND TOWING POLICY
for
CARLSON PARK RESIDENTIAL COMMUNITY, INC.

STATE OF TEXAS §
§
COUNTY OF BEXAR §

I, Todd Betz, President of Carlson Park Residential Community, Inc. (the "**Association**"), do hereby certify that at a meeting of the Board of Directors of the Association (the "**Board**") duly called and held on the 27 day of March, 2023, with at least a quorum of the Board being present and remaining throughout, and being duly authorized to transact business, the following "Parking and Towing Policy" was duly approved by at least a majority vote of the members of the Board present at the meeting:

RECITALS:

1. The property encumbered by this Parking and Towing Policy ("**Policy**") is that property restricted by the Declaration of Covenants, Conditions and Restrictions for Carlson Park, recorded in the Official Public Records of Bexar County, Texas under Clerk's File No. 20200084754, as same has been or may be amended from time to time ("**Declaration**"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Association.

2. Pursuant to the dedicatory instruments governing the Association, the Board hereby adopts this Policy for the purposes of enhancing traffic flow and establishing uniform rules for the parking of vehicles on the streets located within the Property, and for the towing of vehicles in violation of the dedicatory instruments of the Property.

3. All capitalized terms in this Policy shall have the same meanings as prescribed to them in the Declaration unless otherwise specified in this Policy.

4. The Association reserves the right to exercise all other powers and remedies provided by the Association's governing documents or the laws of the state of Texas.

5. This Policy may be amended or terminated from time to time at the discretion of the Board.

6. The Association does hereby adopt this Policy, which shall run with the land and be binding on all Owners within the Property. This Policy is effective upon recordation in the Official Public Records of Real Property of Bexar County, Texas. This Policy replaces and supersedes all prior policies relating to parking and towing in their entirety.

I. PARKING

1.1 General Parking Rules. Parking in the Property and prohibited vehicles are addressed in Article 2 and 5 of the Declaration. Further, the Declaration and the Bylaws expressly grant the Board the authority to promulgate rules relating to parking in the Property and the authority to levy fines. In accordance with the Declaration, and in addition to any rules contained

in the dedicatory instruments governing the Association, the following rules ("**Parking Rules**") apply to all vehicles parked in the Property.

(a) "Parked" as used in this Policy shall be defined as a vehicle left unattended by a licensed operator for more than thirty (30) consecutive minutes.

(b) Owners must provide a copy of the Declaration, Bylaws, and this Policy to their tenants.

(c) Owners, residents, and tenants within the Property (each being referred to herein as a "**Resident**") shall park their automobile, ¾ ton or less pickup truck, motor scooter, or motorcycle (each being referred to herein as a "**Vehicle**") in the driveway, an enclosed structure (e.g., a garage), or a screened area which prevents the view from adjacent lots and streets on the Resident's Lot.

(d) Residents are responsible for ensuring their visitors, family members, invitees, licensees, lessees, renters, occupants and/or guests comply with this Policy.

(e) All vehicle operators are expected to comply with all posted signs throughout the community and applicable state laws.

(f) No Vehicle may be parked on grass or on top of a curb at any time.

(g) All Vehicles must park in the direction of the traffic flow. Texas law requires that the right-hand side of the wheels be parallel to and within 18 inches of the curb or edge of the roadway. TEX. TRANSP. CODE ANN. § 545.303(a).

(h) No Vehicle shall be parked in a manner that obstructs access to or impairs ingress to or egress from a driveway unless the blocking vehicle is owned by the Resident whose driveway is blocked or is a guest of the Resident whose driveway is blocked.

(i) No Vehicle shall be parked in a manner that obstructs or impairs access to a mailbox or the delivery of mail by the U.S. Postal Service.

(j) No Vehicle may be parked in a driveway if any portion of the vehicle extends into the street or creates an obstruction.

(k) No Vehicle may be parked in a driveway such that the vehicle is parallel to the garage door.

(l) Except as permitted herein, no automobile, machinery, boat, manned craft, boat or motorcycle trailer, hovercraft, aircraft, recreational vehicle, pick-up camper, trailer, travel trailer, motor home, camper body, van designed to carry more than ten (10) passengers, commercial vehicle bearing commercial insignia, any truck larger than a three-fourths (3/4) ton pick-up, or similar vehicle or equipment shall be kept, parked, stored, or

maintained on the Private Streets or Common Areas within the Property at any time, unless as otherwise approved by the Board and/or this Policy.

(m) The "No Overnight on Street Parking" rule noted in Section 1.1(l) in this Policy will be suspended during the week of Thanksgiving, two weeks during the Christmas/New Year holiday, the birthday of Martin Luther King, Jr., the weekend of Memorial Day, Juneteenth, the week of Independence Day, the weekend of Labor Day, Columbus Day, and Veterans Day. Residents and guests must first park in the Resident's garage or driveway if space is available.

(n) Except as permitted herein, no machinery, boat, manned craft, boat or motorcycle trailer, hovercraft, aircraft, recreational vehicle, pick-up camper, travel trailer, motor home, camper body, van designed to carry more than ten (10) passengers, commercial vehicle bearing commercial insignia, self-propelled or towable vehicle, any truck larger than a three-fourths (3/4) ton pick-up, or similar vehicle or equipment shall be kept, parked, stored, or maintained on any Lot unless they are in an enclosed garage or enclosed structure, or as otherwise approved by the Board and/or this Policy.

(o) No Vehicle that transports dangerous, flammable, hazardous, corrosive, or explosive cargo may pass through or be kept in the Property at any time.

(p) No Vehicle leaking excessive fluids may be parked on the Private Streets or in any Common Area at any time.

(q) No storage or shipping containers, or other equipment and machinery shall be kept or stored on any Lot, or on the street adjoining any Lot or Common Area without the express, written consent of the Board.

(r) No Parking areas are ingress and egress paths for police, fire, and emergency vehicles. Any vehicle parked in a No Parking area will be towed in accordance with Section II of this Policy.

(s) Unless otherwise approved by the Board, no vehicle may be parked or left unattended overnight between the hours of 12:00 AM and 6:00 AM on any road or Private Street unless in the event of an emergency. "Emergency" for purposes of the foregoing sentence shall mean an event which jeopardizes life or property, with 4-way flashers activated on the vehicle.

(t) No vehicle may become a nuisance to the community, as determined by the Board.

1.2 **Specific Parking Prohibitions.** In addition to the parking limitations set forth above, a Vehicle shall not be parked anywhere in the Property if such Vehicle:

(a) is parked in a designated tow-away zone;

(b) is parked in a designated fire lane or next to any curb areas marked with red paint;

(c) is parked on grass or any other landscaped area;

(d) is in a parking space that is designated for the exclusive use of a vehicle transporting a disabled person and does not display the special license plates issued under Section 504.201, Transportation Code, or the disabled parking placard issued under Chapter 681, Transportation Code, for a vehicle transporting a disabled person;

(e) is parked in a manner that obstructs the free flow of traffic on any Private Street or Common Area parking;

(f) is parked in a manner that obstructs access to or impairs ingress to or egress from Common Area parking;

(g) is parked in any area designated by the Board as a "no parking area";

(h) has been abandoned, as determined by the Board in its sole and absolute discretion;

(i) is wrecked, inoperable, disabled, partially disassembled, or otherwise unable to be legally operated on public streets;

(j) has one or more flat tires;

(k) that displays a sign or notation that the Vehicle is for sale;

(l) is parked within one hundred (100) feet of the community entrance;

(m) is parked within ten feet (10') of a fire hydrant;

(n) is parked within ten feet (10') of a stop sign;

(o) is parked in any area that may hinder or interfere with operation of emergency response vehicles (including, but not limited to, firetrucks, ambulances, and police vehicles);

(p) is parked in a manner that obstructs access to a sidewalk;

(q) does not have a valid license plate; or

(r) does not have a valid registration sticker.

1.3 **Guest Parking.** Guests must first park in the garage or driveway of the Owner if space is available. Otherwise, Guests must park in guest parking areas designated by the Association. Guest/visitor vehicle tags are required to be hung from the rear view mirror, visible

from the windshield, when parked in the guest/visitor common spaces. Vehicles will be towed if a hanging vehicle tag is not present on the vehicle. Owners may only purchase one (1) guest/visitor hanging tag from Diamond Association Management & Consulting (DAMC) for $15.00 (for administrative costs). If the original hanging tag is lost, Owners may purchase one (1) replacement guest/visitor hanging tag from Diamond Association Management & Consulting (DAMC) for $20.00 (for administrative costs). Please allow for seven (7) business days to request/receive the pass by mail or visit the DAMC office during business hours to purchase directly. Guest/visitors parking spaces are for the benefit of all residents in the community and should not be utilized for extended periods of time. Parking spaces are first come, first serve. Guests must comply with all other portions of this Policy.

1.4 Delivery and Service Vehicles. "Service Guests" as used in this Policy shall be defined as invitees of a Resident who are visiting the Resident's Lot to provide a service and are in vehicles that are clearly identified with their business name visible. Subject to the parking prohibitions set forth in Sections 1.1 and 1.2, Service Guests may park their vehicles on the streets within the Property directly in front of the residence being serviced during daylight hours of 7:00 am to 7:00 pm for such period of time as is reasonably necessary to provide service or make a delivery to a Lot or Common Area. Service Guests shall not park on the streets for a period more than eight (8) hours. The service or delivery vehicle should be parked facing the direction of traffic flow for the side of the street on which the service or delivery vehicle is parked.

1.5 Fines. A fine may be levied by the Association for any violation of this Policy. Upon a violation by an Owner, resident, guest, invitee, or contractor of an Owner, the Association shall send written notice to the Owner. The notice shall be sent by certified mail, return receipt requested, and shall:

(a) describe the violation that is the basis for the fine; and

(b) inform the Owner that the Owner:

(1) is entitled to a reasonable period to cure the violation, if applicable, and avoid the fine unless the Owner was given notice and a reasonable opportunity to cure a similar violation within the preceding six (6) months;

(2) may request a hearing on or before the thirtieth (30th) day after the date the Owner receives the notice; and

(3) may have special rights or relief related to the enforcement actions under federal law, including the Servicemembers Civic Relief Act (50 U.S.C. app. Section 501 et. seq.) if the Owner is serving on active military duty.

Fines shall be levied in accordance with the Association's Fine and Enforcement Policy.

II. TOWING

In the event of a violation of the above-referenced Parking Rules or any provision within this Policy, the Association hereby has the authority, but not the obligation, to tow vehicles in accordance with the following requirements.

2.1 The Texas Occupations Code, or successor statute, ("**Code**") provides specific guidelines that the Association must follow to tow vehicles parked within the streets and/or

parking areas in violation of the above-referenced Parking Rules. Pursuant to Sections 2308.252(a)(4) & 2308.251 of the Code, the Association may, without the consent of the owner or operator of an unauthorized vehicle, cause the vehicle and any property on or in the vehicle to be removed and stored at a vehicle storage facility at the vehicle owner's or operator's expense if the vehicle is parked in the Association's Common Areas/private property and:

(a) is inoperable;

(b) is in or obstructs a vehicular traffic aisle, entry, or exit;

(c) prevents a vehicle from exiting a parking space;

(d) is in or obstructs a fire lane marked according to Subsection (c) of the Code; or

(e) is parked overnight (i.e., from 12:00AM to 6:00 AM, Central Standard Time) without permission from the Board;

(f) is leaking a fluid that presents a hazard or threat to persons or property;

(g) does not display the special license plates issued under Section 504.201, Transportation Code, or the disabled parking placard issued under Chapter 681, Transportation Code, for a vehicle transporting a disabled person and is in a parking space that is designated for the exclusive use of a vehicle transporting a disabled person.

2.2 Other than under the above-referenced circumstances, before the Association may tow an unauthorized vehicle at the expense of the owner or operator of the vehicle, Section 2308.252(a)(1) of the Code requires that a sign or signs prohibiting unauthorized vehicles be in place for at least the preceding twenty-four (24) consecutive hours and remain in place at the time of the towing. The specific requirements for the necessary signage may be found at Section 2308.301-305 of the Code.

2.3 If the Association does not choose to place the aforementioned towing signs, pursuant to Section 2308.252(a)(2) it may tow the vehicle if the owner or operator of the vehicle has received ***actual*** notice from the parking facility owner that the vehicle will be towed at the vehicle owner's or operator's expense if it is in or not removed from an unauthorized space.

2.4 In addition, if the Association is unable to effect actual notice to the violating owner or operator, it may use the notice procedure under Section 2308.252(a)(3) of the Code, as follows:

(a) A parking facility owner is considered to have given notice under Section 2308.252(a)(3) of the Code if:

(1) a conspicuous notice has been attached to the vehicle's front windshield or, if the vehicle has no front windshield, to a conspicuous part of the vehicle stating:

(A) that the vehicle is in a parking space in which the vehicle is not authorized to be parked;

(B) a description of all other unauthorized areas in the parking facility;
(C) that the vehicle will be towed at the expense of the owner or operator of the vehicle if it remains in an unauthorized area of the parking facility; and
(D) a telephone number that is answered 24 hours a day to enable the owner or operator of the vehicle to locate the vehicle; and

(2) a notice is mailed after the notice is attached to the vehicle as provided by Subsection (1), above, to the owner of the vehicle by certified mail, return receipt requested, to the last address shown for the owner according to the vehicle registration records of the Texas Department of Transportation, or if the vehicle is registered in another state, the appropriate agency of that state.

(b) The notice under Section 2.4(a), above, must:

(1) state that the vehicle is in a space in which the vehicle is not authorized to park;
(2) describe all other unauthorized areas in the parking facility;
(3) contain a warning that the unauthorized vehicle will be towed at the expense of the owner or operator of the vehicle if it is not removed from the parking facility before the 15th day after the postmark date of the notice; and
(4) state a telephone number that is answered 24 hours a day to enable the owner or operator to locate the vehicle.

(c) The mailing of a notice under Section 2.4(a)(2) is not required if after the notice is attached under Section 2.4(a)(1) the owner or operator of the vehicle leaves the vehicle in another location where parking is unauthorized for the vehicle according to the notice.

2.5 Any vehicle that is parked in the public streets and is in violation of this Policy will be referred to the appropriate governmental entity (including, but not limited to, Bexar County Sheriff's Department and/or San Antonio Police Department) for enforcement and/or removal.

2.6 The Association may contract with a private towing company to post proper signs and tow vehicles pursuant to this Policy, and in accordance with the requirements of Texas Occupations Code Chapter 2308, as may be amended.

III. MISCELLANEOUS

3.1 Violations of this Policy will be considered a violation of the dedicatory instruments governing the Property, but may be enforced only by the Association, acting through the Board. The Board may enforce this Policy in accordance with the remedies contained herein; however, these remedies shall not be exclusive. The Association shall also have all other remedies available at law or in equity.

3.2 Any violation of this Policy shall be determined at the sole discretion of the Board, or as such authority may be properly delegated.

3.3 When a violation is determined to exist and where the Board deems it to be in the best interests of the Association to refer the violation to legal counsel for appropriate action, the Board may do so at any time. Such legal action may include, without limitation, sending demand letters to the violating owner, filing suit, and/or seeking injunctive relief or any other remedy available at law or in equity against the owner to correct or otherwise abate the violation. Attorneys' fees and all costs incurred by the Association in enforcing the Declaration and governing documents and administering this Policy will become the personal obligation of the Owner.

3.4 Failure to enforce any violation of this Policy by the Board shall not constitute waiver of the right to enforce any future violations.

3.5 This Policy is not intended to limit or supersede the Declaration, the Bylaws, the governing documents and/or any of their exhibits. In the event there is a conflict, the Declaration and the Bylaws shall prevail.

3.6 The Board shall have the right to make such other reasonable rules from time to time. Notice of any additional rules and regulations related to parking and towing will be given to Residents in writing.

[*Signature page follows.*]

CERTIFICATION

I hereby certify that I am the duly elected, qualified and acting President of the Association and that the foregoing Parking and Towing Policy was approved by not less than a majority vote of the Board as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Bexar County, Texas.

TO CERTIFY which witness my hand this the 30 day of March, 2023.

CARLSON PARK RESIDENTIAL COMMUNITY, INC.

By: _____

Printed: Todd A Betz

Its: President

STATE OF TEXAS §
§
COUNTY OF BEXAR §

BEFORE ME, the undersigned notary public, on this 30 day of March, 2023 personally appeared Todd Betz, the President of Carlson Park Residential Community, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

NOTARY PUBLIC
Yvonne Lopez
Exp. 07/15/2025
ID No. 7089429
STATE OF TEXAS

_____
Notary Public in and for the State of Texas

File Information

eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
LUCY ADAME-CLARK, BEXAR COUNTY CLERK

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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 eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 4/6/2023 11:12 AM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk