

## **GUEST POLICY FOR SUBDIVISION AMENITIES REGENCY POINT TOWNHOME ASSOCIATION, INC.**

This Resolution of the Board of Directors of **Regency Point Townhome Association, Inc.**, a Texas non-profit corporation, (the "Association") is hereby adopted on this the 11 day of June, 2012, for the below-referenced purposes:

### **WITNESSETH:**

**WHEREAS**, the Association is the property owners' association for Regency Point Subdivision (the "Subdivision"); and

**WHEREAS**, the Subdivision is subject to certain dedications, covenants and restrictions (the "Restrictions") set out in instruments recorded in the Official Public Records of Real Property of Montgomery County, Texas as follows:

*Amendment to the Declaration of Covenants, Conditions and Restrictions of Regency Point; Clerk's File No. 9053084, Film Code No. 692-01-2044, et seq.;*

*Second Amendment to the Declaration of Covenants, Conditions and Restrictions of Regency Point; Clerk's File No. 9222976, Film Code No. 791-01-2113, et seq.;* and

**WHEREAS**, pursuant to Chapter 204.010 of the TEXAS PROPERTY CODE, the Association is authorized, through its Board of Directors, to regulate the use and appearance of the Subdivision and to grant easements, leases, licenses and concessions through and over common area, and to exercise other powers necessary and proper for the governance and operation of the property owners association; and

**WHEREAS**, the Association desires, pursuant to the authority set out in the Restrictions and Chapter 204.010 of the TEXAS PROPERTY CODE, to promulgate, establish, and set rules and regulations governing guests' uses of Subdivision amenities, including, but not limited to, the Subdivision swimming pool, tennis courts, and fishing piers, docks and other fishing locations within the Subdivision (the "Subdivision Amenities"); and

**WHEREAS**, the Board of Directors of the Association recognizes that owners of property within the Subdivision and members of the Association have, from time to time, invited guests and other invitees whom they may desire to have full use of the Subdivision Amenities; and

**WHEREAS**, by these rules and regulations, the Board of Directors of the Association is attempting to set out a set of uniform set of rules and policies, which will balance the interest of owners and members of the Association to allow their invited guests to utilize the Subdivision Amenities while not infringing upon other owners' and members' rights to use and enjoy the Subdivision Amenities, as intended;

**NOW, THEREFORE**, for purposes of promulgating, establishing and adopting, and setting out rules and regulations governing the use of the Subdivision Amenities, be it

**RESOLVED** by the Board of Directors of the Regency Point Townhome Association, Inc., as follows:

**1. DEFINITIONS:**

- A. ***Common Area*** shall be defined as set out in the Restrictions, and shall mean that portion of the properties owned by the Association for the common use and enjoyment of the members of the Association, and shall include, but is limited to, all trees, landscaping, sprinkler systems, streets, pavements, pipe, wires, conduit and other public utility lines situated thereon;
- B. ***Subdivision Amenities*** shall mean and refer to the Subdivision swimming pool, the recreational tennis courts, and all fishing docks, piers and other common areas of the Subdivision, located within the Subdivision.
- C. ***Members*** shall mean and refer to a member of the Association;
- D. ***Owner*** shall refer to the record owner, whether one or more persons or entities, of the fee simple title to any lot which is part of the Subdivision; and
- E. ***Resident Guest*** shall mean and refer to a guest, or other invitee of an Owner or Member who is residing with the Owner and/or Member, at the Owner's or Member's townhome unit, on a permanent or temporary basis; and
- F. ***Casual Guest*** shall mean and refer to a guest or an invitee who is not permanently or temporarily residing with an Owner and/or Member, and who has a permanent residence elsewhere.

**2. PERMITTED USE:**

Members of the Association, and their Resident Guests, may utilize, subject to Association rules and regulations, all of the Subdivision Amenities and Common Areas located within the Subdivision. A Resident Guest shall be permitted to use the Subdivision Amenities and Common Areas even if the Member of the Association is not accompanying the Resident Guest.

**3. USE OF AMENITIES PROHIBITED:**

Casual Guests or other non-resident invitees of a Member shall not be permitted to use the Subdivision Amenities and/or Common Areas of the Subdivision, unless said Casual Guest or other non-resident invitee is accompanied by a Member of the Association when utilizing the Subdivision Amenities or Common Areas. If it is determined that any Member of the Association is allowing

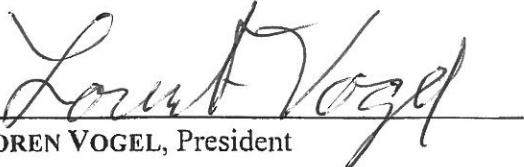
Casual Guests or other non-resident invitees to utilize or access the Subdivision Amenities and/or Common Areas of the Subdivision without being accompanied by the Member, the Association, acting through its Board of Directors, may, after notice and a hearing as required by law, levy reasonable fines against the Member in the same amounts and under the procedures set out in the Association's Fine Schedule for Deed Restriction Violations.

**4. ALL USE OF AMENITIES SUBJECT TO ASSOCIATION RULES AND REGULATIONS:**

All use of Subdivision Amenities and Common Areas, whether by Members, Owners, Resident Guests, Casual Guests or other non-resident invitees, shall be done so in strict accordance with all rules and regulations of the Association, as promulgated from time to time by the Board of Directors of the Association.

**IN WITNESS WHEREOF**, the Board of Directors of the Regency Point Townhome Association, Inc. hereby adopts this Resolution on June 11, 2012.

**REGENCY POINT TOWNHOME ASSOCIATION, INC.**

By:   
LOREN VOGEL, President

**FILED FOR RECORD**

06/28/2012 3:25PM



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in file number sequence on the date and at the time stamped herein by me and was duly RECORDED in the Official Public Records of Montgomery County, Texas.

06/28/2012



County Clerk  
Montgomery County, Texas