

NOTICE OF DEDICATORY INSTRUMENTS
for
LAKES OF WOODTRACE COMMUNITY ASSOCIATION, INC.

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

The undersigned, being the authorized representative of Lakes of Woodtrace Community Association, Inc. (the "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. Property described by metes and bounds on Exhibit "A" attached to the "Declaration of Covenants, Conditions and Restrictions for Lakes of Woodtrace" recorded in the Official Public Records of Real Property of Montgomery County, Texas under Clerk's File No. 2014007958 (which said Exhibit "A" is incorporated herein by reference).

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 for Lakes of Woodtrace.
 - (2) Supplemental and Amended Declarations of Covenants, Conditions, and Restrictions.

 - b. Recording Information:
 - (1) Montgomery County Clerk's File No. 2014007958.
 - (2) Montgomery County Clerk's File No. 2014036051.

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 Montgomery County, Texas:
 - a. Document:

- (1) Bylaws of Lakes of Woodtrace Community Association, Inc.
- (2) Certificate of Adoption of the Collection/Payment Plan Policy of the Lakes of Woodtrace Community Association, Inc.
- (3) Certificate of Adoption of the Regulation of Display of Religious Items of the Lakes of Woodtrace Community Association, Inc.
- (4) Certificate of Adoption of the Document Retention Policy of the Lakes of Woodtrace Community Association, Inc.
- (5) Certificate of Adoption of the Records Production and Copying Policy of Lakes of Woodtrace Community Association, Inc.
- (6) Certificate of Adoption of Rainwater Harvesting System Guidelines of the Lakes of Woodtrace Community Association, Inc.
- (7) Certificate of Adoption of the Flag Display Guidelines of the Lakes of Woodtrace Community Association, Inc.
- (8) Certificate of Adoption of the Shingle Criteria of Lakes of Woodtrace Community Association, Inc.
- (9) Certificate of Adoption of Policy Regarding the Landscaping and Maintenance of the Common Open Areas of the Lakes of Woodtrace Community Associations, Inc.
- (10) Resolution of Lakes of Woodtrace Community Association, Inc. regarding Ratification of Off-Highway Vehicle Policy for the Purpose of Filing in the County Real Property Records.

b. Recording Information:

- (1) Montgomery County Clerk's File No. 2014016396.
- (2) Montgomery County Clerk's File No. 2014092668.
- (3) Montgomery County Clerk's File No. 2014092669.
- (4) Montgomery County Clerk's File No. 2014092714.
- (5) Montgomery County Clerk's File No. 2014092715.
- (6) Montgomery County Clerk's File No. 2014092717.
- (7) Montgomery County Clerk's File No. 2014092718.
- (8) Montgomery County Clerk's File No. 2014092719.
- (9) Montgomery County Clerk's File No. 2019041746.
- (10) Montgomery County Clerk's File No. 2021166607.

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

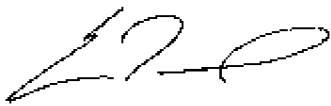
- **Amended Policy Resolution of Lakes of Woodtrace Community Association, Inc. [Off-Highway Vehicles].**

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 Montgomery 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.

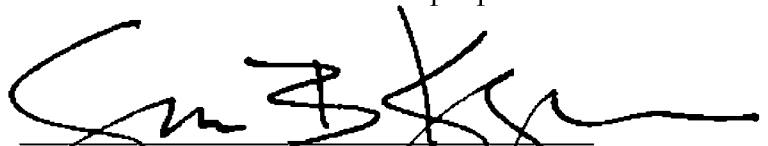
Executed on this the 17th day of April, 2024.

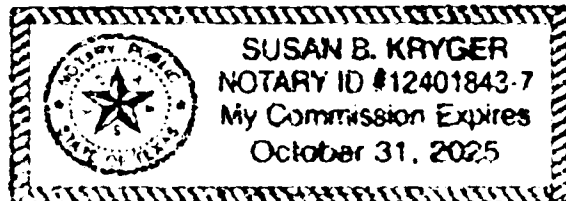
LAKES OF WOODTRACE COMMUNITY ASSOCIATION, INC.

By: 
Eric B. Tonsul, authorized representative

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 17th day of April, 2024, personally appeared Eric B. Tonsul, authorized representative of Lakes of Woodtrace Community Association, 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



**AMENDED POLICY RESOLUTION OF
LAKES OF WOODTRACE COMMUNITY ASSOCIATION, INC.**

I, Francisco (Frank) Browne, President of Lakes of Woodtrace Community Association, Inc. (the "Association"), do hereby certify that at a meeting of the Board of Directors of the Lakes of Woodtrace Community Association, Inc. (the "Board") duly called and held on the 20th_ day of March, 2024, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following First Amended Policy Regarding Off-Highway Vehicles was duly approved by a majority vote of the members of the Board:

RECITALS:

WHEREAS the property encumbered by this First Amended Policy Regarding Off-Highway Vehicles is that property restricted by the Declaration of Covenants, Conditions, and Restrictions for Lakes of Woodtrace Community Association, Inc., recorded in the Official Public Records of Real Property of Montgomery County, Texas, Under 2014007958., as same has been or may be amended and/or supplemented 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.

WHEREAS the Board of Directors desire to amend the Policy Regarding Off-Highway Vehicles;

WHEREAS this First Amended Policy Regarding Off-Highway Vehicles replaces and supersedes any previously recorded or implemented policy that addresses the subjects contained herein, if any, adopted by the Association

WHEREAS Lakes of Woodtrace Community Association, Inc. is a Texas Non-Profit Corporation as defined by the Texas Property Code, and more specifically Chapter 209, et. seq.;

WHEREAS Article VII, Section 1, and Article IX, Section 29 of the Declaration provides that the Association may adopt rules and regulations to govern the Property as described in the Declaration, including but not limited to implementing rules or policies incorporating use restrictions, design guidelines, parking and traffic issues, and usage of Common Open Areas and any other activity within or related to the Property as described in the Declaration. Such rules and regulations so adopted are binding upon all Owners; and

WHEREAS Lakes of Woodtrace Community Association, Inc. is given authority to promulgate a Policy to regulate the use of Off-Highway Vehicles within the Association under Texas Property Code§ 202.019 et seq. as well as the By-Laws for Lakes of Woodtrace Community Association, Inc.

Said Policy regarding the aforementioned items stating as follows:

FIRST AMENDED POLICY REGARDING OFF-HIGHWAY VEHICLES

Article 1: Definitions

- 1.1 "All-terrain vehicle" means a motor vehicle that is:
- a. Equipped with a seat or seats for the use of the rider and a passenger.
 - b. Designed to propel itself with three or more tires in contact with the ground.
 - c. Designed by the manufacturer for off-highway use.
 - d. Not designed by the manufacturer primarily for farming or lawn care.
- 1.2 "Exempt Vehicles" means all bicycles either partly or fully powered by electric motors (E-bikes) are exempt from the registration requirements for off road vehicles, however, they may only be operated on areas open to vehicular traffic. They cannot be operated on sidewalks or other pedestrian walkways. In addition, electric vehicles intended for small children (2, 3 or 4 wheeled) are exempt from this policy, provided they are operated with adult supervision.
- 1.3 "Golf cart" means a motor vehicle designed by the manufacturer primarily for use on a golf course.
- 1.4 "Off-highway Vehicle" means any wheeled vehicle, whether powered by gasoline, propane, electricity, or any other means of propulsion, which is designed for off-highway use only, and shall include, without limitation, Golf carts; All-terrain vehicles; Recreational off-highway vehicles; and Utility vehicles, to include two and three wheeled motorcycles.
- 1.5 "Open to vehicular traffic" includes any ground surface where vehicles are allowed to be operated, limited exclusively to roads/ streets, marked parking lots and driveways.
- 1.6 "Recreational off-highway vehicle" means a motor vehicle that is:
- a. Equipped with a seat or seats for the use of the rider and a passenger or passengers.
 - b. Designed by the manufacturer for off-highway use only; and
 - c. Not designed by the manufacturer primarily for farming or lawn care
- 1.7 "Utility vehicle" means a motor vehicle that is not a golf cart or lawn mower and is:
- a. Equipped with side-by-side seating for the use of the operator and a passenger.
 - b. Designed to propel itself with at least four tires in contact with the ground.
 - c. Designed by the manufacturer for off-highway use only; and
 - d. Designed by the manufacturer primarily for utility work and not for recreational purposes.

Article 2: Usage Restrictions

- 2.1 A person shall not operate an off-highway vehicle within the Association in a careless or reckless manner that endangers, injures, or damages any person or property.
- 2.2 No Owner, occupant, resident, or guest may operate an off-highway vehicle on land owned or leased by the Association that is not open to vehicular traffic.
- 2.3 Prohibited use areas are defined as, but not limited to, any land that is not paved for vehicle use. Examples are all common and private grassy areas, parks, sidewalks, walking trails, etc. this includes all land around Lake Decker (AKA Lake Woodtrace), the land west of Woodtrace Boulevard designated as water runoff, the land on both sides of the creek running central to central park, which are all controlled by Woodtrace MUD1, and have no trespass signs posted on them. This definition will also include the walking trails that are within the pipeline easements granted to pipeline operators including - but not limited to - Kinder Morgan Corporation; whether or not such trails are explicitly signposted as being prohibited areas for off-highway vehicle use.
- 2.4 An exception to the previous paragraph is the land immediately Southeast of Woodtrace Blvd, at the intersection of Astoria Grove Ln, only when used for parking by residents (i.e.: pool, clubhouse parking and events held and/or sponsored by the Association).

Article 3: Equipment and Safety Requirements

- 3.1 An off-highway vehicle that is operated within the Association must be equipped with:
- a. A brake system, maintained in good operating condition.
 - b. An adequate muffler system in good working condition; and
 - c. A lighted headlight and taillight (on at all times).

In addition, all golf carts must have the following safety equipment:

- d. Reflectors.
 - e. Parking Brake.
 - f. Mirrors.
- 3.3 All drivers/operators must obey all posted speed limits and traffic marking signs (Stop, Yield, etc.) at all times.
- 3.4 All Driver/ operators must possess a driver's license - OR - possess a learner's driving permit and be accompanied and supervised by a parent or legal guardian.
- 3.5 All off-highway vehicles operated within the perimeter of the Woodtrace Community remain under the responsibility of their owners at all times. It is the owner's responsibility to

maintain adequate insurance coverage for all off-highway vehicles; and the Association strongly urges all owners of such vehicles to verify with their homeowners' and/or auto insurance carriers and/or agents for these carriers, whether the operation of off-highway vehicles is covered; and if so under what circumstances. The Association accepts no responsibility for any injuries, losses or damages to property caused by the operation of off highway vehicles, whether in the Open to Vehicular Traffic or in the Prohibited Use Areas.

Article 4: Registration with the Association.

- 4.1 All Off Highway Vehicles will be registered with the Lakes of Woodtrace Community Association, Inc.
- 4.2 Registration will include the name of the principal resident homeowner registered with the association, the address the vehicle is stored/ garaged, and the names of all permitted operators.
- 4.3 Registration will include the make/ model of the vehicle, Vehicle Identification Number, Primary and secondary colors, engine type/ size, seating capacity, and any state registration information.
- 4.4 Registration will include any insurance information pertaining to the vehicle.
- 4.5 Registration will list state registration information, to include state registration number(s), state-issued license plate numbers, any expiration date(s), any other pertinent information requested on the Association's registration request form.
- 4.6 All Off Highway Vehicle registration requests will be submitted in writing to the association, and will include proof of insurance coverage, proof of state title and license plate issuance, and a copy of this policy signed by the homeowner and all registered operator(s).

Article 5: Registration with the State of Texas.

- 5.1 All Off Highway Vehicles are considered Unique Vehicles by the State of Texas.
- 5.2 All Off Highway Vehicles operated on Association property are to be titled and issued an Off Highway Vehicle License Plate, or a Golf Cart License Plate, by the County Tax Assessor's Office.
- 5.3 All Off Highway Vehicles operated on Association property will display the issued license plate, in accordance with the instructions issued by the issuing authority at all times.
- 5.4 Information regarding this directive can be found at:
<https://www.txdmv.gov/motorists/buying-or-selling-a-vehicle/unique-vehicles>

Article 6: Reporting Infractions.

- 6.1 Any resident may report violations to this policy directly to the management company.
- 6.2 Residents are asked to provide video, photograph, or any other form of evidence to substantiate the report and allow for the report to be adjudicated.
- 6.3 Residents that do not have the aforementioned evidence to submit with their report are encouraged to provide a second witness to the incident.
- 6.4 All reports can be made via email or via phone to the management company.

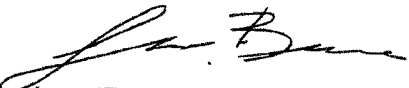
Article 7: Penalties.

- 7.1 The Association shall under no circumstances be held liable for any consequences of the unauthorized use of off-highway vehicles; and shall not be required to carry any insurance against any such liability.
- 7.2 Failure to register any Off Highway Vehicle with the Association will result in an administrative fine of \$20.00. Each subsequent week the vehicle remains unregistered, following the initial notification to the resident, will result in an additional \$20.00 fine, cumulative to a maximum of \$100.
- 7.3 A violation of any of these provisions shall be considered a violation of the Covenants, Conditions, and Restrictions of the Association, and shall subject the operator and/or the Owner of the Property within the Association to penalties and fines.
- 7.4 All moving violations (speeding, reckless driving, failure to yield and/ or obey posted traffic signs, etc.), that can be proven with either graphic or testimonial evidence, and approved by the HOA Board of Directors, will result in a fine of \$50.00 per occurrence.
- 7.5 Failure to pay any imposed fine within 2 months of notification will result in the outstanding balance being added to the homeowner's Association Dues, to be collected in conjunction with the yearly payment for the property address.
- 7.6 Any vehicle observed trespassing on Association Property may be reported to Law Enforcement. The Montgomery County Sheriff's office non-emergency number is listed as: 936-760-5800. This includes residents as well as non-residents operating any motorized vehicle identified and defined in Article 1 of this policy, on land identified and defined in Article 2 of this policy.
- 7.7 Section 30.05, Texas Penal Code, provides that a person commits an offense if the person enters or remains on property of another without effective consent, and the person:

- a. had notice that the entry was forbidden, or
- b. received notice to depart but failed to do so.

"Notice" means: an oral or written communication by the owner or someone with apparent authority to act for the owner; or fencing or other enclosure obviously designed to exclude intruders or to contain livestock; or a sign or signs posted on the property reasonably likely to come to the attention of intruders, indicating that entry is forbidden; or the placement of identifying purple paint marks on trees or posts on the property. If purple paint is used, then the purple paint must be vertical lines of not less than eight inches in length and not less than one inch in width; placed so that the bottom of the mark is not less than three feet from the ground or more than five feet from the ground; and placed at locations that are readily visible to any person approaching the property and no more than: 100 feet apart on forest land or 1,000 feet apart on land other than forest land.

Additionally, the visible presence on the property of a crop grown for human consumption that is under cultivation, in the process of being harvested, or marketable if harvested at the time of entry is considered "notice" that entry is forbidden.



Francisco (Frank) Browne. March 20, 2024

I hereby certify that I am the duly elected and acting Secretary of Lakes of Woodtrace Community Association, Inc. and that this Policy was approved by not less than a majority vote of the Board of Directors 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 Real Property of Montgomery County, Texas.

TO CERTIFY which witness my hand this 20 day of March, 2024.

Lakes of Woodtrace Community Association, Inc.

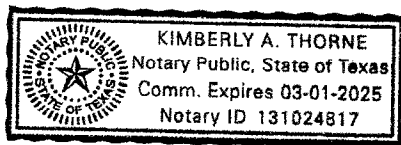
By: Denice Zanella

Printed: Denice Zanella

Title: Secretary

THE STATE OF TEXAS §
 §
COUNTY OF Montgomery §

BEFORE ME, the undersigned notary public, on this 20 day of March, 2024 personally appeared Frank Browne, Secretary of Lakes of Woodtrace Community Association, 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.



Kimberly Thorne
Notary Public in and for the State of Texas

E-FILED FOR RECORD

04/17/2024 10:38AM



L. Brandon Steinmann

County Clerk,
Montgomery County, Texas

STATE OF TEXAS,
COUNTY OF MONTGOMERY

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

04/17/2024



L. Brandon Steinmann

County Clerk,
Montgomery County, Texas