

**RESOLUTION REGARDING VEHICLE PARKING
THE KIRKWOOD SOUTH COMMITTEE
A TEXAS NON-PROFIT CORPORATION**

WHEREAS, the By-Laws governing The Kirkwood South Committee, (“the Committee”), as well as the Articles of Incorporation, Declaration of Covenants, Conditions and Restrictions governing the Kirkwood South subdivision, Chapter 204 of the Texas Property Code, and the Texas Non-Profit Corporation Act, authorize the Committee to exercise all powers reasonable and necessary for the governance and operation of the Committee; and

WHEREAS, the Texas Property Code further authorizes the Committee to regulate the use, maintenance, repair, replacement, modification, and appearance of the Kirkwood South subdivision; and

WHEREAS, the Committee’s Board of Directors has determined that certain policies, rules and guidelines are necessary and desirable to enhance and protect the value and attractiveness of Kirkwood South and prevent nuisances, traffic flow obstructions and/or hazardous conditions within and/or adjacent to Kirkwood South; and

WHEREAS, the Committee’s Board of Directors has also determined that it is in the Committee’s best interest to adopt certain policies, rules and procedures regarding the parking and/or storage of motor vehicles within Kirkwood South.

NOW, THEREFORE, BE IT RESOLVED that the following policies, rules and procedures regarding the parking of vehicles within and adjacent to Kirkwood South are hereby adopted on behalf of the Committee;

1. Owners and occupants of property within Kirkwood South are expressly forbidden from parking and/or storing any vehicle in any location which might interfere with another owner or occupant’s access to his/her driveway.
2. All vehicles parked within Kirkwood South shall display valid state license plates, permits, and state inspection stickers as required by the State of Texas. The board of directors or managing agent may ask the appropriate law enforcement agencies to issue citations, tickets and/or

tow any vehicle which does not display valid license plates and/or stickers.

3. Parking of any vehicle on non-paved common grounds, non-paved private property and fire lanes is expressly forbidden. No vehicle shall be parked at any time on any unpaved (grassy) areas. The board or managing agent may request the appropriate law enforcement agencies to issue citation and/or ticket any vehicle which is parked in violation of this rule within Kirkwood South.
4. Except in connection with residential construction and/or maintenance activities, no commercial vehicle weighing in excess of one (1) ton, recreational vehicle, oversized vehicle (whether commercial or non-commercial), or commercial pick-up truck may be parked or stored upon any portion of the common ground areas, on any portion of any lot, or on any public street and/or right-of-way, or on any vacant lot or tract of land, whether within or adjacent to Kirkwood South. Eighteen wheeler-type commercial trucks, tractor rigs and/or trailers are not permitted to park within or adjacent to Kirkwood South, at any time. The board or managing agent may ask the police to ticket or tow any vehicle that is parked in violation within Kirkwood South.
5. Homeowners and/or tenants using company vehicles such as vans, pick-up trucks, and automobiles must be parked upon the driveway of such homeowner or tenant, and shall not be parked on any public streets.
6. No vehicle shall be parked in such a manner as to obstruct the flow of traffic or create a hazardous condition within or adjacent to Kirkwood South.
7. Within five (5) days of the initial report of a parking violation within Kirkwood South, the Committee or its managing agent shall attempt to notify the vehicle owner via regular mail delivery and certified mail delivery to take corrective action immediately. Except in the case of abandoned or inoperative vehicles, a twenty-one (21) day period, after initial notification, will be granted to repair or remove the vehicle from Kirkwood South. Abandoned or inoperative vehicles shall be removed within seven (7) days of the initial notice.

8. Those vehicle owners who have failed to comply after initial notification will receive a final notification via regular mail delivery and certified mail delivery, wherein such owner(s) will be requested to correct the parking violation within fifteen (15) days of the date of such request. Within such final request, all non-complying owner(s) shall be advised that failure to comply with the Committee's request will result in such matter being referred to the appropriate law enforcement agency or the Committee's legal counsel for appropriate action.

9. Following the fifteen (15) day period described above, those owners who have failed to comply shall be referred to the appropriate law enforcement agency or the Committee's legal counsel for appropriate legal action.

10. In accordance with the Texas Property Code, after providing notice and an opportunity to be heard, all attorney's fees and other costs incurred in the enforcement of deed restrictions, policies, rules and regulations shall be the obligation of the owner(s) of the vehicle property where such deed restriction violation or infringement occurred, and the same shall be charged to the owner's assessment account and collected in a like manner.

Adopted on the 28th day of October, 2004.

THE KIRKWOOD SOUTH COMMITTEE

Estella Davis

By: Estella Davis, President

April Jones
Secretary

Kenji Edens
Vice President

Jim McDonald
Treasurer

ATTEST: