

ADDITIONAL DEDICATORY INSTRUMENT
for
RIVERSHIRE MAINTENANCE FUND, INC.

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared **Heather Ross**, who, being first duly sworn, stated on oath the following:

“My name is Heather Ross. I am competent and authorized to submit this affidavit on behalf of Rivershire Maintenance Fund, Inc. The statements made herein are based upon my personal knowledge and are true and correct.

“I am the managing agent of Rivershire Maintenance Fund, Inc. Pursuant to Section 202.006 of the Texas Property Code, the following documents are true and correct copies of original official documents on file with the Association:

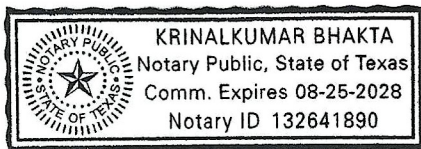
- (1) **Amended Fine Policy.”**

DATED this 17th day of October, 2024.

RIVERSHIRE MAINTENANCE FUND, INC.

By: Heather Ross
Heather Ross, Managing Agent

SIGNED AND SWORN BEFORE ME THIS 17th DAY OF October, 2024.



Krinal
Notary Public in and for the State of Texas

Return to:
Heather Ross
Rivershire Maintenance Fund, Inc.
206 Scarborough Drive
Conroe, Texas 77304

RIVERSHIRE MAINTENANCE FUND, INC.

RESOLUTION

WHEREAS, Rivershire Maintenance Fund, Inc. (the "Association") is the governing body for the Rivershire subdivision of Montgomery County, Texas (the "Subdivision");

WHEREAS, the Subdivision is subject to the Restrictions, Rivershire, Section One, filed of record at **Clerk's File No. 289104** in the Real Property Records of Montgomery County, Texas; the Amendment to Restrictions, Rivershire, Section One, filed of record at **Clerk's File No. 312121** in the Real Property Records of Montgomery County, Texas; the Amendment to Restrictions, Rivershire, Section One, filed of record at **Clerk's File No. 7505266** in the Real Property Records of Montgomery County, Texas; the Restrictions, Rivershire, Section One, Replat of Reserves I, J, K & L, filed of record at **Clerk's File No. 7742702** in the Real Property Records of Montgomery County, Texas; the Restrictions, Rivershire, Section Two, filed of record at **Clerk's File No. 7814129** in the Real Property Records of Montgomery County, Texas; the Amendment to Restrictions, Rivershire Subdivision, Section II, filed of record at **Clerk's File No. 8015268** in the Real Property Records of Montgomery County, Texas; the Amendment to Restrictions, Rivershire Subdivision, Section I, filed of record at **Clerk's File No. 8409681** in the Real Property Records of Montgomery County, Texas; the Amendment to Restrictions, Rivershire Subdivision, Section II, filed of record at **Clerk's File No. 8409682** in the Real Property Records of Montgomery County, Texas; the Notice Concerning Application and Enforcement of Restrictions Pertaining to Certain Non-Residential Use Facilities within Rivershire Section One and Section Two, filed of record at **Clerk's File No. 9319739** in the Real Property Records of Montgomery County, Texas; and the Memorandum Pertaining to Declaratory Judgments Concerning Rivershire Sections One and Two, filed of record at **Clerk's File No. 9337528** in the Real Property Records of Montgomery County, Texas (collectively, the "Restrictions");

WHEREAS, the Restrictions empower the Association, acting through its Board of Directors, to, *inter alia*, impose fines to enforce the Restrictions and other governing documents of the Subdivision and Association;

WHEREAS, the Association has previously adopted a Fine Policy, filed of record at **Clerk's File No. 2011092892** in the Real Property Records of Montgomery County, Texas; and

WHEREAS, in accordance with the Restrictions, Bylaws, and Section 209.0061 of the Texas Property Code, a quorum of the Board of Directors met and voted to supersede the Fine Policy to enact an Amended Fine Policy for the Subdivision;

NOW, THEREFORE, pursuant to the authority granted to the Board of Directors, the following Amended Fine Policy is hereby enacted:

RIVERSHIRE MAINTENANCE FUND, INC.
AMENDED FINE POLICY

1. The Association, acting through its Board of Directors, reserves the right to issue a fine to any Owner for a violation of the Restrictions, policies, and any amendments thereto, and any other written and recorded rule, policy, or procedure of the Association (collectively, the "Governing Documents"), by an Owner and/or such Owner's tenant(s), guest(s), and/or invitee(s). The issuance of a fine shall not preclude the Association from pursuing other means of enforcement, including seeking judicial remedies.

Notice of Violation & Opportunity to Cure

2. Unless the Owner was given notice and a reasonable opportunity to cure a similar violation in the preceding six months, before the Association may levy a fine for a violation of the Governing Documents, it shall provide written notice ("Notice") to the Owner(s) by certified mail to the Owner's last known address as shown on the Association's records. Before tendering such Notice, the Association may, but is not obligated to, provide a courtesy notice to an Owner, by email or first class mail, of her/his violation and potential fine.

3. The Notice shall: (a) describe the violation; (b) state the amount of the fine; and (c) provide the date by which the Owner(s) must cure the violation in order to avoid the fine if the violation is of a curable nature and does not pose a threat to public health or safety.

4. A violation is considered incurable if the violation has occurred but is not a continual action or a condition capable of being remedied by affirmative action. The non-repetition of a one-time violation or other violation that is not ongoing is not considered an adequate remedy. Examples of acts considered incurable include shooting fireworks; an act constituting a threat to health or safety; a noise violation that is not ongoing; property damage, including the removal or alternation of landscape; and holding an event prohibited by the Governing Documents. Acts considered curable include a parking violation; a maintenance violation; the failure to construct improvements or modifications in accordance with approved plans and specifications; and an ongoing noise violation such as a barking dog. A violation is considered a threat to public health or safety if the violation could materially affect the physical health or safety of an ordinary resident.

5. The Notice shall also advise the Owner(s) that: (a) s/he may, no later than the 30th day after the date of the Notice, request a hearing before the Board of Directors to discuss and verify facts and resolve the dispute; and (b) that s/he may have special rights or relief related to the enforcement action under federal law, including the Servicemembers Civil Relief Act if the Owner is serving on active military duty.

6. Notwithstanding the foregoing, an Owner may not be afforded notice of her/his violation and the right to request a hearing if the Association files a lawsuit seeking a temporary restraining order or temporary injunctive relief to address the Owner's violation(s).

Violation Hearings

7. If an Owner requests a hearing to discuss her/his violation(s), the hearing shall be held no later than the 30th day after the date the Association receives the Owner's request for a hearing. The Association shall notify the Owner of the date, time, and place of the hearing no later than the 10th day before the date of the hearing. The hearing may be held electronically at the election of the Board of Directors; the meeting may be audio recorded. The Board or the Owner may request a postponement which, if requested, shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties.

8. Not later than 10 days before the Association holds a hearing to address an Owner's violation(s), the Association shall provide to the Owner a packet containing all documents, photographs, and communications relating to the matter the Association intends to introduce at the hearing. If the Association fails to provide the packet on time, the Owner shall be entitled to an automatic 15-day postponement of the hearing.

9. During the hearing, a member of the Board of Directors or the Association's designated representative shall first present the Association's case against the Owner. An Owner or the Owner's designated representative is then entitled to present the Owner's information and issues relevant to the dispute. The Board of Directors may then vote to affirm, amend, or nullify the violation and any resulting fine.

Fines

FINE SCHEDULE

VIOLATION	FIRST OFFENSE	SECOND OFFENSE
Unapproved Improvements/ Construction	\$50/month	\$100/month
Architectural Guideline Violations	\$50/month	\$100/month
Use of Lot Other than for Residential Purposes	\$50/month	\$100/month
Damage to Common Areas	\$50/month (plus cost of repairs)	\$100/month (plus cost of repairs)
Parking Violations/ Unauthorized Vehicles	\$50/month	\$100/month
Maintenance/Landscaping Violations	\$50/month	\$100/month

VIOLATION	FIRST OFFENSE	SECOND OFFENSE
Trash/Refuse/Storage/ Clotheslines/Abandoned Items	\$50/month	\$100/month
Sign Violations	\$50/month	\$100/month
Hogs, Horses, Poultry, Fowls, or Other Livestock	\$50/month	\$100/month
Camper, Trailer, RV, ATVs, Golf Carts	\$50/month	\$100/month
Other Noxious or Offensive Activity	\$50/month	\$100/month

* *A Second Offense for a curable violation is one that occurs within six months of the notice letter for the First Offense. A Second Offense for an incurable violation is one that occurs within twelve months of the First Offense.*

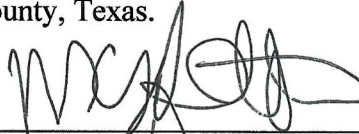
10. Fines shall be payable within 30 days of issuance.

11. The Board of Directors reserves the authority to levy a fine that varies from the Fine Schedule on a case-by-case basis. The Board of Directors further reserves the authority to require an Owner to reimburse the Association for any damage caused to the Common Areas or other Subdivision property as a result of the Owner's misconduct.

12. The Association is also entitled to seek recovery of reasonable attorney's fees and other costs incurred by the Association related to the enforcement action as provided by Section 209.008 of the Texas Property Code.

Nothing herein is intended to amend, alter, or repeal the Restriction, Bylaws, or any other governing document of the Association except as specifically provided herein.

IN WITNESS WHEREOF, I certify under penalty of perjury that the foregoing Amended Fine Policy was properly adopted on the 17th day of October, 2024, in accordance with the governing documents of Rivershire Maintenance Fund, Inc., and Texas law, by a majority of the members of the Board of Directors, to be effective as of the date it is recorded in the Real Property Records of Montgomery County, Texas.



 Marvin Shiflett, President

FILED FOR RECORD
10/24/2024 10:28AM



L. Brandon Steinmann
County Clerk
Montgomery County, Texas

STATE OF TEXAS,
COUNTY OF MONTGOMERY

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

10/24/2024



L. Brandon Steinmann
County Clerk
Montgomery County, Texas

ORIGINAL RETURNED AT TIME OF RECORDATION