



AFFIDAVIT FOR FILING DEDICATORY INSTRUMENTS

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

KNOW ALL THESE PRESENTS:

Section 202.006 of Title 11 of the Texas Property Code requires that a property owner's association file its dedicatory instruments in the real property records of the County where the property is located, and

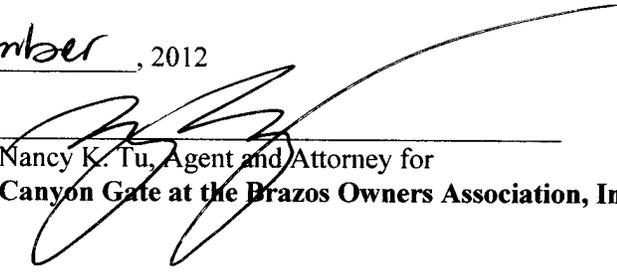
The **Canyon Gate at the Brazos Owners Association, Inc.** is a property owners' association as the term is defined in Title 11 of the Texas Property Code and has property located in Fort Bend County, Texas.

True copies of the following dedicatory instruments of the **Canyon Gate at the Brazos Owners Association, Inc.** which have not been previously filed in the public records of Fort Bend County are attached hereto, including:

1. **Canyon Gate at the Brazos Owners Association, Inc. Basketball Goals Minimum Standards**
2. **Canyon Gate at the Brazos Owners Association, Inc. Parking and Towing Policy**

Other dedicatory instruments of the **Canyon Gate at the Brazos Owners Association, Inc.** have already been filed in the public records of Fort Bend County and these documents supplement the previously filed documents.

SIGNED on this 5th day of November, 2012

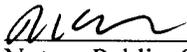


 Nancy K. Tu, Agent and Attorney for
Canyon Gate at the Brazos Owners Association, Inc.

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 5th day of November, 2012 by Nancy K. Tu, Agent and Attorney for **Canyon Gate at the Brazos Owners Association, Inc.**





 Notary Public, State of Texas

Maggie Cazares

 Notary's Printed Name

My commission expires on 10/9/16

Return to: Ferrer, Tu & Payne, PLLC
 2825 Wilcrest Drive, Ste 428
 Houston, Texas 77042

CANYON GATE AT THE BRAZOS OWNERS ASSOCIATION, INC.
BASKETBALL GOALS MINIMUM STANDARDS

ALL IMPROVEMENTS TO PROPERTY ARE REQUIRED TO BE SUBMITTED TO THE ARCHITECTURAL CONTROL COMMITTEE FOR REVIEW PRIOR TO THE INCEPTION OF ANY CONSTRUCTION. IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE WITH THE LATEST REVISIONS TO THESE GUIDELINES. COPIES WILL BE MADE AVAILABLE UPON REQUEST TO CANYON GATE AT THE BRAZOS OWNERS ASSOCIATION, INC.

Pursuant to the authority vested in the Canyon Gate at the Brazos Owners Association, Inc. (hereinafter the "Association") in Article IV, Section 1 of the Declaration of Covenants, Conditions and Restrictions for Canyon Gate at the Brazos Sections One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and any amendments thereto, and Article IV, Section 1 of the Declaration of Covenants, Conditions and Restrictions for Canyon Lakes at the Brazos Sections One (1) and Two (2), and any amendments thereto, the Board adopts and publishes the following Rules and Regulations for the establishment of consistent standards for design and improvement, as well as review of guidelines, policies and procedures to implement and protect same is one of the most effective methods of assuring the protection of a community lifestyle environment and Property values. In order to accomplish this objective, the Architectural Control Committee ("ACC") reviews applications and design documents for all modifications, improvements, and additions. Each application is evaluated on its own merit, with reasonable flexibility for design functionality and creativity.

Furthermore, guidelines encourage and preserve the continuity and beauty of our neighborhoods by establishing standards and criteria for the community. It is the responsibility of each Owner and/or Occupant to act in accordance with these guidelines and to maintain their Lots in accordance with same.

These guidelines are presented as a minimum set of development guidelines and standards for the Canyon Gate at the Brazos Owners Association residential community. The intended use is to provide a framework to illustrate and define design objectives for a unified, harmonious setting for the subdivision.

These guidelines are supplemental to the Declaration and are to be used for the review of Architectural, builder, developer or Owner plans. Non-compliance with these guidelines is grounds for disapproval of plans and further enforcement action by the Association. If necessary, these guidelines are also for use as standards to maintain the integrity of the community, as well as the preservation and enhancement of Property values.

CANYON GATE AT THE BRAZOS OWNERS ASSOCIATION, INC.

The minimum acceptable standards for erection and/or placement of a portable basketball goal in the Canyon Gate at the Brazos Owners Association subdivision are as follows:

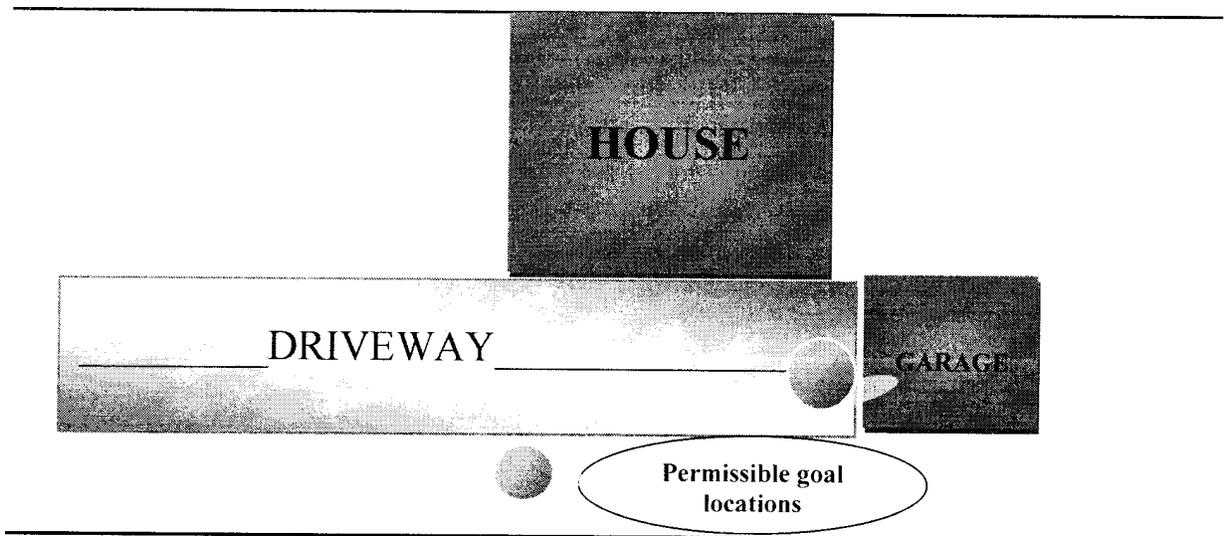
1. **Written approval from the Architectural Control Committee (“ACC”) is required before any basketball goal is placed on the property.**
 - a. **Permanent basketball goals are not permitted** and basketball goals may not be cemented prohibiting portability.
 - b. Portable basketball goals are permitted.
2. **Materials and construction standards:**
 - a. Portable basketball goals must be commercially manufactured.
 - b. The Pole must be metal. Creosoted posts are not acceptable.
 - c. The Backboard must be commercially manufactured out of materials that will not weather, warp or disintegrate.
 - d. Chain nets are not permitted. The Net must be white or another color approved by the ACC.
3. **Portable Goal Placement:**

Placement while in use:

 - a. Portable basketball goals are prohibited from being placed, even on a temporary basis, at a location, such as sidewalk, the end of the driveway or street, where play will take place in the street or on the sidewalk.
 - b. While in use, the basketball goal should be set behind the building line, set off the driveway not closer to the drainage ditch or sidewalk than 50% the length of the driveway and a greater distance away from the street.

Placement while not in use:

 - c. When not in use, a portable basketball goal must be stored on a portion of the lot least visible from the street or public view, such as behind the garage or backyard.
 - d. When not in use, a portable basketball goal must be stored upright and not on its side in the driveway, street or side of home in public view.
 - e. Portable goals that require water for stability must be properly maintained or stored in an enclosed area when not in use so as not to foster the growth of mosquitoes.
 - f. No apparatus such as cement block, bricks or any weighted object may be placed on the base of the goal to provide stability.
 - g. Painted lines on the driveway are not permissible.
 - h. Basketball goals left in the street are subject to removal within a ten (10) days notice to remove.
 - i. Vehicles should be stored in the garage and not on the street while the basketball goal is in use.
 - j. An example of a permissible location for a basketball goal is illustrated below:



RULES APPLICABLE TO CANYON GATE AT THE BRAZOS OWNERS ASSOCIATION, INC.

Repair and maintenance:

All basketball goals shall be maintained in such a manner as to not detract from the neighborhood. Maintenance shall include but not limited to, the following:

- a. Replacement of torn or missing nets;
- b. Repair or replacement of bent or damaged supports, poles or rims; and
- c. Repair or replacement of worn or discolored backboards.

Damage Caused to Property:

If damage to owner's or a neighbor's adjoining property is incurred as a result of the use of a basketball goal, Canyon Gate at the Brazos Owners Association, Inc. has the authority to require the relocation or removal of the goal.

Removal of Basketball Goals:

Basketball goals, portable or otherwise, in Canyon Gate at the Brazos Owners Associations. common areas, public rights-of-way and private streets are prohibited.

- (1) Basketball goals and other like structures or devices located upon any street, sidewalk, grass plot, parkway, common areas or other public right-of-way are hereby

- declared to be health and safety hazards and public nuisances and shall be removed by the owner or occupant of the abutting property within ten (10) days of receiving notice from Canyon Gate at the Brazos Owners Association, Inc.
- (2) The notice will be mailed to the property owner via certified mail, return receipt requested. The property owner may submit a written request within 30 days from the date of receipt of the notice for a hearing before the Board. However, due to the hazardous nature of storing a basketball goal in a public right of way, the Association may impound the basketball goal if the property owner fails to remove it within 10 days from notification.
 - (3) In the event the owner or occupant fails to remove the basketball goal as required above, the Association may remove the basketball goal and charge an administrative fee in the amount of \$100.00.
 - (4) The basketball goal will be impounded. On the date of impoundment, a notice with the following information will be sent to the property owner:
 - a. The address of the place where the goal may be picked up.
 - b. The hours of operation and telephone number of the location where the goal is being held.
 - c. The amount of the administrative fee.
 - d. Notice of proper identification is required to pick up the impounded basketball goal.
 - (5) If the property owner fails to claim the basketball goal or the basketball goal is not picked up within twenty (20) days from the date of impoundment, the Association may destroy, donate or otherwise dispose of the basketball goal.
 - (6) In accordance with Article VI, Section 3 of the Declaration of Covenants, Conditions and Restrictions for Canyon Gate at the Brazos Owners Association Sections One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and any amendments thereto, and in accordance with Article VI, Section 3 of the Declaration of Covenants, Conditions and Restrictions for Canyon Lakes at the Brazos Sections One (1) and Two (2), and any amendments thereto, upon the tender of an invoice, the property owner must pay cost of removal, cost of storage (whether the basketball goal is picked up from storage or not), reasonable attorney's fees and fees for the collection cost of the violation amount. Any such amounts that remain unpaid will be added to the property owner's annual assessment account and be secured by a lien against the property.

CERTIFICATION

I, the undersigned, do hereby certify:

That I am the duly elected and acting Secretary Melissa Johnston of the Canyon Gate at the Brazos, Owners Association, Inc., (the "Association") a Texas non-profit corporation;

That the attached the Canyon Gate at the Brazos, Owners Association, Inc.'s Basketball Goals Minimum Standards Policy that was duly adopted by resolution of the Board of Directors on 26 day of October, 2012.

In witness whereof, I have hereunto subscribed my name on this 26 day of October, 2012.

By M Johnston
Printed Name: Melissa Johnston

STATE OF TEXAS

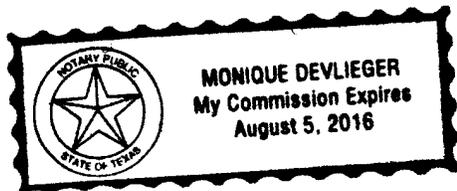
§
§
§

COUNTY OF FORT BEND COUNTY

This instrument was acknowledged before me on this 26 day of OCTOBER, 2012 by Melissa Johnston, Secretary of Canyon Gate at the Brazos, Owners Association, Inc.

Monique Devlieger
Notary Public, State of Texas

Monique Devlieger
Notary's Printed Name
My commission expires on AUGUST 5, 2016



**CANYON GATE AT THE BRAZOS OWNERS
ASSOCIATION, INC. PARKING AND TOWING POLICY**

Conformance with Existing Policies: This parking policy shall not be in violation of the Governing Documents of the Association or Chapter 684 of the Texas Transportation Code. New homeowners shall be provided with a welcome packet, including the parking policy, at the time Management Company receives the closing documents from the title company. The Association has the authority to tow any vehicle parked or situated in violation of this policy. The cost of towing shall be at the violating vehicle or property owner's expense.

- 1) All residents vehicle must be parked in their garages or their appurtenant driveways, with no exceptions other than as provided herein.
- 2) All residents vehicle make, model and license plate numbers must be provided to the On Site Office personnel or Management Company and issued an entry access device at the expense of the resident. All residents must provide proof the vehicle is lawfully registered at a Canyon Gate at the Brazos property address by providing verification of state or insurance registration.
- 3) All residents and their guests shall be notified the following are prohibited in Canyon Gate at the Brazos: vehicle head-in parking perpendicular to the curb, parking with vehicle's driver's side parallel to street curb, double parking on street, parking in driveway whereby vehicles extend beyond curb and into street, or parking in the middle of a cul-de-sac whether or not such parking impedes ingress and egress in the Subdivision. Any vehicle in violation may be towed with the terms and provisions of this policy within ten (10) days of notification of any violation.
- 4) All vehicles must be in daily operation with a current registration and state inspection sticker when parked in appurtenant driveways or street. No vehicles may have broken window(s), detached bumper, flat tire(s), supported with bricks or any apparatus, or repairs performed in driveway or street. Any vehicle not in daily operation or displays an outdated registration and/or state inspection sticker may be towed within the terms and provisions of this policy within ten (10) days of notification of any violation.
- 5) Any guest of any resident of Canyon Gate at the Brazos is permitted to park on the street foremost in front of the visiting resident home for a period not to exceed 72 hours (3 days), without seeking pre-approval from the Board.
- 6) All street parking will be used exclusively by guests except for temporary situations such as dependent college students or resident's parents. Any other circumstances must be approved in writing on a case-by-case basis if the parking period will exceed 72 hours (3 days).
- 7) No motorcycles, boats, trailers, covered vehicles, or commercial-type vehicles of any kind shall be parked, stored or otherwise permitted to remain overnight upon any street within Canyon Gate at the Brazos unless prior written approval is obtained from the Board.

- 8) For any new resident, a fifteen (15)-day grace period will be permitted from the date of occupancy to allow such resident(s) reasonable and sufficient time to allocate belongings within the residence and assure that vehicles are parked in the resident's garage or their appurtenant driveways, with no exceptions other than as provided herein.

- 9) If a violation of this policy occurs, the resident will be notified in writing and that resident must comply with the terms and provisions of this policy within ten (10) days. If the resident fails to correct violation within ten (10) days, the Association will collect a \$25.00 per day penalty and the vehicle will be red-tagged for towing. The vehicle will then be towed, at the owner's expense, within 48 hours of being red-tagged.

- 10) Grounds for Immediate Towing.
 - a) Canyon Gate at the Brazos has designated certain areas as handicap, fire zones and no parking zones. Any unauthorized vehicle parked in these areas will be towed immediately.

 - b) No vehicle shall be parked on streets or driveways so as to obstruct ingress or egress by other property owners, their families, guests and invitees, first responders, or the general public using the streets for ingress and egress in the Subdivision. A property owner whose ingress and egress is obstructed by another vehicle may have that vehicle towed or call the Association to have that vehicle towed, at the vehicle owner's expense.

CERTIFICATION

I, the undersigned, do hereby certify:

That I am the duly elected and acting Secretary of the Canyon Gate at the Brazos Owners Association, Inc., (the "Association") a Texas non-profit corporation;

That the foregoing Parking and Towing Policy were duly adopted by the unanimous written consent of the Board of Directors of the Association.

IN WITNESS WHEREOF, I have hereunto subscribed my name on this the

26 day of October, 2012.

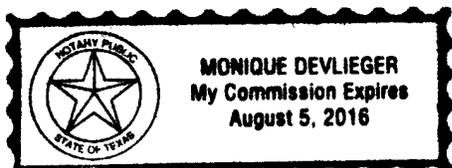
By: M Johnston
Print Name: Melissa Johnston
Title: Secretary

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

BEFORE ME, on this day personally appeared Melissa Johnston, the Secretary of the Canyon Gate at the Brazos Owners Association, Inc., known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for the purposes and consideration therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

Given under my hand and seal of office, this 26 day of October, 2012.

M Devlieger
Notary Public – State of Texas



^{Ret}
Ferrer, Tu & Payne, PLLC
Attorneys at Law
2825 Wilcrest Drive
Suite 428
Houston, Texas 77042

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

Dianne Wilson, County Clerk
Fort Bend County, Texas

November 08, 2012 01:07:37 PM

FEE: \$43.00 SP
AFFDVT

2012128749

