

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF GUADALUPE

§

§

RESOLUTION OF THE BOARD OF DIRECTORS  
REGARDING USE OF UNLICENSED MOTORIZED HUMAN CONVEYANCES  
ON COMMON AREAS AND SUBDIVISION STREETS

WHEREAS, Forest Ridge Subdivision (hereinafter called the "Subdivision") is a residential subdivision of property owners located in Schertz, Guadalupe County, Texas; and,

WHEREAS, the Subdivision is subject to and governed by a mandatory association of property owners incorporated under the name Forest Ridge Owners Association, Inc. (hereinafter the "Association"); and,

WHEREAS, the Association was organized and created to govern the Subdivision pursuant and subject to that certain Declaration of Covenants, Conditions and Restrictions for Forest Ridge, Unit-1, Declaration of Covenants, Conditions and Restrictions for Forest Ridge, executed on April 24, 1997, recorded in Volume 1266, Page 0079, Official Public Records of Real Property of Guadalupe County, Texas, as amended (hereinafter the "Declaration"); and,

WHEREAS, the Association owns certain Common Areas in the Subdivision (as that term is defined in the Declaration), including but not limited to private streets; and,

WHEREAS, the Board of Directors of the Association has a duty to maintain and protect the Common Areas and the power to enforce the restrictive covenants in the Declaration, pursuant to the terms of the Declaration; and,

WHEREAS, the Declaration expressly prohibits the doing of a noxious or offensive activity, anything that may be detrimental to the Subdivision or its occupants, or any hazardous activity from being conducted anywhere within the Subdivision, pursuant to Article II of the Declaration; and,

WHEREAS, the Board is aware that certain individuals have operated and continue to operate, on Common Areas and private streets in the Subdivision, motorized human conveyances that are not licensed for operation on public streets and thoroughfares in the State of Texas, including, but not limited to, go-carts, mini-bikes, motorized scooters, dirt bikes, and other similar motorized transportation machinery (hereinafter collectively called "Unlicensed Motorized Human Conveyances"), the operation of which presents an increased risk of traffic accidents due to their size, lack of safety equipment and lack of crashworthiness; and,

WHEREAS, the increased potential for traffic accidents due to Unlicensed Motorized Human Conveyances results in risk to human safety and property, and therefore constitutes noxious or offensive activity, as well as conduct that may be detrimental to the Subdivision or its occupants, and hazardous activity within the Subdivision, all of which are prohibited by Article II of the Declaration;

**NOW, BE IT, AND IT IS HEREBY RESOLVED** by the Board of Directors of the Association, as follows:

1. In furtherance of the Board's responsibility for preserving and protecting the Common Elements, ensuring the safety of persons within the Subdivision, and enforcing the covenants, Unlicensed Motorized Human Conveyances shall not be permitted to be operated on any of the Common Areas or private streets in the Subdivision; and,
2. Should any person violate this Resolution, the Board shall have the right and authority to suspend their right to use recreational facilities within the Common Areas, and/or to commence proceedings to obtain injunctive relief against such action.

Thus resolved by the Board of Directors of the Association, at a duly called meeting, or by unanimous consent in lieu of a meeting, to certify which witness the signatures of the President and Secretary of the Association below.

Signed effective this the 18<sup>th</sup> day of August, 2005.

Beth A Jones, President  
Forest Ridge Owners Association, Inc.

ATTEST:

Tomdra E. Richie, Secretary  
Forest Ridge Owners Association, Inc.