



**Bell County
Shelley Coston
County Clerk
Belton, Texas 76513**

Instrument Number: 2025057501

**As
POLICY**

Recorded On: November 20, 2025

Parties: MONTE VERDE HOMEOWNERS ASSOCIATION INC
To: MONTE VERDE SUBDIVISION

Billable Pages: 5
Number of Pages: 6

Comment:

(Parties listed above are for Clerks' reference only)

**** Examined and Charged as Follows ****

CLERKS RMF:	\$5.00
RECORDING:	\$21.00
Total Fees:	\$26.00

******* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information

Instrument Number: 2025057501
Receipt Number: 497459
Recorded Date/Time: 11/20/2025 3:24:48 PM
User / Station: fosterk - BCCCD0735

Record and Return To:

Harrell, Stoebner & Russell, P.C.
2106 BIRDCREEK DR
TEMPLE, TX 76502-1020



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

Shelley Coston
Bell County Clerk

MONTE VERDE HOMEOWNERS ASSOCIATION, INC.
Fine and Enforcement Policy

Name of Subdivision: Monte Verde Subdivision

Subdivision Recording Data: The plat of the Subdivision recorded as instrument nos. 2020036652, 2021076520, and 2025038307, Official Public Records, Bell County, Texas

Declaration Recording Data: The Declarations recorded as instrument nos. 202048390, 202048391, 2022000580, and 2022000581, Official Public Records, Bell County, Texas

Name of Association: Monte Verde Homeowners Association, Inc., a Texas nonprofit corporation

Terms used but not defined in this policy will have the meaning given to such terms in the Declarations as may be amended from time to time.

1. Background. This policy is adopted to establish equitable procedures for the levy of fines within the Association in compliance with Chapter 209 of the Texas Property Code, titled the Texas Residential Property Owners Protection Act (the "Act"). To the extent any provision within this policy conflicts with the Act or other applicable law, such provision is deemed modified to comply with applicable law.

2. Policy. The Association uses fines to discourage violations of the Restrictions, and to encourage compliance when a violation occurs - not to punish violators or generate revenue for the Association. Although a fine may be an effective and efficient remedy for certain types of violations or violators, it is only one of several methods available to the Association for enforcing the Restrictions. The Association's use of fines does not preclude its exercise of other rights and remedies for the same violation.

3. Owner's Liability. An Owner is liable for fines levied by the Association for violations of the Restrictions by the Owner and the relatives, guests, employees, tenants, and agents of the Owner and of anyone residing at the Owner's property. Regardless of who commits the violation, the Association may direct all communications regarding the violation to the Owner.

4. Amount. The Association may set fine amounts on a case-by-case basis, provided the fine is reasonable in light of the nature, frequency, and effects of the violation. The Association may establish a Schedule of Fines for certain types of violations. The amount and cumulative total of a fine must reasonably correspond to the seriousness and severity of the violation and should be uniform for similar violations of the same provision of the Restrictions. If the Association allows fines to accumulate, the Association may establish a maximum amount for a particular fine, at which point the total fine will be capped.

5. **Violation Notice.** Except as set forth in Section 5(c) below, before assessing a fine, the Association will give (i) a written violation notice to the Owner (at the Owner's last known address as shown in the Association records) (the "Violation Notice") and (ii) an opportunity to be heard, if requested by the Owner. The Violation Notice will contain the following items: (1) the date the Violation Notice is prepared or mailed; (2) a description of the violation or property damage that is the basis for the fine, Assessment, or charge; (3) a reference to the rule or provision that is being violated; (4) a description of the action required to cure the violation and a reasonable time frame in which the violation is required to be cured to avoid the fine or suspension; (5) the amount of the possible fine; (6) a statement that no later than the 30th day after the date of the notice, the Owner may request a hearing (pursuant to section 209.007 of the Texas Property Code), and further, if the hearing is to be held by a committee appointed by the Board, a statement notifying the Owner that he or she has the right to appeal the committee's decision to the Board by written notice to the Board; and (7) a statement that the Owner may have special rights of relief related to the enforcement action under federal law comment including the Servicemembers Civil Relief Act (50 USC App. §501 et seq.), if the Owner is serving on active military duty. The Violation Notice sent out pursuant to this paragraph is further subject to the following:

- a. *First Violation.* If the Owner has not been given notice in a reasonable opportunity to cure the same or similar violation within the preceding six months the Violation Notice will state those items set out in one through 7 above along with a reasonable time by which the violation must be cured to avoid the fine. The Violation Notice must state that any future violation of the same rule may result in the levy of a fine. A fine pursuant to the Schedule of Fines may be levied if an Owner does not cure the violation within the time set forth in the notice.
- b. *Uncurable Violation or Threat to Public Health or Safety.* If the violation cannot be cured or poses a threat to public health or safety (as described in Section 209.006 of the Texas Property Code), then the Violation Notice will state those items set out in items (1), (2), (3), (5), (6), and (7) above, and the Association will have the right to exercise any enforcement remedy afforded to it under the Restrictions, including but not limited to the right to assess a fine pursuant to the Scheduled of Fines.
- c. *Repeat Violations Without Attempt to Cure.* If the Owner has received a Violation Notice and a reasonable opportunity to cure the same or similar violation within the preceding six months but commits the violation again, **then the Owner is not entitled to an additional Violation Notice or a hearing pursuant to Section 209.07 of the Texas Property Code**, and the Association will have the right to exercise any enforcement remedy afforded to it under the Restrictions including but not limited to the right to assess a fine pursuant to the Schedule of Fines. After an Owner has been provided a Violation Notice as set forth herein and assessed fines in the amount set forth in the Schedule of Fines, if the Owner has never cured the violation in response to any Violation Notice sent or any fines assessed, than the Board, in its sole discretion, may determine that such a circumstance is a continuous violation warranting an assessment of a fine based upon a daily, monthly, or quarterly amount as determined by the Board.

6. Hearing. If the Owner is entitled to an opportunity to cure the violation, then the Owner has the right to submit a written request to the Association for a hearing before the Board to discuss the facts and a resolution to the matter. To request a hearing, the Owner must submit a written request to the Board's designated agent or manager (or to the Board if there is no such agent or manager) within 30 days after the date of the Violation Notice. The Board will then follow the rules set forth in the Board Hearing Policy attached to this Notice to prepare for and conduct the hearing.

7. Due Date. If a violation is uncurable or poses a threat to public safety or welfare, then fines and charges for the violation are due and payable immediately. Otherwise, the fine or charges are due immediately after the later of: (1) the date that the cure period stated in the first Violation Notice ends, and the Owner does not attempt to cure the violation or the attempt to cure is unacceptable to the Association, or (2) if a hearing is requested by the Owner, such fines or charges will be due immediately after the Board's final decision on the matter, assuming that a fine or charge of some amount is confirmed by the Board at such hearing.

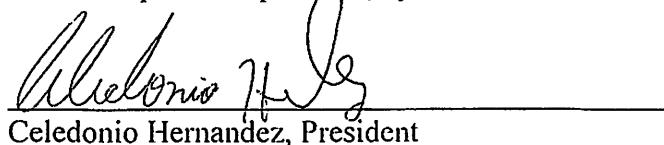
8. Lien Created. The payment of each fine or charge assessed by the Board against an Owner, together with interest as provided in the Declaration and all costs of collection, including attorney's fees, is secured by the lien granted to the Association pursuant to the Declaration. Unless otherwise provided in the Declaration, the fine or charge will be considered an Assessment and will be enforced in accordance with the terms and provisions governing the enforcement of Assessments pursuant to the Declaration.

9. Levy of Fine. Any fine or charge will be reflected on the Owner's periodic statement of account or delinquency notices.

10. Foreclosure. The Association may not foreclose its Assessment lien on a debt consisting solely of fines.

11. Amendment of Policy. This policy may be revoked or amended from time to time by the Declarant during the Development Period (and by the Board with the approval of the Declarant during the Development Period). After expiration or termination of the Development Period, this policy may be revoked or amended from time to time by the Board. This policy remains effective until the Association records an amendment or revocation of this policy in the public records where the Property is located.

Monte Verde Homeowners Association, Inc., a
Texas nonprofit corporation, by:

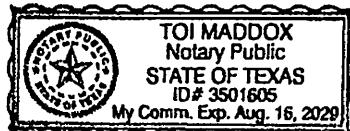


Celedonio Hernandez, President

STATE OF TEXAS)

COUNTY OF BELL)

This instrument was acknowledged before me on 11-20-2025, by Celedonio Hernandez, President of Monte Verde Homeowners Association, Inc., a Texas nonprofit corporation, on behalf of said nonprofit corporation.



Toi Maddox

Notary Public, State of Texas

My commission expires: 8/16/2029

SCHEDULE OF FINES

The Board has adopted the following schedule of fines. The number of notices set forth below does not mean that the Board is required to provide each notice prior to exercising additional remedies as set forth in the Restrictions. The Board may elect to pursue such additional remedies at any time in accordance with applicable law.

New Violation:

	<u>Fine Amount:</u>
Notice of Violation and Right to Cure	\$25.00 (if a curable violation, may be avoided if Owner cures the violation by the time specified in the notice)

Repeat Violation (no right to cure):

2nd Notice	\$50.00 (in addition to amounts above)
3rd Notice	\$75.00 (in addition to amounts above)
4th Notice	\$100.00 (in addition to amounts above)
5th Notice	\$125.00 (in addition to amounts above)

Continuous Violation:

Continuous Violation Notice	Amount TBD
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The Board also may set fine amounts on a case-by-case basis, provided the fine is reasonable in light of the nature, frequency, and effect of the violation.