

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

MANAGEMENT CERTIFICATE OF

PONTICELLO HOMEOWNERS ASSOCIATION, INC.

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

Pursuant to Tex. Prop. Code chs. 202 and 209, including Tex. Prop. Code sec. 209.004(a-1), the undersigned authorized agent of Ponticello Homeowners Association, Inc., the property owners' association for Ponticello, a residential subdivision in Galveston County, Texas, (the "Subdivision") submits this Management Certificate of Ponticello Homeowners Association, Inc.

1. The name of the Subdivision is Ponticello.
2. The name of the association for the Subdivision is Ponticello Homeowners Association, Inc. ("Association").
3. The plats for the Subdivision are recorded in the Map Records of Galveston County, Texas, as follows:

Plat of Ponticello, recorded at Plat Record 2006A, Map Number 130, and recorded under Galveston County Clerk's File No. 2006045200.

Replat of Ponticello, recorded at Plat Record 2007A, Map Number 11, and recorded under Galveston County Clerk's File No. 2007009832.

Plat of Ponticello Phase II, Recorded under Galveston County Clerk's File No. 2020066648

4. The Declaration of Covenants, Conditions and Restrictions for Ponticello is recorded in the Official Public Records of Galveston County, Texas at File Number 2007052371 as amended by that certain Amendment and Restated Declaration of Covenants, Conditions and Restrictions for Ponticello recorded in the Official Public Records of Galveston County, Texas at File Number 2009050553.

5. The contact information of the Association, and that of the person managing the Association, is c/o LPI Property Management, LLC, P.O. Box 3217, Pearland, Texas 77588-3217, attn: Jordan Cook; jcook@lpidev.net; (281) 947-8675. Association governing documents can be found at lpipropertymanagement.com. The current transfer fee for the transfer of any Lot in the Association is \$250.00 . Resale documents are as follows: \$375.00 - Resale Certificate; \$200.00 - Statement of Account. A rush order for the forgoing may be subject to an additional fee.

6. The Bylaws of Ponticello Homeowners Association, Inc. are attached to that certain Management Certificate recorded in the Official Public Records of Galveston County, Texas at File Number 2015061769.

7. A true and correct copy of the Fencing Guidelines and Building Guidelines are attached to that certain Management Certificate recorded in the Official Public Records of Galveston County, Texas at File Number 2015061769.

8. The Resolution Regarding Payment Options for Delinquent Maintenance Fees is recorded in the Official Public Records of Galveston County at File Number 2017072355.

9. Attached hereto is a true and correct copy of the Deed Restriction Violation Fine Policy.

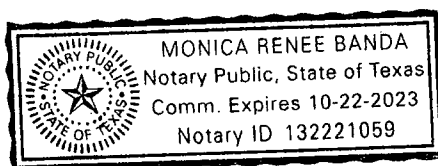
Signed this 26 day of May, 2023.

PONTICELLO HOMEOWNERS ASSOCIATION,
INC.

By: [Signature]
Name: Carl Jay Quezada
Title: Attorney

STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

This instrument was acknowledged before me on the 25th day of MAY, 2023
by Carl Jay Quezada, Attorney of Ponticello Homeowners
Association, Inc., a Texas non-profit corporation, on behalf of said non-profit corporation.



Monica R. Banda
Notary Public in and for the State of Texas

DEED RESTRICTION VIOLATION FINE POLICY

Ponticello Homeowners Association, Inc. (“Association”) has adopted this Deed Restriction Violation Fine Policy (“Policy”) to provide guidelines for the issuance of fines for violations of the Ponticello Homeowners Association, Inc. (the “Association”) governing documents. This Policy is effective upon recording in the Real Property Records of Galveston County, Texas.

I. Definitions

A) Uncurable Violation — A violation that has occurred but is not a continuous action nor a condition capable of being remedied by affirmative action. Uncurable violations include but are not limited to:

1. Shooting fireworks
2. Burning of trash
3. Any act constituting a threat to health and safety
4. A noise violation that is not ongoing
5. Blocking of Driveways and Sidewalks
6. Property damage, including but not limited to the removal or alteration of any landscape or permanent structure without an approved ACC Request.
7. Hosting an event prohibited by the Association's governing documents

B) Curable Violations — A violation that is ongoing, continuous and a condition capable of being remedied by affirmative action. Curable violations include but are not limited to:

1. Deteriorated fences
2. Dirty Driveways and sidewalks leading to homeowner’s entry way;
3. Air-conditioning window units that can be seen from the street;
4. Landscaping in poor condition, overgrown and not kept in a well manner;
5. Mold or mildew on siding or brick;
6. Trailers, boats or recreational vehicles stored in public view;
7. Inoperable vehicles in public view;
8. Failure to remove trash, rubbish or debris on a Lot in public view;
9. Failure to properly maintain the appearance of doors or shutters;

10. Failure to provide an alternative mailing address if home in the subdivision is not the primary residence of the Lot owner;
11. Failure to submit an ACC request for any exterior alteration, placement, repair or replacement of any exterior improvement or thing.
12. Violating any Association governing document currently on file with Galveston County or later hereafter properly adopted by the Association.

II. Notice

Curable Violations

- A) Each Lot owner who violates the governing documents will be sent an initial notice describing the violation and requiring the Lot owner to cure the violation within a reasonable period of time as stated in the notice.
- B) If the Lot owner does not cure the violation within the time stated in the foregoing notice, the Lot owner will be sent a second notice of violation reminding the Lot owner of the foreset remedy and time frame for its completion.
- C) If the Lot owner does not cure the violation within the time state, a third notice of violation will be sent, by certified mail, requiring the Lot owner to cure the violation within a reasonable period of time as stated in the notice. In the third notice, the Owner will be (a) given a description of the violation or property damage; (b) advised of the right to request a hearing before the Board of Directors on or before the 30th day after the date of the final notice; and (c) advise that he/she is entitled to a reasonable period to cure the violation or property damage ("cure period") and avoid further enforcement efforts. Additionally, the third letter will advise the Lot owner may be subject to charges including but not limited to expenses, fines and attorney's fees and all administration fees. The Lot owner is responsible for any administrative expenses charged for the issuance of the certified letter. After the Certified Letter is sent, with no cure of the violation or agreed upon path forward, the Board of Directors may forward the matter to the Association Attorney include assess a fine as described herein.
- D) If a violation occurs and a notice of violation for the same or similar matter was sent to the Lot owner within the six (6) previous months, the notice described in paragraph (A) need not be sent to the Lot owner for the subsequent violation and instead, the Lot owner may be sent only the notice in paragraph (C) above.

Uncurable Violations.

- A) No notice or opportunity to cure will be sent to the Lot owner and, instead, the Association may immediately impose fines, expenses and attorney's fees.

III. Fine

If the Lot owner does not cure a violation within the time set forth in the notice(s) described in paragraph (C) above, or if a same or similar matter that was the subject of the notice in paragraph (C) returns or reoccurs within a period of six (6) months from the date the notice was sent, the Lot owner may be assessed a fine as follow:

1st Fine — \$50. Violations that have been noticed to the homeowner pursuant to 209 of the Property Code and reoccur as provided herein shall be assessed a fine in the amount of \$50.00

2nd Fine — \$100.00 Violations that are ongoing and have been assessed a 1st Fine within six months shall be assessed as second fine of \$100.00.

3rd Fine — \$150.00 Violations that are ongoing and have been assessed a 2nd Fine within six months shall be assessed a third fine of \$150.00. Any subsequent violation after the third fine shall be fined as a third.

IV. Violation Notice

A notice of fine assessed against the Lot, or Lot owner will be sent to the Lot owner by certified mail at the Lot owner's address on file with the Association. A fine assessed in accordance with this Policy is due within thirty (30) days upon imposition of the fine. A notice of violation without a fine of an uncurable violation is not a waiver of the Association's ability to impose a fine at a later date for the same violation if the violation has not been resolved with the Lot owner and notice of the fine is sent in accordance with this policy.

The Lot owner is responsible for fines assessed against the Lot whether the owner is the violator or not. The Lot owner is also responsible for violations caused by the guests, licensees or invitees of the Lot owner or any occupants of the home or Lot.

Costs and reasonable attorney's fees associated with the Association's enforcement of the governing documents shall be the responsibility of the Lot owner in accordance with the governing documents and applicable law.

Notwithstanding the foregoing, the Association may in appropriate instances, and regardless of whether the violation is curable or uncurable, forward any violation of the governing documents to the Association attorney in accordance with the Texas Property Code for immediate action as the Association deems reasonable and necessary in its sole and absolute discretion.

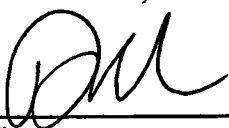
No policy can apply to every circumstance, and no policy can anticipate every circumstance. Accordingly, to the extent allowed by law, the foregoing Policy is subject to change, and may be changed, set aside, contradicted or not followed, in appropriate circumstances as the Board of Directors deems reasonable and appropriate after due consideration. The Policy does not create any rights in or to any person. This Policy is intended to be for purposes of guidance and to create a general

operating procedure for the Board of Directors, management company and Association attorney to follow. A failure to follow this policy shall not create a right in or to any person nor is any deviation or failure to follow actionable in any way or create a defense to any obligation of a homeowner to satisfy his/her financial obligations to the Association. Any failure or decision not to enforce any of the foregoing on any given matter or in any given situation shall not constitute a waiver of any right to enforce the foregoing in any other matter or in any other situation, whether against the same owner or any other owner. The Board of Directors shall have the right to waive compliance with this policy as it deems appropriate.

Director's Certificate

I hereby certify that the foregoing Fine Violation Policy was adopted by the Board of Directors of Ponticello Homeowners Association, Inc. at a meeting thereof duly called and held.

Dated this 15th day of May, 2023.



Officer DAMIEN McDONALD (President)

FILED AND RECORDED

Instrument Number: 2023023945

Recording Fee: 46.00

Number Of Pages: 7

Filing and Recording Date: 05/26/2023 8:50AM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



A handwritten signature in black ink, reading "Dwight D. Sullivan". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Dwight D. Sullivan, County Clerk
Galveston County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the clerk.

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*