

LAKWOOD HOMEOWNERS' ASSOCIATION

COMMON AREA PARKING POLICY

All private streets, cul-de-sacs and parking lots in Lakewood are administered, managed, or owned by Lakewood Homeowners' Association (the Association). The Association's Board of Directors has adopted the following policy regarding placement of vehicles in the Common Area.

Purpose:

These rules and regulations establish a Common Area Parking Policy (the "Policy") for the betterment of the community.

Definitions:

1. "Common Area" refers to all property administered, managed, or owned by the Association for the common use and enjoyment of the Owners. This includes the private streets as well as designated parking areas, regardless of signage.
2. "Household" refers to the owner and all occupants OF ANY HOME SITUATED IN Lakewood, including tenants and all persons who have been asked or allowed to enter the property.
3. "Vehicle" refers to any type of (a) motorized transport and (b) trailer that is normally pulled or towed by a motorized transport.
4. "Commercial Vehicle" refers to a service, utility, or delivery vehicle that is longer than eighteen (18) feet or that has six (6) or more tires.

General Rule:

Parking in the Common Area is prohibited except as expressly permitted by this Policy. This includes all private streets, cul-de-sacs and parking lots regardless of signage or marked no parking areas.

Permitted Parking:

1. A resident or their guest may park in the lot around the clubhouse during time the resident or guest is actively using the clubhouse, nearby Association facilities, or other amenities.

2. A resident or their guest may park in the street or cul-de-sac near the resident's home for no more than seven (7) consecutive days. For any period longer than seven (7) consecutive days the resident must contact the Association's office for an appropriate variance. When requesting a variance, the resident must provide the following information:
 - (a) the description (make, model and license tag number) of the Vehicle;
 - (b) the name of each licensed driver; and
 - (c) any other pertinent information requested by the Association.
3. Recreational vehicles, such as boat trailers and motor homes may be parked on the streets and cul-de-sacs, but not the Association's parking lot, for a maximum of forty-eight (48) hours without a variance but may not be re-parked on Common Area within thirty (30) days unless the resident/owner obtains a variance from the Association.
4. Minor vehicle repairs, such as changing batteries, lights, and tires may be performed on the street, cul-de-sac and parking lot provided that all such repairs are completed within twenty-four (24) hours. Under no circumstances may oil or fluids be drained from a Vehicle while it is on a paved area.
5. Mobile storage units and dumpsters may park in the street or cul-de-sac with a variance issued by the Association. The resident must contact the Association's office prior to placement for an appropriate variance.

Prohibited Parking:

1. Any Vehicle that is parked on Common Area, including but not limited to a vehicle that (a) appears to be inoperable or (b) has an expired license or inspection sticker, will be towed at the owner's expense without prior notice.
2. Any vehicle that is parked (a) in a marked "no parking" area, (b) next to a yellow curb or red curb, or (c) in a designated handicap space without a handicap plate sticker or tag, will be towed at the owner's expense without prior notice.
3. No Commercial Vehicles of any kind may be parked in the Common Area overnight.

Enforcement:

1. Interpretation. In the event of any dispute regarding the effect or application of this Policy, the interpretation of the Board will be final.

2. Nuisance. Every act or omission whereby any provision of this Policy is violated, in whole or in part, is hereby declared to be a nuisance.
3. Self-Help. A vehicle in violation of this Policy will be stickered, wheel-locked, towed, or otherwise removed by the Association, at the expense of the Vehicle's Owner. The Association expressly disclaims any liability for damage to Vehicles on which the Association exercises these remedies for violations of this Policy.
4. Legal Action. The Association may initiate, defend or intervene in any action or lawsuit brought to enforce any provision of this Policy, and will seek recovery for damages for and injunctive relief against the breach of any provision hereof and will recover attorney's fees and costs associated with such action or lawsuit.

Towing:

1. Any vehicle parked in violation of this Policy will be towed at owner's expense in accordance with applicable law, in addition to the imposition of any fines.
 - a) Signage. Notice that a vehicle parked in violation of this rule will be towed may be provided by posting any signage required by law.
 - b) Notice before Towing. If no signage is posted, before towing an inoperable vehicle, the Association will provide notice to an Owner.
 - c) Sticker on Vehicle. A conspicuous notice will first be attached to the vehicle's side window or, to a conspicuous part of the vehicle stating that the vehicle is parked in violation of the Association's rules. The notice will also provide the telephone number to the towing facility maintained by the tow operator that is answered 24 hours a day, to enable the owner or operator of the vehicle to locate the vehicle.
 - d) Additional Mailed Notice. After the notice is attached to the vehicle, the Association or its agent will send notice by certified mail, return receipt requested, to the last address shown for the owner according to the vehicle registration records of the Texas Department of Motor Vehicles, or if the vehicle is registered in another state, the appropriate agency of that state. The notice will state that the vehicle will be towed at the expense of the owner or operator of the vehicle if it is not removed within fifteen days of the date the letter is postmarked. The notice will also provide the telephone number to the towing facility maintained by the tow operator that will remove the vehicle that is answered 24 hours a day, to enable the owner or operator of the vehicle to locate the vehicle. The notice may also contain any information required under the Texas Property Code.

Variations:

The Association's Board of Directors may grant variations on a case-by-case basis. Any such may be granted only by vote of the Board (not by the action of an individual director or the Association manager) and must be in writing.

Amendment:

The Board reserves the right to amend this Policy from time to time, as it deems appropriate.

[END OF POLICY]