



**RESOLUTION OF
LAKES OF WOODTRACE COMMUNITY ASSOCIATION, INC.**

*Regarding Ratification of
Off-Highway Vehicle Policy
for the Purpose of Filing
in the County Real Property Records*

DATED:, JUNE 2, 2020.

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I, Robert Santini President of Lakes of Woodtrace Community Association, Inc. (the "Association"), do hereby certify that at a regular meeting of the Board of Directors of the Association, which was held on the 2nd day of June, 2020, with a quorum present and remaining throughout, and being duly authorized to transact business, the following resolution for the ratification of the Off-highway Vehicle Policy for the purposes of filing in this County's Real Property Records, was duly made and approved.

WHEREAS, the Association is a Texas non-profit corporation governed by the Texas Property Code;

WHEREAS, the Off-highway Vehicle Policy, attached hereto as Exhibit "A", is hereby ratified for the purpose of filing in this County's Real Property Records;

THEREFORE, BE IT RESOLVED THAT, Lakes of Woodtrace Community Association, Inc. adopts a uniform Policy to apply to all Owners within Lakes of Woodtrace Community Association, Inc.;

BE IT FURTHER RESOLVED THAT, the Policy approved by this resolution touches and concerns all Lots within Lakes of Woodtrace Community Association, Inc. and shall run with the land to all subsequent Owners of said Lots;

The Board of Directors of Lakes of Woodtrace Community Association, Inc. hereby memorializes in its minutes its formal resolution providing a uniform policy for all lots within Lakes of Woodtrace Community Association, Inc.

IT IS, HEREBY, RESOLVED that the Board of Directors of the Association unanimously adopts this formal resolution for the purpose of filing the aforementioned document in this County's Real Property Records.

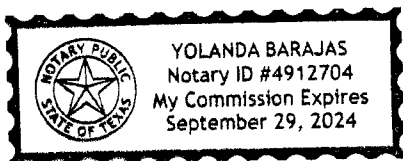
Dated: 9/29/21

Robert Santini
Robert Santini, president

STATE OF TEXAS §
HARRIS §
COUNTY OF ~~FORT BEND~~ §

ACKNOWLEDGMENT

This instrument was acknowledged before me on the 29th day of September, 2021, by Robert Santini as President of Lakes of Woodtrace Community Association, Inc., on behalf of said corporation.



Yolanda Barajas
Notary Public in and for the State of Texas

**POLICY RESOLUTION OF
LAKES OF WOODTRACE COMMUNITY ASSOCIATION, INC.**

WHEREAS, Lakes of Woodtrace Community Association, Inc. is a Texas Non-Profit Corporation governed by the Texas Property Code, and more specifically Chapter 202, *et. seq.*; and

WHEREAS, Lakes of Woodtrace Community Association, Inc. is given authority to promulgate a Policy to regulate the use of Off-Highway Vehicles within the Association under Texas Property Code § 202.019 *et seq.* as well as the By-Laws for Lakes of Woodtrace Community Association, Inc.;

Said Policy regarding the aforementioned items stating as follows:

POLICY REGARDING OFF-HIGHWAY VEHICLES

Article 1: Definitions

- 1.1 "All-terrain vehicle" means a motor vehicle that is:
- a. Equipped with a seat or seats for the use of:
 - (i) The rider; and
 - (ii) A passenger, if the motor vehicle is designed by the manufacturer to transport a passenger;
 - b. Designed to propel itself with three or more tires in contact with the ground;
 - c. Designed by the manufacturer for off-highway use;
 - d. Not designed by the manufacturer primarily for farming or lawn care; and
 - e. Not more than 50 inches wide.
- 1.2 "Golf cart" means a motor vehicle designed by the manufacturer primarily for use on a golf course.
- 1.3 "Off-highway Vehicle" means any wheeled vehicle, whether powered by gasoline or electricity, which designed for off-highway use only, and shall include, without limitation, Golf carts; All-terrain vehicles; Sand rails; Recreational off-highway vehicles; and Utility vehicles.
- 1.4 "Recreational off-highway vehicle" means a motor vehicle that is:
- a. Equipped with a seat or seats for the use of:
 - (i) The rider; and
 - (ii) A passenger or passengers, if the vehicle is designed by the manufacturer to transport a passenger or passengers;
 - b. Designed to propel itself with four or more tires in contact with the ground;
 - c. Designed by the manufacturer for off-highway use by the operator only; and
 - d. Not designed by the manufacturer primarily for farming or lawn care.

- 1.5 "Sand rail" means a vehicle, that:
- a. Is designed or built primarily for off-highway use in sandy terrains, including for use on sand dunes;
 - b. Has a tubular frame, an integrated roll cage, and an engine that is rear-mounted or placed midway between the front and rear axles of the vehicle; and
 - c. Has a gross vehicle weight of:
 - (i) Not less than 700 pounds; and
 - (ii) Not more than 2,000 pounds.
- 1.6 "Utility vehicle" means a motor vehicle that is not a golf cart or lawn mower and is:
- a. Equipped with side-by-side seating for the use of the operator and a passenger;
 - b. Designed to propel itself with at least four tires in contact with the ground;
 - c. Designed by the manufacturer for off-highway use only; and
 - d. Designed by the manufacturer primarily for utility work and not for recreational purposes.

Article 2: Usage Restrictions

- 2.1 No Owner, occupant, resident or guest may operate an off-highway vehicle on land owned or leased by the Association that is not open to vehicular traffic.
- 2.2 With the exception of golf carts, no Owner, occupant, resident or guest may operate an off-highway vehicle within the Association that is open to vehicular traffic, unless said operator:
- a. Holds a safety certificate from the Texas Off-Highway Vehicle Operator Education And Certification Program or a similar program of another state;
 - b. Is taking a safety training course under the direct supervision of a certified off-highway vehicle safety instructor; or
 - c. Is under the direct supervision of an adult who holds a safety certificate issued under this chapter or under the authority of another state.
- 2.3 A operator to whom a safety certificate required by Section 2.2 has been issued shall:
- a. Carry the certificate when the person operates an off-highway vehicle within the Association; and
 - b. Display the certificate at the request of any law enforcement officer.
- 2.4 A person younger than 14 years of age who is operating an off-highway vehicle within the Association must be accompanied by and be under the direct supervision of:
- a. The person's parent or guardian; or

- b. An adult who is authorized by the person's parent or guardian.

Article 3: Equipment And Safety Requirements

- 3.1 An off-highway vehicle that is operated within the Association must be equipped with:
 - a. A brake system maintained in good operating condition;
 - b. An adequate muffler system in good working condition; and
 - c. A United States Forest Service qualified spark arrester.
 - d. A lighted headlight and taillight:
 - (i) During the period from one-half hour after sunset to one-half hour before sunrise; and
 - (ii) At any time when visibility is reduced because of insufficient light or atmospheric conditions.
- 3.2 A person may not operate an off-highway vehicle within the Association if:
 - a. The vehicle has an exhaust system that has been modified with a cutout, bypass, or similar device; or
 - b. The spark arrester has been removed or modified, unless the vehicle is being operated in a closed-course competition event.
- 3.3 A person may not operate, ride, or be carried on an off-highway vehicle within the Association unless the person wears:
 - a. A safety helmet that complies with United States Department of Transportation standards;
 - b. Eye protection; and
 - c. Seat belts, if the vehicle is equipped with seat belts.
- 3.3.1 This section does not apply to a motor vehicle that is in the process of being loaded into or unloaded from a trailer or another vehicle used to transport the vehicle.

Article 4: Prohibited Uses

- 4.1 A person may not operate an off-highway vehicle within the Association in a careless or reckless manner that endangers, injures, or damages any person or property.
- 4.2 A person may not carry a passenger on an off-highway vehicle operated within the Association unless the vehicle is designed by the manufacturer to transport a passenger.

Article 5: Violations

- 5.1 A violation of any of these provisions shall be considered a violation of the Covenants, Conditions and Restrictions of the Association, and shall subject the operator and/or the Owner of the property within the Association to penalties and fines.

These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.