

Property Owners' Association of Hilltop Lakes, Inc.
ATV-UTV Registration & Use Policy

I. 1. Introduction

In the interest of safety and for protection of property owners, their property, and POA property, the Property Owners' Association of Hilltop Lakes, Inc., (POA) has established the following ATV-UTV Registration & Use Rules that apply to all ATVs and UTVs operated on POA property (streets, roads, other common grounds).

The POA shall not be liable for any loss or injury sustained by any property owner or other persons using ATVs/UTVs or arising out of the operation of the same in accordance with these Rules.

II. 11. General Rules and Regulations

- a. The use of the parks, the common areas, streets/roads, and the common facilities is limited to POA property owners, their guests, employees, and guests of management.
- b. The final determination of a guest of management who is permitted to use POA amenities is decided by the General Manager (the "GM" and/or Board of Directors of the POA (the "Board")). Employees of Hilltop Lakes with employee ID card/badge and their immediate family members are also allowed to use common areas.
- c. All property owners and guests of property owners are responsible for understanding and complying with these rules prior to using ATVs or UTVs on POA property. Property owners shall be responsible for the compliance with these rules by them and their guest(s). Ignorance of federal or state laws or these rules is not a defense.
- d. The POA property owner shall be responsible for the conduct of such owner's guests.
- e. Property owners are required to show PO ID card and valid driver's license if requested to do so by POA security officers (contracted or employed). Unaccompanied guests are required to show 'guest pass' and valid driver's license if requested by POA security officers (contracted or employed). Inability to produce requested identification/pass will cause the persons to be considered an

unauthorized user of the lakes/common areas and will be asked to leave or be considered trespassers.

- f. Open carry and discharge of firearms, including homemade devices of any kind, are strictly prohibited on or in any common property in Hilltop Lakes.
- g. All ATVs and UTVs must have a POA sticker prominently displayed at all times. Two decals should be applied: one on each side of the vehicle. Stickers are issued at the Welcome Center – the charge per ATV/UTV is detailed in the current Fee Structure Sheet, also available at the Welcome Center or online at Hilltoplakes.com. Guests of management may receive a temporary pass for their ATV/UTV for a fee as defined in the Fee Structure Sheet.
- h. Always be respectful of your neighbors, the other drivers of other vehicles and pedestrians.
- i. ATVs and UTVs shall be operated in compliance with Texas Transportation Code. If operated on a street/road or other common property, the operator must be a licensed driver with a current/valid driver's license available for review by Security.
- j. No ATV/UTV shall be driven/operated on private property without explicit permission from the property owner.

III. ATV/UTV Registration and Permits

- a. All ATVs/UTVs operated on POA property must have a current POA ATV/UTV registration permit (sticker), issued by staff at the Welcome Center – the fee for registration can be found in the current Fee Structure Sheet.
- b. Applicable Texas Transportation Code regulations apply on all streets/roads in Hilltop Lakes.
- c. ATV/UTV registration requirements for use on POA property include:
 - i. No delinquency for any assessment accounts
 - ii. Current POA Photo ID card
 - iii. Valid state issued identification (with same name as vehicle registration or title)
 - iv. Proof of ATV/UTV ownership (state registration or title is sufficient) or notarized lease
 - v. ATV/UTV and Trailer license plate number if applicable

- vi. Completion, including signature, of ATV/UTV registration form, which includes acknowledgements of receipt of the policy and the consequence of non-compliance.
 - vii. Payment of applicable registration fees (per Fee Structure Sheet)
- d. Permits (stickers) may be purchased at the Welcome Center at a cost as defined in the current Fee Structure Sheet. Upon completion of ATV/UTV registration and payment of fees, staff will apply stickers to vehicles – owners will be provided a copy of the POA's current ATV/UTV Registrations & Use Rules.

IV. VI. Penalties for Violations of Rules

- a. A violation report form can be obtained at the Hilltop Lakes website or from staff at the Welcome Center. The completed form can be filed with the staff at the Welcome Center and will be submitted to the ACC coordinator for next step.
- b. Violation of any rule as stated herein is a violation for which one strike shall be assessed. Extenuating circumstances may be taken into consideration by Board. Ultimately, the board has discretion in determining whether a rule has been violated.
- c. Any property owner who accumulates three strikes in violation of the rules as herein described is subject to discipline by the Board.
- d. The nature and extent of the penalties for violations of these rules is in the discretion of the Board. Penalties could include a warning, a fine (up to \$500.00), and/or temporary or permanent suspension of amenity use privileges.
- e. Process:
 - i. The POA will send the property owner written notice by mail when a violation occurs.
 - ii. When the third strike (3rd violation) occurs, the POA will send the property owner written notice by certified mail ("certified notice").
 - iii. The certified notice will:
 - 1. Describe the violation or property damage that is the basis for the suspension action or fine and state any amount due the POA from the property owner;

2. Except for incurable violations as provided by Section 209.006(d), Texas Property Code, inform the owner that the owner:
 - a. is entitled to a reasonable period of time to cure the violation and avoid fine or suspension of privileges if the violation is curable and does not pose a threat to public health or safety;
 - b. may request a hearing under Section 209.007, Texas Property Code, on or before the 30th day after the date the certified notice was mailed to the owner; and
 - c. may have special rights or relief to the enforcement action under federal law, including Servicemember Civil Relief Act (50 U.S.C. App. Section 501 et seq.), if the owner is serving on active military duty;
 - d. specify the date by which the owner must cure the violation if the violation is of curable nature and does not pose a threat to public health or safety; and
 - e. be sent by certified mail to the owner at the owner's last known address as shown on the POA's records.
- iv. The date specified in the notice under paragraph d(iii) must provide a reasonable period to cure the violation if the violation is of curable nature and does not pose a threat to public health or safety.
- f. Paragraphs (b), (c), and (d) do not apply to a violation for which the owner has been given certified notice in the preceding six months.

This Policy is effective upon recordation in the Public Records of Leon County, and supersedes any policy on ATV-UTV Registration & Use Policy which may have previously been in effect except as affected by Section 209.005 and/or by this Policy, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Board on this 19th day of January 2023.

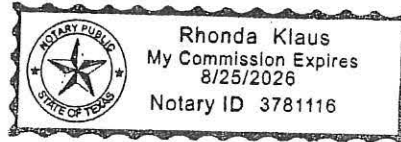


Bill Johnson
President
Property Owners' Association of Hilltop Lakes, Inc.

STATE OF TEXAS)

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COUNTY OF LEON)



Before me, the undersigned authority, on this day personally appeared Bill Johnson, President of Property Owners' Association of Hilltop Lakes, a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledge to me that he had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of this office this 23rd day of January, 2023.

Rhonda Klaus
Notary Public, State of Texas

Rhonda Klaus
Printed Name

My Commission expires: 8/25/2026

Leon County
Christie Wakefield
Leon County Clerk
Centerville, Texas 75833



70 2023 00456913

Instrument Number: 2023- 00456913

As

Recordings

Recorded On: January 24, 2023

Parties: PROPERTY OWNERS ASSOC OF HILLTOP LAKES INC

To

TO THE PUBLIC

Billable Pages: 5

Recorded By: POA OF HILLTOP LAKES

Num Of Pages: 6

Comment: POLICY

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

Recordings 32.00

Recording Charge: 32.00

**** THIS PAGE IS PART OF THE INSTRUMENT ****

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Leon County, TX

File Information:

Document Number: 2023- 00456913

Receipt Number: 175869

Recorded Date/Time: January 24, 2023 08:31:53A

Book-Vol/Pg: Bk-OR VI-1926 Pg-374

Record and Return To:

POA OF HILLTOP LAKES

HAND DELIVER 1-24-23

CENTERVILLE TX 75833
