

**ADDITIONAL DEDICATORY INSTRUMENTS**  
**for**  
**SOUTH SHORE HARBOUR COMMUNITY ASSOCIATION, INC.**

THE STATE OF TEXAS                   §

COUNTY OF GALVESTON               §

BEFORE ME, the undersigned authority, on this day personally appeared **Trisha Taylor Farine**, who, being by me first duly sworn, states on oath the following:

"My name is **Trisha Taylor Farine**, I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

"I am the attorney for SOUTH SHORE HARBOUR COMMUNITY ASSOCIATION, INC. Pursuant to the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

**Procedure and Fine Policy for Recovery of Access Control Gate Repair Expenses**

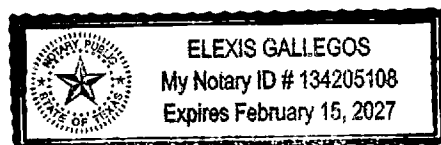
DATED this 7<sup>th</sup> day of April, 2026.

SOUTH SHORE HARBOUR COMMUNITY  
ASSOCIATION, INC.

BY: Trisha Taylor Farine  
Trisha Taylor Farine, Attorney

SUBSCRIBED AND SWORN TO BEFORE ME by the said Trisha Taylor Farine, on this  
the 7<sup>th</sup> day of April, 2026.

Elexis Gallegos  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



## **PROCEDURE AND FINE POLICY FOR RECOVERY OF ACCESS CONTROL GATE REPAIR EXPENSES**

WHEREAS, SOUTH SHORE HARBOUR COMMUNITY ASSOCIATION, INC., a Texas non-profit corporation (hereafter referred to as the "ASSOCIATION") through its Board of Directors has the authority under its governing documents and Texas Property Code Section 204.010(a)(6) to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision;

WHEREAS, Article V, Section 5.01, General Duties and Powers of Association, of the Association's Declaration of Covenants, Conditions, and Restrictions (hereafter referred to as the "Declarations") filed of record under Clerk's File No. 8222944, 001-80-1952 in the Office of the County Clerk of Galveston County, Texas empowers and obligates the Board of Directors to, "... maintain and repair all Community Association property and keep the same in safe, attractive, and desirable condition for the use and enjoyment of the Members.";

WHEREAS, Article V, Section 5.16, Power to Adopt Rules and Regulations, of the Association's Declarations provides that "the Community Association may adopt, amend, repeal, and enforce Rules and Regulations, fines, levies and enforcement provisions as may be deemed necessary or desirable with respect to the interpretation and implementation of the Community Declaration, the operation of the Community Association, the use and enjoyment of the Community Association Property and the use of any property within the Community Association Area, including Privately Owned Sites;"

WHEREAS, Article V, Section 5.17, Power to Enforce Declarations, and Rules and Regulations, of the Association's Declarations empowers the Board of Directors to, "... enforce the provisions of this community declaration and of the rules and regulations and shall take such action as the board deems necessary or desirable to cause such compliance by each member and each person claiming by, through, or under such member ('Related User'). Without limiting the generality of the foregoing, the Community Association shall have the power to enforce the provisions of this community declaration and of rules and regulations of the Community Association by any one or more of the following means: ..., (vi) by levying and collecting, after Notice and Hearing, a Reimbursement Assessment against any member for breach of this Community Declaration or such Rules and Regulations by such Member or a Related User of such Member; and (vii) by levying and collecting, after Notice and Hearing, reasonable and uniformly applied fines and penalties, established in advance in the Rules and Regulations of the Community Association, from any Member(s) and/or Related User(s) for breach of this Declaration or such Rules and Regulations by such Member or a Related User of such Member.";

WHEREAS, pursuant to the Texas Property Code and the Association's governing documents, the Board of Directors of the Association (hereafter, the "Board") hereby adopts this Policy in an effort to provide homeowners a system for policy enforcement and fines;

WHEREAS, property values in the subdivision are affected by the appearance and operability of the access control hardware, mechanisms, and systems therein (hereafter referred to as the "gate" or "gates");

WHEREAS, the Board deems it to be in the best interests of the Community Association to adopt a uniform and systematic policy and procedure for recovering reimbursement of expenses incurred to repair/replace Community Association gates damaged by Member(s) and Related User(s); and

WHEREAS, the Board seeks to discourage vandalism and inappropriate behavior at Community entry and exit access control systems (hereafter, "gate" or "gates"), and to hold accountable the individual(s), both Community residents and non-residents, for damage caused by them to said gates by pursuing the reimbursement of expenses required to restore/repair/replace damaged property (hardware, mechanism, and system components).

NOW THEREFORE, BE IT RESOLVED that in consideration of the above factors, the South Shore Harbour Community Association, Inc.'s Board of Directors hereby resolves to adopt and publish the following Rules, Regulations, Policies, Procedures and Guidelines to discourage vandalism and inappropriate behavior involving the gates, and to hold accountable Community Association Member(s) and Related User(s) of such Member(s) for damages caused to the gates by seeking reimbursement of expenses incurred to restore/replace/repair Community Association access control hardware, mechanisms, and systems from same Member(s):

- **Policy and Fine Amount:** The Community Association will pursue through all legal means available reimbursement of expenses required to restore, repair, and/or replace property damaged due to Individual(s) negligence and/or misconduct as well as the legal fees realized in the pursuit and recovery of said reimbursement. In cases of a Community Association Member(s) (hereafter, "Member(s)") or Related User(s) of such Member(s) (hereafter, "Related User(s)") being responsible for property damage, **a fine of \$500.00 will be levied on the Member(s) in addition to being held liable to reimburse the Community Association for the expenses required to restore, repair, and/or replace said damaged property.**
- **Policy Implementation:** Surveillance cameras have been installed at all Community entry and exit gates that continuously record images of ingress and egress traffic. In the

event that property observable on these recordings is damaged, the following procedure will be followed to implement the aforementioned Policy

#### **1. INITIAL RESPONSE AND ASSESSMENT**

- All gate damage shall be reported immediately to the on-duty Security Guard.
- The on-duty Security Guard shall investigate the report. If damage is not confirmed, no further action is required.
- If damage is minor and the Security Guard is qualified to restore the gate to operable condition, the Guard may do so and proceed to notification requirements below.

#### **2. SITE SAFETY AND NOTIFICATION**

- If the gate is inoperable or unsafe, the Security Guard shall secure the affected lane by placing traffic control devices or closing the gate, unless the lane is the only available access, in which case it shall remain open.
- The Security Guard shall notify, via text message, the Property Manager, the Traffic, Safety and Security Committee Chair, the Gates Committee Chair, and the Security Supervisor, that a gate strike has occurred and identify the affected gate.

#### **3. EVIDENCE COLLECTION AND DOCUMENTATION**

- The Security Guard shall review video footage to determine the cause of the damage. If a vehicle, bicyclist, pedestrian, or other individual caused the property damage, the Security Guard(s) will capture images of the responsible party and/or their vehicle/bicycle and other related information, including:
  - Date, time, and location of the incident;
  - Identifying characteristics of the responsible party and/or vehicle; and
  - A characterization of the nature and severity of the damage.
- All relevant video footage shall be preserved in secure storage in accordance with the Association's records retention policy.
- An incident report shall be completed and distributed to the Property Manager, Security Supervisor, Board of Directors, the Traffic, Safety and Security Committee Chair, and the Gates Committee Chair (if these chairs are not held by members of the Board of Directors).

#### **4. DAMAGE EVALUATION AND LAW ENFORCEMENT**

- The Gates Committee Chair shall promptly inspect the gate, assess the severity of the damage, and provide a cost estimate to restore/repair/replace the damaged property to the Property Manager.

- If estimated damages exceed \$1,000, the Gates Committee Chair shall direct the Security Guard to contact the League City Police Department to initiate a police report.
- Video recordings and incident reports shall be released to law enforcement, the courts, or Association's legal counsel upon request or subpoena.

## **5. REPAIR AUTHORIZATION**

- The Property Manager and/or Gates Committee Chair shall notify the Association's gate service provider and request an inspection.
- The Association's gate service provider shall perform the requested inspection, then develop and submit to the Property Manager and the Gates Committee Chair an estimate to restore/repair/replace the damaged property to like-new condition, regardless of the condition of the property at the time of the incident:
  - If the Association's gate service provider's cost estimate is below authorized spending limits, the Property Manager may authorize work to proceed.
  - If the Association's gate service provider's cost estimate exceeds authorized spending limits and/or if multiple repair options are presented, formal Board action/approval shall be obtained by formal vote to authorize restoration/repair/replacement work.

## **6. DETERMINATION OF RESPONSIBILITY**

- The Property Manager shall determine whether the party responsible for the damage is a Member (or Related User) and notify the Board and Association's legal counsel of the determination.
- The Property Manager shall forward the incident report and cost estimates to legal counsel with instructions to notify the party responsible for the damage of the Association's intent to pursue recovery/reimbursement of all restoration/repair/replacement expenses.
- The incident report and cost estimates shall be forwarded to legal counsel, who will prepare the statutory enforcement notice required by § 209.006.

## **7. NOTICE REQUIREMENTS — TEXAS PROPERTY CODE § 209.006**

Before charging an owner for property damage or imposing the \$500 fine, the Association (via legal counsel) shall send the owner a written verified/certified-mail notice containing all elements required by § 209.006, including:

- Description of the property damage and the amount owed for repair costs.
- Statement of the Member's rights, including:
  - Right to a reasonable period to cure (if the violation is curable and not a threat to health/safety);
  - Right to request a hearing under § 209.007 within 30 days of the date the notice was mailed;

- Notice of federal protections under the Servicemembers Civil Relief Act, if applicable.
- Notice that the letter is being sent by certified/verified mail to the owner's last known address.

## **8. HEARING PROCEDURES — TEXAS PROPERTY CODE § 209.007**

If the Member requests a hearing within the required 30-day period:

- The Association must hold the hearing within 30 days after receiving the request, unless mutually postponed (one mandatory 10-day postponement allowed).
- The Association must provide the owner written notice of the date, time, and place of the hearing at least 10 days before the hearing.
- At least 10 days before the hearing, the Association must give the owner a packet of all documents, photographs, and communications the Association intends to present.
- At the Incident Hearing, the Board of Directors, Property Manager, and Legal Counsel shall meet to consider the Member's challenge to the allegation of responsibility. The Member is entirely responsible for preparing and presenting persuasive evidence that may convince the Board that the Member(s) is not responsible.
- The owner and the Association may each make an audio recording of the hearing.
- The Board will consider all relevant evidence presented.

## **9. POST-HEARING DETERMINATION**

- If the Member is found responsible, legal counsel will issue a written demand for payment reflecting the Board's final determination. The Board may uphold, reduce, or waive the repair charges or fine.
- Following any Incident Hearing, if the Board concludes that a different individual(s)/party(s)/entity(s) is responsible for the property damage, the Property Manager, Board, legal counsel, and Community Association's service providers involved with this procedure will return to Procedural Step 3 to seek reimbursement from the newly determined responsible party.
- If the Member is not responsible, no further action will be taken and the Member shall have no liability regarding the property damage.

## **10. FINAL BILLING AND COLLECTION**

- All repair invoices will be forwarded to legal counsel.
- Legal counsel shall issue the final demand in accordance with the Board's determination.
- The responsible party shall remit payment within 30 days of receipt.
- Failure to remit payment may result in further legal action, including insurance claims or criminal proceedings, as directed by the Board.

**11. CERTIFICATION**

I, David McFarland, <sup>President</sup>~~Secretary~~ of SOUTH SHORE HARBOUR COMMUNITY ASSOCIATION, INC. (the "Association"), do hereby certify that in the open session of a properly noticed meeting of the Board of Directors of the Association, duly called and held on the 24<sup>th</sup> day of March, 2026, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, this Policy was duly approved by at least a majority vote of the members of the Board present at said meeting.

Subsequent to recording, a copy of this Policy shall be provided to all owners of record by posting a copy on the internet website maintained by the Association pursuant to Tex. Prop. Code §209 0061(d)(1)(A).

This policy was approved by the Board of Directors of South Shore Harbour Community Association, Inc. on the 24<sup>th</sup> day of March, 2026.

[Signature]  
Secretary (Signature)  
David McFarland  
Print Name

# FILED AND RECORDED

Instrument Number: 2026015649

Recording Fee: 49.00

Number of Pages: 8

Filing and Recording Date: 4/7/2026 3:49:00 PM

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 that reads "Dwight D. Sullivan". The signature is written in a cursive style.

---

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.*