

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS



*Dyana Limon-Mercado*

Dyana Limon-Mercado, County Clerk  
Travis County, Texas

Jan 05, 2024 10:17 AM Fee: \$45.00

**2024001610**

\*Electronically Recorded\*

**AFFIDAVIT FOR FILING DEDICATORY INSTRUMENTS**

STATE OF TEXAS §  
§  
COUNTY OF TRAVIS §

**KNOW ALL BY THESE PRESENT:**

WHEREAS section 202.006 of the Texas Property Code requires that a property owners' association file its dedicatory instruments in the real property records of the county in which the property is located, and

WHEREAS the Canyon Creek Homeowners' Association is a property owners' association as the term is defined in the Texas Property Code and has property located in Travis County, Texas,

NOW THEREFORE, true copies of the following dedicatory instruments of the Canyon Creek Homeowners' Association which have not been previously filed in the public records of Travis County are attached hereto, including:

- **Violation Enforcement Procedure**
- **Uncurable Violation Enforcement Procedure**

FURTHER, other dedicatory instruments of the Canyon Creek Homeowners' Association have already been filed in the public records of Travis County as these documents supplement the previously filed documents.

SIGNED on this the 4<sup>th</sup> day of January, 2024.

Canyon Creek Homeowners' Association

By: Spectrum Association Management, L.P.

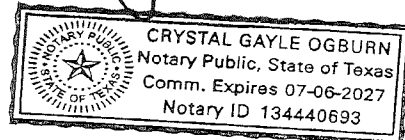
By: *Shelby Welch*  
Shelby Welch  
Spectrum Association Management, L.P.  
Managing Agent

State of Texas §  
County of Bexar §

This Instrument was acknowledged and signed before me on 4 January, 2024 by Shelby Welch, representative of Spectrum Association Management, the Managing Agent for Canyon Creek Homeowners' Association, on behalf of said association.

*[Signature]*  
Notary Public, State of Texas

After Recording Return To:  
Spectrum Association Management  
Attn: Transitions  
17319 San Pedro, #318  
San Antonio, TX 78232



**Violation Enforcement Resolution for  
Canyon Creek Homeowners' Association**

STATE OF TEXAS                   §  
  §  
COUNTY OF TRAVIS           §

Pursuant to the Bylaws of the Canyon Creek Homeowners' Association and the Declaration of Protective Covenants, the Directors of Canyon Creek Homeowners' Association, a Texas nonprofit corporation (referred to as "Association"), adopt the following resolution:

RE: Violation Enforcement Resolution

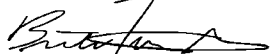
WHEREAS:

1. The Board of Directors is empowered to enforce the covenants, conditions and restrictions of the Covenants, Bylaws and any rules and regulations of the Association.
2. It is the Board's right to use its best efforts to assure that said enforcement occurs.
3. The Board desires to provide a current, comprehensive list of restrictions, rules, regulations, and architectural control guidelines that apply to all owners in the Association.
4. The Board desires to record a summary of restrictions, rules, regulations, and architectural control guidelines in county record for access by all current and future owners.

BE RESOLVED THAT:

1. The Board of Directors hereby adopts this Violation Enforcement Policy to establish equitable policies for the Association in compliance with the Chapter 209 of the Texas Property Code, titled the "Texas Residential Property Owners Protection Act," as it may be amended (the "Act"). To the extent any provision within this policy is in conflict the Act or any other applicable law, such provision shall be modified to comply with the applicable law.
2. All rules of the Association shall be enforced.
3. The Violation Enforcement Procedure and Schedule (attached) shall be the Association's policy of enforcement of the covenants for the following general categories: Property Maintenance, Vehicle Storage and Prohibitions, Landscape Maintenance, Exterior Improvements, Nuisance Violations, Leases and Property Use, and all other curable violations listed in the Governing Documents.

EFFECTIVE: 1/1/2024


December 26, 2023

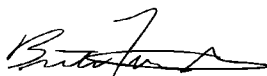
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Authorized Board Member Signature and Date

**Violation Enforcement Procedure and Schedule for  
Canyon Creek Homeowners' Association**

<b>Status</b>	<b>Violation Procedure</b>	<b>Action Required</b>
1st Sighting or Report of Violation	Send Notice of intent to fine \$50 if the violation is not resolved within 10 days from the notice (sent certified mail).	10 days to correct violation
2nd Sighting / Not Repaired / No application for extension	(\$50 fine) Send Notice of applied fine of \$50 and intent to fine \$50 if not resolved within 10 days from the notice (sent certified mail).	10 days to correct violation
3rd Sighting / Not Repaired / No application for extension	(\$50 fine) Send Notice of applied fine of \$50 and intent to fine \$50 if not resolved within 10 days from the notice (sent certified mail).	10 days to correct violation
4th Sighting / Not Repaired / No application for extension	(\$50 fine) Send Notice of applied fine of \$50 and intent to fine \$50 if not resolved within 10 days from the notice (sent certified mail).	10 days to correct violation
5th Sighting / Not Repaired / No application for extension	(\$50 fine) Send Notice of applied fine of \$50 and intent to fine \$50 if not resolved within 10 days from the notice (sent certified mail).	10 days to correct violation
6th Sighting / Not Repaired / No application for extension	(\$50 fine) Send Notice of applied fine of \$50 and intent to fine \$50 if not resolved within 10 days from the notice (sent certified mail).	10 days to correct violation
7th Sighting / Not Repaired / No application for extension	(\$50 fine) Send Notice of applied fine of \$50 and intent to fine \$50 if not resolved within 10 days from the notice (sent certified mail).	10 days to correct violation
8th Sighting / Not Repaired / No application for extension	(\$50 fine) Send Notice of applied fine of \$50 and intent to fine \$50 if not resolved within 10 days from the notice (sent certified mail).	10 days to correct violation
9th Sighting / Not Repaired / No application for extension	(\$50 fine) Send Notice of applied fine of \$50 and intent to fine \$50 if not resolved within 10 days from the notice (sent certified mail).	10 days to correct violation
10th Sighting / Not Repaired / No application for extension	(\$50 fine) Send Notice of applied fine of \$50 and intent to fine \$50 if not resolved within 10 days from the notice (sent certified mail).	10 days to correct violation
Final Notice	(\$50 Final Fine) Send Notice of applied fine of \$50 (sent certified mail).  The Board may also escalate the matter to the Association's attorney by sending a final notice that the file will be forwarded to the attorney to correct the violation through the court system in thirty (30) days if the violation is not resolved (sent certified mail).	30 days to correct violation

EFFECTIVE: 1/1/2024




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 Authorized Board Member Signature and Date

**General Policy**

If a homeowner contacts management with the intent to correct a violation and asks for an extension, The Board may grant such extension if it deems the extension reasonable. The decision to grant an extension may be based on violation severity, prior violation history, or other factors that may influence the Board's decision. If the homeowner does not cure the violation after the extension period, the homeowner will be immediately referred to the attorney, or the process will be resumed at the last level of the process.

*\*Section 209.006, Texas Property Code provides that an owner is not entitled to prior notice and opportunity to cure if the owner has received any notice and not cured the same or similar violation in the preceding six months. The Association at this time can exercise any rights related to the violation under this policy of which the owner has previously been given notice for.*

*\*\*Section 209.007, Texas Property Code provides that each owner may submit a written request for a hearing to the Association to discuss and verify facts on a violation and resolve the matter in issue before the Board of Directors.*

**Attorney Procedure**

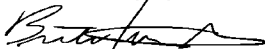
It is the option of the Board of Directors to decide when and if an account goes to the attorney. The decision to escalate an account to the attorney may be based on violation severity, prior violation history, or other factors that may influence the Board's decision. Once an account is turned over to the attorney's office, the attorney will send the homeowner a letter of representation and a demand for compliance with the Association's governing documents. If the homeowner does not respond, the attorney will pursue all available action to cure the violation through the court/legal system. If allowable by law and the Association's Declaration of Covenants, all attorneys' fees/court costs shall be the homeowner's responsibility and shall be charged to the homeowners account and the money due shall be subject to the collection policy.

**Other**

Per the Governing Documents of Canyon Creek Homeowners Association, the Board has the authority to add daily fines for any infraction of the Deed Restrictions.

This policy may be amended and/or adjusted by the Board of Directors from time to time without notice. Homeowners are advised that they should contact the management company to request the most recent version of this policy if they have a question and/or need assistance in making payment arrangements.

EFFECTIVE: 1/1/2024



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Authorized Board Member Signature and Date



### Uncurable Violation Enforcement Procedure

Status	Violation Procedure	Action Required
Report / Sighting: Fine of Fifty (50) dollars assessed and a fine notice sent (sent certified mail).	Notice of applied fine of fifty (50) and the intent to assess additional fine for any future occurrences.	Owner must not repeat action or condition.

#### **General Policy**

If a homeowner is in violation of an uncurable violation as defined in this policy, the above table will govern action taken. All other violations will follow the Association Violation Enforcement Resolution. Uncurable violation examples include, but are not limited to, an act constituting a threat to health or safety, a noise violation that is not ongoing, property damage (including the removal or alteration of landscape) and holding a garage sale or other event prohibited by the dedicatory instruments.

*\*Section 209.006, Texas Property Code provides that an owner is not entitled to prior notice and opportunity to cure if the owner has received any notice and not cured the same or similar violation in the preceding six months. The Association at this time can exercise any rights related to the violation under this policy of which the owner has previously been given notice for.*

*\*\*Section 209.007, Texas Property Code provides that each owner may submit a written request for a hearing to the Association to discuss and verify facts on a violation and resolve the matter in issue before the Board of Directors.*

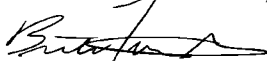
#### **Attorney Procedure**

The Board, in its best discretion may decide when and if an account is escalated to an attorney or other third party for enforcement. The decision to escalate an account to the attorney may be based on violation severity, prior violation history or other factors that may influence the Board of Director's decision. If allowable by law or the Association's Declaration of Covenants, all attorneys' fees/court costs shall be the homeowner's responsibility and shall be charged to the homeowners account and the money due shall be subject to the Association's ordinary collection procedure or as permissible by law.

#### **Other**

This policy may be amended and/or adjusted by the Board of Directors from time to time without notice. Homeowners are advised that they should contact the management company to request the most recent version of this policy if they have a question and/or need assistance in making payment arrangements.

EFFECTIVE: JANUARY 1, 2024



Authorized Board Member Signature and Date