

Windsor Lakes Homeowners Association, Inc.

Pedestrian Sidewalks and Pathways Resolution

STATE OF TEXAS §

§

COUNTY OF MONTGOMERY §

WHEREAS, Windsor Lakes Homeowners Association, Inc. (the Association"), a Texas Nonprofit Corporation, is the governing entity for Windsor Lakes, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, additions Montgomery County, Texas, according to the maps or plats thereof, recorded in the map records of Montgomery County, Texas, under Clerk's File Nos. 2002-131351, 2002-131514, 2002-131516 / 2003-056902, 2003-045017, 2003-045526, 2002-131688, 2004-020265, 2004-020276, 2004-048654, 2004-048655 and 2004-128282, respectively, along with any amendments or supplements thereto (the "Subdivision"); and

WHEREAS, Section 204.010(a)(6) of the Texas Property Code, authorizes the Association, through its Board of Directors, to regulate the use, maintenance, repair, replacement, modification and appearance of the Subdivision; and

WHEREAS, the Subdivision, which is for residential use, is subject to the Declaration of Covenants, Conditions, and Restrictions for Windsor Lakes, recorded in the Real Property Records of Montgomery County, Texas, under Clerk's File No. 2003-0683161, along with any amendments and supplements thereto (the Declaration"); and

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions for Windsor Lakes (DCCRs) specifies that property in Windsor Lakes, which is subject to the DCCRs and other controlling documents, is for residential use and shall be used, subject to conditions and restrictions, which are for the purpose of protecting the value and desirability of the real property for the benefit of each and every owner (see DCCRs, Witnesseth); and

WHEREAS, the Texas Transportation Code Section 501 considers bicycles, electric bicycles and mopeds to be vehicles which are subject to regulations on public roads; and

WHEREAS, the Texas Transportation Code Section 551.203 permits a person to operate a personal assistive mobility device on a sidewalk; but Section 501.106 (b) permits a local authority to otherwise "prohibit the operation of a bicycle on a sidewalk"; and

WHEREAS, Article VI, Section I, of the DCCRs authorizes the Board to promulgate rules and regulations applicable to Common Areas, and

WHEREAS, the Association, in order to protect the value and desirability of Windsor Lakes Community, including the safety of members of the Community, the Association deems it necessary to adopt additional rules governing certain aspects of using Sidewalks in Common Areas; and

Terms used but not defined in this document will have the meaning ascribed to such terms in certain Declaration of Covenants, Conditions, and Restrictions for Windsor Lakes, recorded in the Real Property Records of Montgomery County, Texas, under Clerk's File No. 2003-0683161, along with any amendments and supplements thereto (the Declaration"). Where reference is to Texas Laws, the terms used are as defined by the Texas Transportation Code.

NOW THEREFORE, Pursuant to the foregoing, and as evidenced by the Certification hereto, the Association hereby adopts, establishes, and imposes on the Subdivision:

- I. Enforcement of all requirements regarding the use of all vehicles, including golf carts, bicycles, electric bicycles, mopeds, and electric personal assistive mobility devices on roadways in Windsor Lakes Community.
- II. In addition, pursuant to the Texas Transportation Code Section 551.106, the following will be restrictions on the use of all vehicles including bicycles on all Common Area sidewalks in Windsor Lakes Community, except for electric personal assistive mobility devices.
 - a. Bicycles and other vehicles are not allowed to be used on Common Area Sidewalks, with the following exception:
 - i. Elementary aged children who are accompanied by, and in close proximity to a resident, may utilize a non-motorized vehicle such as a bicycle on the common area sidewalks during daylight hours.
 - ii. These elementary aged children accompanied by a resident/owner must yield to pedestrians.
 - iii. These elementary aged children must give audible warning when approaching pedestrians.
 - b. As noted above, there are no restrictions on the use of electric or other personal assistive mobility devices for handicapped persons.
- III. Enforcement: To enforce the provisions of this instrument, the Association shall have the right to undertake any action authorized by the Declaration and/or applicable law, including, but not limited to imposing a fine of \$50.00 per incident of violation.

Pedestrian Sidewalks and Pathways Resolution

This is to certify that the foregoing was adopted by at least a majority of the Association's Board of Directors at an open meeting of the Board of Directors, properly notice, at which a quorum of the board was present.

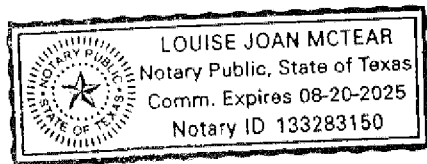
Windsor Lakes Home Owners Ass. S H Van Dam 8/26/24
Name of Association Officer Signature Date

S H Van Dam
Officer Print

STATE OF TEXAS §
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COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned notary public, on this day personally appeared S. Harry Van Dam, the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose in the capacity and with the authority therein expressed, as the act and deed of the corporation.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 20th day of August, 2024.



Louise McTeer
Notary Public for the State of Texas

E-FILED FOR RECORD

08/29/2024 02:40PM



L. Brandon Steinmann

County Clerk,
Montgomery County, Texas

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

08/29/2024



L. Brandon Steinmann

County Clerk,
Montgomery County, Texas