

WatersMark Fine Policy

February 2020 Annual Meeting

In the plenary of the 2019 Annual Meeting residents overwhelmingly supported activating the fine process that is already in our regulations and guidelines. To date, we have not assessed fines outside of construction damage.

Our organization guidelines already s the assessment of fines for violation of association rules. We would need to create a fine schedule and develop a process for notification and assessment. It is important to keep in mind that we do not want fine income. We would strongly prefer that owners comply with our guidelines purely on mutual consideration and respect.

A motion was also fielded from the floor and overwhelmingly approved to make the fines simple, but impactful enough to motivate compliance.

Owners are responsible for their guests and contractors as well so a fine could apply based on violations by these visitors.

The Board has deliberated and offers the following guideline for ratification at the 2020 Annual Meeting.

Notice of Violation

The Property Manager, Design/Review Committee or Board will notify owners verbally of a violation.

Should this verbal notice be ignored, a written notice and cure period will be sent in writing to the homeowner. The notice will highlight the specific violation and state a cure period.

Assessment

A flat \$500.00 fee will be charged to the homeowner quarterly at the beginning of the first quarter following the expired cure period. Fines will continue until the remedy is applied and accepted by the respective representative of WatersMark.

Additional costs which may be charged the owner in violation include, but are not limited to, legal fees required to research the violation, expenses born by the association to mitigate the violation and the actual costs of damages directly attributable to the violation.

Proposed Violations for which the policy would apply (12/7/20)

Current guidelines that would be subject to fines upon violation:

1. Contractors employed by owners who break WatersMark rules on an ongoing basis.
2. Units with more than two pets (cats and dogs).
3. Rubbish, debris accumulated around unit
4. Neglecting landscape and home maintenance
5. Unapproved external temporary structures or unsightly articles (boats, campers, clotheslines)
6. No Recreational equipment visible from outside the unit
7. Water features (spas, pools) not fenced in a manner compliant with the City of Austin
8. No Open fires, fireworks or firearms discharged on WatersMark Common Element property
9. Non-emergency oak tree trimming and/or removal outside the City of Austin Guidelines (currently February 1 to June 30th)
10. Vehicles excessively and regularly using community parking spaces
11. Repeated street parking on a regular or ongoing basis without Property Manager (PM) approval.
Also fines will be administered if parking persists for more than 3 consecutive days without PM approval
12. Failure to comply with the written decisions of the WDRC.
13. Failure to comply with not providing exterior screening requirement of mechanical systems and garbage/recycling bins.
14. Failure to comply with the WDRC Guidelines and Architectural Checklists regarding the design, construction, remodeling or landscaping process."

Note: These are examples of violations that happen more frequently than other rules in the WDRC documents and Condo Declarations. These are not all inclusive.

WatersMark At Barton Creek Condominium Officer's Certificate

The undersigned hereby certifies that he/she is the duly elected, qualified and acting officer of the WatersMark at Barton Creek Condominium Owners' Association, Inc., a Texas non-profit corporation ("the Association"), and that attached hereto as Attachment 1 and made a part hereof is a true and correct copy of the **Fine Policy**, duly adopted and unanimously approved by the Board pursuant to a duly called meeting of the Board of Directors of the Association on the 27th of February, 2020

In Witness whereof, the undersigned has executed this certificate on the 23rd day of February, 2021.

Signature: Cynthia Hayes
Printed Name: Cynthia Hayes
Title: President

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on the 23rd day of Feb, 2021, by Cynthia Hayes, President of WatersMark at Barton Creek Condominium Owners' Association, Inc., a Texas non-profit corporation, on behalf of said non-profit corporation.

[Signature]
Notary Public Signature

