



**TWELFTH SUPPLEMENTAL  
NOTICE OF DEDICATORY INSTRUMENTS  
FOR  
FIELDSTONE COMMUNITY ASSOCIATION, INC.**

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STATE OF TEXAS           §  
  §  
COUNTY OF FORT BEND   §

The undersigned, being the authorized representative of Fieldstone Community Association, Inc., a property owner's association as defined in Section 202.001 of the Texas Property Code (the "**Association**"), hereby supplements the "Notice of Dedicatory Instruments for Fieldstone Community Association, Inc." ("**Notice**") recorded in the Official Public Records of Real Property of Fort Bend County, Texas on August 13, 2012 under Clerk's File No. 2012090346, the "First Supplemental Notice of Dedicatory Instruments for Fieldstone Community Association, Inc." ("**First Supplemental Notice**") recorded in the Official Public Records of Real Property of Fort Bend County, Texas on November 21, 2014 under Clerk's File No. 2014127753, the "Second Supplemental Notice of Dedicatory Instruments for Fieldstone Community Association, Inc." ("**Second Supplemental Notice**") recorded in the Official Public Records of Real Property of Fort Bend County, Texas on October 30, 2015 under Clerk's File No. 2015123511, the "Third Supplemental Notice of Dedicatory Instruments for Fieldstone Community Association, Inc." ("**Third Supplemental Notice**") recorded in the Official Public Records of Real Property of Fort Bend County, Texas on May 15, 2017 under Clerk's File No. 2017051932, the "Fourth Supplemental Notice of Dedicatory Instruments for Fieldstone Community Association, Inc." ("**Fourth Supplemental Notice**") recorded in the Official Public Records of Real Property of Fort Bend County, Texas on June 3, 2019 under Clerk's File No. 2019058132, the "Fifth Supplemental Notice of Dedicatory Instruments for Fieldstone Community Association, Inc." ("**Fifth Supplemental Notice**") recorded in the Official Public Records of Real Property of Fort Bend County, Texas on July 11, 2019 under Clerk's File No. 2019075504, the "Sixth Supplemental Notice of Dedicatory Instruments for Fieldstone Community Association, Inc." ("**Sixth Supplemental Notice**") recorded in the Official Public Records of Real Property of Fort Bend County, Texas on January 23, 2020 under Clerk's File No. 2020008626, the "Seventh Supplemental Notice of Dedicatory Instruments for Fieldstone Community Association, Inc." ("**Seventh Supplemental Notice**") recorded in the Official Public Records of Real Property of Fort Bend County, Texas on March 16, 2020 under Clerk's File No. 2020030990, the "Eighth Supplemental Notice of Dedicatory Instruments for Fieldstone Community Association, Inc." ("**Eighth Supplemental Notice**") recorded in the Official Public Records of Real Property of Fort Bend County, Texas on April 7, 2021 under Clerk's File No. 2021055248, the "Ninth Supplemental Notice of Dedicatory Instruments for Fieldstone Community Association, Inc." ("**Ninth Supplemental Notice**") recorded in the Official Public Records of Real Property of Fort Bend County, Texas on July 1, 2022 under Clerk's File No. 2022088237, the "Tenth Supplemental Notice of Dedicatory Instruments for Fieldstone Community Association, Inc." ("**Tenth Supplemental Notice**") recorded in the Official Public Records of Real Property of Fort Bend County, Texas on July 13, 2023 under Clerk's File No. 2023065875, and the "Eleventh Supplemental Notice of Dedicatory Instruments for Fieldstone Community Association, Inc." ("**Eleventh Supplemental Notice**") recorded in the Official Public Records of Real Property of Fort Bend County, Texas on

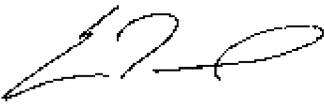
December 14, 2023 under Clerk’s File No. 2023118703, which documents were filed for record for the purpose of complying with Section 202.006 of the Texas Property Code.

Additional Dedicatory Instruments. In addition to the Dedicatory Instruments identified in the Notice, the First Supplemental Notice, the Second Supplemental Notice, the Third Supplemental Notice, the Fourth Supplemental Notice, the Fifth Supplemental Notice, the Sixth Supplemental Notice, the Seventh Supplemental Notice, the Eighth Supplemental Notice, the Ninth Supplemental Notice, the Tenth Supplemental Notice, and the Eleventh Supplemental Notice, the following document is a Dedicatory Instrument governing the Association:

- **Clubhouse Parking and Towing Policy for Fieldstone Community Association, Inc.**

This Twelfth Supplemental Notice is being recorded in the Official Public Records of Real Property of Fort Bend County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Twelfth Supplemental Notice is true and correct and the document attached to this Twelfth Supplemental Notice is a true and correct copy of the original.

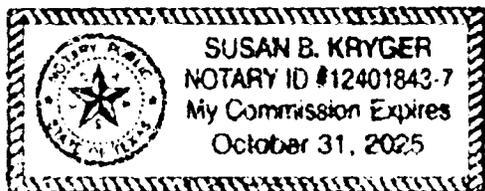
**FIELDSTONE COMMUNITY ASSOCIATION, INC.**

By:   
Eric B. Tonsul, authorized representative

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

BEFORE ME, the undersigned notary public, on this day personally appeared Eric B. Tonsul, authorized representative of Fieldstone Community Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 8<sup>th</sup> day of May, 2024, to certify which witness my hand and official seal.



  
Notary Public in and for the State of Texas

CLUBHOUSE PARKING AND TOWING POLICY  
for  
FIELDSTONE COMMUNITY ASSOCIATION, INC.

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STATE OF TEXAS           §  
  §  
COUNTY OF FORT BEND   §

I, Rick Garcia \_\_\_\_\_, President of Fieldstone Community Association, Inc. (the "Association"), do hereby certify that at a meeting of the Board of Directors of the Association (the "Board") duly called and held on the 6th day of December \_\_\_\_\_, 2023, with at least a quorum of the Board being present and remaining throughout, and being duly authorized to transact business, the following "Parking and Towing Policy" was duly approved by at least a majority vote of the members of the Board present at the meeting:

**RECITALS:**

1. The property encumbered by this Parking and Towing Policy ("**Policy**") is that property restricted by the Declaration of Covenants, Conditions and Restrictions for Fieldstone, recorded in the Official Public Records of Fort Bend County, Texas under Clerk's File No. 2007043721, as same has been or may be amended from time to time ("**Declaration**"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Association.

2. Pursuant to the dedicatory instruments governing the Association, the Board hereby adopts this Policy for the purposes of regulating parking at the Association's clubhouse located at 20400 Sandstone Cavern, Richmond, Texas 77407 (the "**Clubhouse**"), and for the towing of vehicles in violation of the dedicatory instruments of the Association.

3. All capitalized terms in this Policy shall have the same meanings as prescribed to them in the Declaration unless otherwise specified in this Policy. .

4. The Association reserves the right to exercise all other powers and remedies provided by the Association's governing documents or the laws of the state of Texas.

5. This Policy may be amended or terminated from time to time at the discretion of the Board.

6. The Association does hereby adopt this Policy, which shall run with the land and be binding on all Owners within the Subdivision. This Policy is effective upon recordation in the Official Public Records of Real Property of Fort Bend County, Texas. This Policy replaces and supersedes all prior policies relating to parking and towing in their entirety.

## I. PARKING

**1.1 Clubhouse Parking.** Vehicles shall not be permitted to park at the Clubhouse parking lot between the hours of 11:00pm - 6:00am, unless otherwise approved by the Board.

**1.2 Fines.** A fine may be levied by the Association for a violation of this Policy. Upon a violation by an Owner, resident, guest, invitee, or contractor of an Owner, the Association shall send written notice to the Owner. The notice shall be sent by certified mail, return receipt requested, and shall:

- (a) describe the violation that is the basis for the fine; and
- (b) inform the Owner that the Owner:
  - (1) is entitled to a reasonable period to cure the violation, if applicable, and avoid the fine unless the Owner was given notice and a reasonable opportunity to cure a similar violation within the preceding six (6) months;
  - (2) may request a hearing on or before the thirtieth (30th) day after the date the Owner receives the notice; and
  - (3) may have special rights or relief related to the enforcement actions under federal law, including the Servicemembers Civic Relief Act (50 U.S.C. app. Section 501 et. seq.) if the Owner is serving on active military duty.

Fines shall be levied in accordance with the Association's Governing Documents Enforcement and Fine Policy.

## II. TOWING

In the event of a violation of any provision within this Policy, the Association hereby has the authority, but not the obligation, to tow vehicles in accordance with the following requirements.

2.1 The Texas Occupations Code, or successor statute, ("Code") provides specific guidelines that the Association must follow to tow vehicles parked within the streets and/or parking areas in violation of the above-referenced Parking Rules. Pursuant to Sections 2308.252(a)(4) & 2308.251 of the Code, the Association may, without the consent of the owner or operator of an unauthorized vehicle, cause the vehicle and any property on or in the vehicle to be removed and stored at a vehicle storage facility at the vehicle owner's or operator's expense if the vehicle is parked in the Association's Clubhouse parking lot/private property and:

- (a) is inoperable;

- (b) is in or obstructs a vehicular traffic aisle, entry, or exit;
- (c) prevents a vehicle from exiting a parking space;
- (d) is in or obstructs a fire lane marked according to Subsection (c) of the Code; or
- (e) is parked overnight (i.e., from 11:00PM to 6:00 AM, Central Standard Time) without permission from the Board;
- (f) is leaking a fluid that presents a hazard or threat to persons or property;
- (g) does not display the special license plates issued under Section 504.201, Transportation Code, or the disabled parking placard issued under Chapter 681, Transportation Code, for a vehicle transporting a disabled person and is in a parking space that is designated for the exclusive use of a vehicle transporting a disabled person.

2.2 Other than under the above-referenced circumstances, before the Association may tow an unauthorized vehicle at the expense of the owner or operator of the vehicle, Section 2308.252(a)(1) of the Code requires that a sign or signs prohibiting unauthorized vehicles be in place for at least the preceding twenty-four (24) consecutive hours and remain in place at the time of the towing. The specific requirements for the necessary signage may be found at Section 2308.301-305 of the Code.

2.3 If the Association does not choose to place the aforementioned towing signs, pursuant to Section 2308.252(a)(2) it may tow the vehicle if the owner or operator of the vehicle has received *actual* notice from the parking facility owner that the vehicle will be towed at the vehicle owner's or operator's expense if it is in or not removed from an unauthorized space.

2.4 In addition, if the Association is unable to effect actual notice to the violating owner or operator, it may use the notice procedure under Section 2308.252(a)(3) of the Code, as follows:

- (a) A parking facility owner is considered to have given notice under Section 2308.252(a)(3) of the Code if:
  - (1) a conspicuous notice has been attached to the vehicle's front windshield or, if the vehicle has no front windshield, to a conspicuous part of the vehicle stating:
    - (A) that the vehicle is in a parking space in which the vehicle is not authorized to be parked;
    - (B) a description of all other unauthorized areas in the parking facility;
    - (C) that the vehicle will be towed at the expense of the owner or operator of the vehicle if it remains in an unauthorized area of the parking facility; and
    - (D) a telephone number that is answered 24 hours a day to enable the

owner or operator of the vehicle to locate the vehicle; and

- (2) a notice is mailed after the notice is attached to the vehicle as provided by Subsection (1), above, to the owner of the vehicle by certified mail, return receipt requested, to the last address shown for the owner according to the vehicle registration records of the Texas Department of Transportation, or if the vehicle is registered in another state, the appropriate agency of that state.
- (b) The notice under Section 2.4(a), above, must:
- (1) state that the vehicle is in a space in which the vehicle is not authorized to park;
  - (2) describe all other unauthorized areas in the parking facility;
  - (3) contain a warning that the unauthorized vehicle will be towed at the expense of the owner or operator of the vehicle if it is not removed from the parking facility before the 15th day after the postmark date of the notice; and
  - (4) state a telephone number that is answered 24 hours a day to enable the owner or operator to locate the vehicle.
- (c) The mailing of a notice under Section 2.4(a)(2) is not required if after the notice is attached under Section 2.4(a)(1) the owner or operator of the vehicle leaves the vehicle in another location where parking is unauthorized for the vehicle according to the notice.

2.5 The Association may contract with a private towing company to post proper signs and tow vehicles pursuant to this Policy, and in accordance with the requirements of Texas Occupations Code Chapter 2308, as may be amended.

### III. MISCELLANEOUS

3.1 Violations of this Policy will be considered a violation of the dedicatory instruments governing the Subdivision, but may be enforced only by the Association, acting through the Board. The Board may enforce this Policy in accordance with the remedies contained herein; however, these remedies shall not be exclusive. The Association shall also have all other remedies available at law or in equity.

3.2 Any violation of this Policy shall be determined at the sole discretion of the Board, or as such authority may be properly delegated.

3.3 When a violation is determined to exist and where the Board deems it to be in the best interests of the Association to refer the violation to legal counsel for appropriate action, the Board may do so at any time. Such legal action may include, without limitation, sending demand letters to the violating owner, filing suit, and/or seeking injunctive relief or any other remedy available at law or in equity against the owner to correct or otherwise abate the violation. Attorneys' fees and all costs incurred by the Association in enforcing the Declaration

