

USE OF COMMERCIAL LOTS POLICY
For
FRIO COMMUNITIES IMPROVEMENT ASSOCIATION, INC.

State of Texas §
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 County of Real §

I, CLYDE NOLAN, President of the Frio Communities Improvement Association, Inc. (the "Association"), certify that at a meeting of the Board of Directors of the Association duly called and held on the 11 June 2021, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Policy was approved by not less than a majority of the Board members in attendance.

RECITALS:

1. In accordance with Article XI, Exhibit A, Paragraph D2, of the Protective – Restrictions for the Twin Forks Estates Subdivision ("Declaration"), the following policy has been established by the Board of Directors of the Association in keeping with the intent of the developers to maintain Twin Forks Estates under the supervision of FCIA, clean and free of debris, void of public nuisances, fire hazards, and reduction of property value components.
2. Exhibit B, Section C (4) Environmental factors most to be protected in judging the acceptability of commercial establishment and member activities are: clean air, clean water, clean ground, natural beauty of trees and plants, quietude of our off the main road location, recreational nature of the community with moral and ethical practices generally acceptable to the membership of the Improvement Association as expressed through their Board of Directors.
3. Covenant registered in the real property of Real County upon reformation of lots now known as 162, 164, 166, 214 and 215(dated March of 1989) and reinforced with lots 260 and 261 (October, 1985) are hereby restricted to use as single family dwelling OR as single commercial enterprise lots as approved by the Board of Directors of FCIA, Inc., in accordance with the heretofore recorded restrictions of said Twin Forks Estates Subdivision. "...
4. Exhibit "B" A7. Lots #100-104, 160-167 and 170, 171, 173 shall be known as commercial, mobile home, and or multi-family lots and may be used for any legal purpose not damaging, noxious nor creating a nuisance to the neighborhood environment and which shall be consistent with the recreational and relaxing nature of the subdivision. Clean air and water are of prime concern.

WITNESSETH:

The Board of Directors adopts a policy relating to the use of commercial property so as to be consistent with the by-laws, covenants, conditions and regulations of the FCIA documents

Section 1. Definitions

Capitalized terms used in this Policy have the following meanings:

COMMERCIAL LOTS - Those lots in Section II of FCIA designated as commercial lots when Section II was developed and amended by covenant registered with real property at the Real County Courthouse on March 27, 1989 and October 7, 1985.

Commercial lots must also be identified as such on the county appraisal district.

FCIA – Frio Communities Improvement Association, the official name of Twin Forks subdivision.

FCIA HOA Board of Directors – The Frio Communities Improvement Association’s home owners’ association has a board consisting of five (5) elected members whose responsibility is to guide the direction of the association, make fiscally responsible decisions, and oversee the complex logistics involved in successfully running the association. Their primary goals are to protect property values and promote a sense of community throughout the HOA.

Other capitalized terms used in this policy have the same meanings as that ascribed to them in the Declaration.

Section 2. Policy

- 2.1 Any commercial lot owner that wants to engage in a commercial enterprise must seek approval from the Board of Directors prior to establishing the enterprise.
- 2.2 The Board of Directors of the FCIA Homeowners Association will decide on the requirements of submission of such enterprise plans.
- 2.3 In addition to the replatting of commercial lots 162, 164, 166, 214, 215 per covenants duly recorded in Real County real property records dated March 27, 1984 and lots 260 and 261 October 7, 1985, all commercial lots will operate under the same criteria so specified in order to equalize opportunity by said owners.
- 2.4 The commercial enterprise must be able to maintain quietude, clean air, clean grounds, clean water and natural beauty of trees and plants as addressed in the by-laws.
- 2.5 For the protection of the environment, minor children, and pedestrians and off road vehicle occupants, any enterprise that requires admission to commercial property over Twin Forks roads or trails in order to engage in the enterprise will be denied.
- 2.6 A business operation or entity that would increase the occupation and/or use of the parks and river property of Twin Forks will not be allowed.
- 2.7 All operations that require using the sewer system must list their disposals. Any disposals that are prohibited by the sewer system management will be denied the use of such disposal.
- 2.8 All commercial lots will operate under the same restrictions for all residential properties under the By-Laws, Covenants, Conditions and Regulations.
- 2.9 FCIA established a leasing policy on February 15, 2017 by an official amendment by the property owners. The leasing policy includes all lots in Twin Forks regardless of classification.

2.10 All commercial lots' property owner(s) who fails to submit plans for a commercial entity on commercial lots and operates without board approval will be faced with fines, a lien for non-payment and closure of enterprise and/or operations. All attorney fees that may result will be paid by lot owner. The Board of Directors may set the fine as appropriate for the offense.

I hereby certify that I am the duly elected and acting President of the Association and that the foregoing Use of Commercial Lots Policy was approved by a majority vote of the Board of Directors as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Real Property of Real County, Texas.

TO CERTIFY which witness my hand this _____ day of _____ 2021 _

Print Name: _____, President

Signature: _____

THE STATE OF TEXAS §

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COUNTY OF REAL §

BEFORE ME, the undersigned notary public, on this _____ day of _____, 2021 personally appeared,

CLYDE NOLAN, President of Frio Communities Improvement 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.

Notary Public in and for the State of Texas