

CERTIFICATE FOR ORDER OR RESOLUTION

THE STATE OF TEXAS §
COUNTIES OF WILLIAMSON AND TRAVIS §

The undersigned officers of the Board of Directors of Williamson-Travis Counties Municipal Utility District No. 1 of Williamson and Travis Counties, Texas (the "District") hereby certify as follows:

The Board of Directors of Williamson-Travis Counties Municipal Utility District No. 1 convened in regular session on the 20th day of APRIL 2022, at The Park at Lakeline Oaks located at 1000 Old Mill Road, Cedar Park, Texas 78613, a location within the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to wit:

- Catherine Franke President
Art Medrano Vice President
Linda Fabre Secretary
Megan Dudo Asst. Secretary/Treasurer
Beth Jones Asst. Secretary/Treasurer

and all of said persons were present, except for the following absentees: NONE, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting:

AN ORDER OF THE BOARD OF DIRECTORS OF WILLIAMSON-TRAVIS COUNTIES MUNICIPAL UTILITY DISTRICT NO. 1; PROHIBITING VIOLATIONS OF DEED RESTRICTIONS; ESTABLISHING DEED RESTRICTION ENFORCEMENT PROCEDURES; ESTABLISHING PENALTIES FOR VIOLATIONS OF DEED RESTRICTIONS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR OPEN MEETING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION

was introduced for the consideration of the Board. It was then duly moved and seconded that the Order of Resolution be adopted, and, after due discussion, the motion, carrying with it the adoption of the Order or Resolution prevailed and carried by the following vote:

AYES: Directors Franke, Medrano, Dudo and Jones
NOES: Director Fabre

That a true, full and correct copy of the aforesaid Order or Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; and that said Order or Resolution has been duly recorded in said Board's minutes of said meeting; that the persons named in the above and foregoing paragraph were duly chosen, qualified and acting officers and members of the Board as indicated therein, that each of the officers and members of said Board was duly and sufficiently notified officially and personally, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; that public notice of the time, place and subject of said meeting was given as required by the Texas Government Code, §551.043, as amended, and §49.063 of the Texas Water Code, as amended, and that the undersigned are the duly chosen, qualified and acting officers of the current Board of Directors.

SIGNED AND SEALED this 20th day of April 2022.

Linda Fabre
Secretary, Board of Directors
[SEAL]

Catherine Franke
President, Board of Directors

AN ORDER OF THE BOARD OF DIRECTORS OF WILLIAMSON-TRAVIS COUNTIES MUNICIPAL UTILITY DISTRICT NO. 1; PROHIBITING VIOLATIONS OF DEED RESTRICTIONS; ESTABLISHING DEED RESTRICTION ENFORCEMENT PROCEDURES; ESTABLISHING PENALTIES FOR VIOLATIONS OF DEED RESTRICTIONS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR OPEN MEETING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION

WHEREAS, Williamson-Travis Counties Municipal Utility District No. 1 (“District”) is a political subdivision created and operating under Texas Constitution Article XVI, Section 59, and Chapters 49 and 54, Texas Water Code; and

WHEREAS, Section 54.237, Texas Water Code, provides the District with authority to “take all actions necessary to enforce a restriction, including the initiation, defense, or intervention in litigation or an administrative proceeding to enjoin or abate the violation of a restriction when, in the reasonable judgment of the board of directors of the [D]istrict, enforcement of the restriction is necessary to sustain taxable property values in the [D]istrict”; and

WHEREAS, Section 49.004, Texas Water Code, provides the Board of Directors with authority to set reasonable civil penalties, up to the amount provided under Section 27.031, Texas Government Code, for the breach of any rule of the District; and

WHEREAS, a penalty imposed under Section 49.004, Texas Water Code, is in addition to any other penalty provided by the law of this state and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office is located; and

WHEREAS, Board of Directors of the District (“Board of Directors”) finds that enforcing deed restrictions through the imposition of civil penalties assessed under the aforesaid Texas Water Code provisions will (i) provide the District with a cost effective means of enforcing deed restrictions; and (ii) help sustain taxable property values within the District; and

WHEREAS, the Board of Directors finds that adopting policies for violations of the District’s Deed Restrictions under Sections 49.004 and 54.237, Texas Water Code, will establish an preliminary procedure for persons accused of violating a District rule and thereby possibly avoid the expenditure of resources of both the District and the accused in litigating such matters;

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF WILLIAMSON-TRAVIS COUNTIES MUNICIPAL UTILITY DISTRICT NO. 1:

Section 1. Findings of Fact. The forgoing Recitals are true and accurate legislative findings of the Board.

Section 2. Adoption of District Rules: Deed Restrictions.

(a) The deed restrictions for each subdivision where the Board of Directors has authority to enforce such deed restrictions (the “**Deed Restrictions**”) are hereby declared to be rules of the District.

(b) Any person who violates a deed restriction applicable to the real property that the person owns or resides at also violates a rule of the District, which is punishable by civil penalties as provided herein.

(c) For any notice provided under this Order, “District” means Williamson-Travis Counties Municipal Utility District No. 1 or its designee.

Section 3. Adoption of Penalties for Violations of Deed Restrictions.

(a) The following will apply to anyone violating the Deed Restrictions:

- i. **First Notice of Violation.** Any person who violates the Deed Restrictions will receive written notification of such violation via a door hanger delivered by the District, which notice will set forth (i) the date of the violation, (ii) the nature of the violation, and (iii) request that the violator remedy the violation within two weeks.
- ii. **Second Notice of Violation.** If the violation is not remedied within two weeks, the District will issue a second written notice, delivered by regular mail, which notice will set forth (i) the date of the violation, (ii) the nature of the violation, (iii) photographs of the violation, (iv) request to remedy the violation immediately, and (v) notification that if the violation is not remedied within two weeks, the violator will be subject to a \$100.00 fine.
- iii. **Third Notice of Violation; Referral to District’s Attorney.** If the violation is not remedied within two weeks after the District sends the Second Notice, the District will deliver a written notice by regular mail, which notice will set forth (i) the date of the violation, (ii) the nature of the violation, (iii) photographs of the violation, (iv) notification that the District has assessed a \$100.00 fine against the violator, (v) that the District will assess additional, subsequent penalties of \$150 and \$200, respectively, for continuing or subsequent violations of the same type, and (vi) that the District may refer the violation to the District’s Attorney for initiation of civil litigation.

(b) The District’s General Manager or other designee will record the amount of civil penalties assessed against each property that is found to be in violation of a deed restriction.

(c) Any resident receiving a violation may appeal the violation to the Board at the District’s next regular Board of Directors meeting. Residents wishing to appeal will have five minutes to discuss the violation with the Board

Section 4. Penalty. Pursuant to the District's authority provided within Section 49.004, Texas Water Code, any person who violates a rule established by this Order, or any other rule of the district, may be assessed a civil penalty up to the dollar amount provided under 49.004, as amended, per violation. Each instance or day that a violation occurs constitutes an additional violation. Penalties assessed will be in addition to any penalties provided under the laws of the State of Texas.

Section 5. Repeal of Conflicting Provisions. Any Order or Resolution of the Board of Directors adopted prior to the effective date of this Order is hereby repealed to the extent that it conflicts with this Order.

Section 6. Severability. Should a court of competent jurisdiction find that any provision of this Order is unlawful or otherwise unenforceable, the provision will be severed from this Order and all other provisions will remain in full force and effect.

Section 7. Open Meeting. The Board of Directors considered and adopted this Order during a duly noticed open meeting, in compliance with Texas Government Code Chapter 551, the Texas Open Meetings Act.

Section 8. Publication. Pursuant to Section 54.207 of the Texas Water Code, notice shall be published in a newspaper of general circulation in the District.

Section 9. Effective Date. This Order is effective immediately on and after the date indicated below.

APPROVED and ORDERED this 20th day of April 2022.

/s/ Catherine Franke
President, Board of Directors

ATTEST:

/s/ Linda Fabre
Secretary, Board of Directors

(SEAL)