THE CROSSING AT KENBERG PROPERTY OWNERS ASSOCIATION
COMMUNITY PROPERTY ACCESS AND UTILIZATION GUIDELINES

STATE OF TEXAS

COUNTY OF KENDALL

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the property encumbered by these Community Property Access and Utilization Guidelines (the “Guidelines”) is that property covered by the Restrictions, Reservations and Covenants, and applicable Amendments legally described as: Mountain Creek Section, platted Volume 1, Pages 77-81, Map and Plat Records of Kendall County, Texas; River Forest Section, platted at Volume 1, Pages 82-87, Map and Plat Records of Kendall County, Texas; and, Hidden Lake Section, Platted at Volume 1, Pages 100-115, Map and Plat Records of Kendall County, Texas, hereinafter collectively referred to as “The Crossing”. The Restrictions, Reservations and Covenants are hereinafter referred to as the “RR&Cs” as the same have been and may be amended from time to time and made subject to the authority of The Crossing at Kenberg Property Owners Association hereinafter referred to as the “POA”.

WHEREAS, pursuant to Chapter 209 of the Texas Property Code, the Board of Directors (the “Board”) of the POA hereby adopts these Guidelines for the purposes of establishing a uniform and systematic procedure to manage access and utilization of POA common use property; and

WHEREAS, the Board has determined that it is in the best interest of the POA to establish these guidelines.

NOW, THEREFORE, LET IT BE RESOLVED that the POA does hereby adopt the Guidelines, which shall run with the land and be binding on all owners and lots within the subdivision. These Guidelines replace any previous recorded or implemented guidelines that address the subjects contained herein.

POA PROPERTY ACCESS AND UTILIZATION

A. The Pavilion at Park I may be reserved for special events of the Property Owners of The Association or their lessees. The Pavilion is reserved on a first come, first served basis. A copy of the reservation request is contained in Annex A and available on The Association website.

B. Utilization of the Pavilion, Park I and or Park II is reserved (limited) to Property Owners of the Association, their lessees and their accompanied guests. At no time are unaccompanied guests authorized the use of POA facilities.

C. Use of The Association Parks and common use areas is in accordance with the rules posted at the applicable park, the By-Laws of the Association and the Rules reflected in the previously mentioned reservation form. Property Owners and or their lessees are responsible for all damage to facilities used by and attributable to them or their accompanied guest(s).

D. Pavilion Reservation Fees are defined on the Reservation form contained in Annex A. Additional fees and charges associated with clean-up (beyond that considered normal and under contract) or damages incurred during use, are the responsibility of the Property Owner or lessee.
reserving or using the facility. The POA reserves the right to deny access to any Property Owner, lessee or their assigns responsible for damage to the facility or repeated misconduct.

E. Vandalism and or misconduct attributable to any Property Owner, lessee, their assigns or accompanied guests may be used as the basis to deny access to The Association's Property and as the basis for further legal action. Any Property Owner found responsible for damages to The Association's Property may be held accountable for any and all legal fees associated with attempts at recoupment. Any unresolved damages attributable to a lessee or their invited guests become the responsibility of the property owner.

F. The Association maintains the right to deny use of The Association's Property to any owner delinquent on their assessments or any owner, lessee, or their assigns found responsible for damage to POA facilities or misconduct.

CERTIFICATION

I hereby certify that, as President of The Crossing at Kenberg Property Owners Association, the foregoing Community Property Access and Utilization Guidelines was approved on the 15th day of October, 2013 by unanimous written consent of the Board of Directors.

DATED, this 26th day of October, 2013.

Neil Ciotola
President

STATE OF TEXAS

COUNTY OF KENDALL

BEFORE ME, on this day personally appeared Neil Ciotola, the President of The Crossing of Kenberg Property Owners Association, known by me to be the person whose name is subscribed to this Instrument, and acknowledged to me that he executed the same for the purposes herein expressed and in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 26th day of October, 2013.

Notary Public – State of Texas

After Recording, Return To:
Tom L. Newton, Jr.
Allen, Stein & Durbin, P.C.
6243 IH-10 West, 7th Floor
San Antonio, Texas 78201
Annex A; Park Reservation Form; to The Crossing at Kenberg Property Owners Association
Community Property Access and Utilization Guidelines

The Crossing at Kenberg Property Owners Association
205 Hidden Lake Drive\ Boerne, Texas 78006 \Phone (830.) 336-2192

PARK RESERVATION FORM

Reservations are required for Pavilion, Park I and Park II (near the mailboxes) for Group events with 10 or more people. A refundable deposit of $50.00 is required to hold your reservation. Your date is not reserved until your reservation form & refundable deposit have been received by the Business Manager. Please mail the reservation form along with your check or credit card information to the address at the top of the form. Please observe the following rules:

PARK HOURS 6:00AM TO 11:00PM

DO NOT provide your personal gate code. A unique temporary gate code will be assigned to you for your party/function. You are responsible for providing the one time gate code to your guests. PLEASE DO NOT RESTRAIN, OR FORCE (TO REMAIN OPEN) THE ELECTRONIC GATE. Please ensure both the pedestrian and electronic gates are closed at the conclusion of your event.

Glass containers (ie: beer bottles, glass soda bottles, liquor bottles) are not permitted. NO open fires, campfires, fireworks or firearms NO Tiki torch candles NO Cascarrones -these are great fun but impossible to clean up! Please do not staple anything to walls/picnic tables or framing NO Parking on the grass or walkways (limit parking to asphalt and gravel areas only) Guests must be escorted by a property owner at all times. Pets are permitted, but must remain on a leash at all times (please pick-up after your pet(s) prior to your departure) Remove all stickers, tape, event signs and balloons Please supervise all young children Area MUST be cleaned up after use

Requested Date of use:_______________ (Pavilion) (Park I) (Park II)
Approximate Time of Function: ____________ to ____________

Approximate Number of Guests expected: ____________

Deposit due with signed contract: $50.00  Received on ____________

(Method of Payment: Check, Debit/Credit Card)

I have read the above rules governing use of the Pavilion, Park I and Park II. I understand that failure to adhere to the said rules may result in the loss of my $50.00 deposit. In addition, I understand that I may incur additional charges to cover the cost of clean-up and or repair as a result of damage(s) sustained during my use. The POA is not responsible for any damage to personal property or injuries while using the Park Facilities.

__________________________________________  ________________  __________________
Signature                           Date                           Phone Number