

MONTSERRAT HOMEOWNERS' ASSOCIATION
RULES REGARDING OPERATION OF LOW-SPEED VEHICLES,
NON-MOTORIZED VEHICLES, AND GAS-POWERED RECREATIONAL VEHICLES

Adopted May 21, 2013

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TARRANT §

WHEREAS, the Montserrat Homeowners' Association, Inc. ("Montserrat HOA") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the First Amended, Restated and Supplementary Declaration of Covenants, Restrictions and Easements for Montserrat recorded as Instrument No. D207022298 in the Deed Records of Tarrant County, Texas (the "Declaration"); and

WHEREAS, the Board of Directors of the Montserrat HOA (the "Board") has determined that in connection with making reasonable rules and regulations for the operation of the common property and to provide clear and definite guidance regarding the operation of low-speed vehicles, non-motorized vehicles, and gas-powered recreational vehicles in Montserrat, it is appropriate for the Board to adopt certain rules regarding the operation of low-speed vehicles, non-motorized vehicles, and gas-powered recreational vehicles.

NOW THEREFORE, in accordance with Article 4.04(n) of the Declaration, the Board has adopted the following rules regarding the operation of low-speed vehicles, non-motorized vehicles, and gas-powered recreational vehicles which are set forth below.

1. Definitions.

1.1. "Low-speed vehicle" means a motorized vehicle with a gas or electric-powered motor which can attain a maximum speed of 35 m.p.h. on a paved, level surface. Low-speed vehicles include gas or electric-powered golf carts, neighborhood electric vehicles, electric bicycles, motor-assisted scooters, and motorized mobility devices.

1.2. A "non-motorized vehicle" means a bicycle, coaster, sled, a non-motorized toy vehicle, roller skates, or a skateboard.

1.3. A "gas-powered recreational vehicle" means all-terrain vehicles (ATV's), 3- or 4-wheelers, go-carts, and dirt bikes with a motor-powered gasoline engine.

1.4 "Child" means any individual under eighteen (18) years of age.

2. Operation of Low-Speed Vehicles.

2.1 Low-speed vehicles may be driven only on common roadways. The operation of low-speed vehicles is prohibited on sidewalks, common areas, parks, or the vacant or occupied private property of others.

2.2 Operators of low-speed vehicles shall abide by all traffic control signs.

2.3 Persons under the age of sixteen (16) years of age or without a valid driver's license may not operate a low speed vehicle without adult supervision.

2.4 Drivers of any low-speed vehicle must have in their possession a valid driver's license unless accompanied by an adult.

2.5 Low speed vehicles must be equipped with brakes, brake lights, and a rear view mirror.

2.6 Low speed vehicles operated from dusk until dawn must be equipped with headlights and tail lights.

2.7 The number of passengers per low speed vehicle must not exceed the passenger limit and load capacity designated by the vehicle's manufacturer.

2.8 All passengers must be completely seated at all times. All persons are required to be seated in an installed seat specifically designed for such use and are not permitted to stand up or be seated upon the body or framework during operation.

2.9 Infants or small children must be held securely at all times by another passenger at least age sixteen (16) years or older. The driver may not hold a child or infant while operating the vehicle.

2.10 No person shall drive a low-speed vehicle in such a reckless, indifferent, or careless manner as to unreasonably endanger any person or property.

2.11 Low speed vehicles shall not be operated while under the influence of alcohol.

2.12 Gas-powered golf carts are prohibited.

2.13 Low speed vehicles must be stored in the garage and must be insured. Evidence of insurance must be on file with the Montserrat Homeowners' Association.

3. Operation of Non-Motorized Vehicles.

3.1 No person operating a non-motorized vehicle may cling to or attach either their person or a non-motorized vehicle to any moving low-speed vehicle or car.

3.2 No person shall ride a non-motorized vehicle in such a reckless, indifferent, or careless manner as to unreasonably endanger any person or property.


3.3 Any person who rides a non-motorized vehicle from dusk until dawn must have that vehicle equipped with appropriate lamps or reflectors.

3.4 No child shall operate or ride upon a bicycle, motor-assisted scooter, skate board, razor, roller blades, child carrier, or a seat or other device attached to a bicycle unless the child is wearing a helmet.

- 4. Operation of Gas-Powered Recreational Vehicles Prohibited.
- 4.1 The operation of gas-powered recreational vehicles is prohibited.

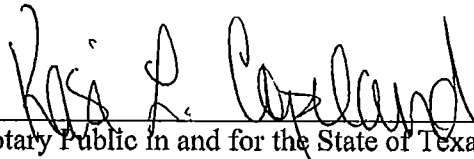
CERTIFICATION

I, the undersigned, being the President of the Montserrat Homeowners Association, Inc., hereby certify that the foregoing Resolution was adopted by a majority of the Montserrat Homeowners Association's Board of Directors.

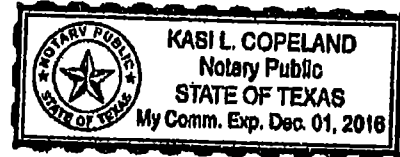
By: 
Joseph F. Cleveland, Jr., President

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by the above-mentioned Affiant on this 21st day of May, 2013, to certify which witness my hand and seal of office.


Notary Public in and for the State of Texas

421200-v1/13109-001000



MARY LOUISE GARCIA

COUNTY CLERK



100 West Weatherford Fort Worth, TX 76196-0401

PHONE (817) 884-1195

BRACKETT AND ELLIS
100 MAIN STREET
FTW, TX 76102

Submitter: BRACKETT AND ELLIS

DO NOT DESTROY
WARNING - THIS IS PART OF THE OFFICIAL RECORD.

Filed For Registration: 5/29/2013 3:51 PM

Instrument #: D213135552

OPR

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PGS

\$24.00

By: _____

Mary Louise Garcia

D213135552

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY
BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.