

**Brownsville Winter Haven
Property Owners Association (POA)
Resort Rules**

Winter Haven Resort rules and restrictions are enacted and enforced to ensure the safety of, and promote a high quality of life for, all residents and to preserve property values. These rules pertain to all owners, guests, and renters.

1. Quiet time is observed from 10:00 pm to 8:00 am daily.
2. Resort Admission.
 - a. Any person entering the Resort who is not an owner or renter shall be classified as a visitor and will be required to register at the gate and display Resort Registration Tag in their vehicle. All visitors are the responsibility of the inviting resident.
 - b. No one will be allowed entry to visit a resident unless that resident has informed the office. If an unconfirmed guest appears at the gate, the Gate Host will make one attempt to contact the resident. Failing that, the guest will be denied entry.
3. Vehicle Usage.
 - a. Speed Limit within the Resort is 14 MPH for any, and all vehicles, regardless of power source. The operator must follow safe driving practices.
 - b. All handicap parking spots must be honored. Vehicles parked in Cul-de-Sacs must be parked with right tires within 18 inches of curb. No vehicle may block a neighboring driveway. Parking may be permitted in Clubhouse compound and Employee parking lot with Resort Manager approval.
 - c. Children may drive golf carts; however, they must be accompanied by an adult licensed driver in the front seat. Lights must be operational on all moving vehicles at night, including bicycles and golf carts.
 - d. Concrete trucks are limited to 6 yards of concrete.
4. Household Pets- All Household Pets are subject to the City Ordinances and Rules of Brownsville, Texas. A printed copy of these rules may be found at the Winter Haven office for your review. You may also access them at www.brownsvilletx.gov Chapter 10 - ANIMAL REGULATION AND CARE.
Brownsville Animal Control/Shelter 956-544-7351
 - a. Brownsville City Rules require the following for all dogs and cats:
 1. All dogs and cats must have a valid rabies vaccination. All dogs must wear their rabies tag on their collar.
 2. All dogs must have a city license or be micro-chipped.
 3. All dogs, off owner's property, must be on a leash.
 4. All cats allowed to run at will must be spayed/neutered and wear a collar with the owner's name and phone number.
 5. All dogs and cats over the age of 4 months are required to be micro-chipped, if the animal lives in Brownsville permanently.

6. Vicious or nuisance dogs and cats may be removed from an owner.
7. Owners are required to "pick-up" animal's feces and dispose of them correctly.
8. All animal bites should be reported to Animal Control.
- b. Winter Haven Resort also requests the following from our pet owners:
 1. Pets are not allowed in the clubhouse, pool areas, outdoor court/sport activity areas or in the RV storage area.
 2. Leash length is restricted to 6'. All pets, not in an enclosure, must be leashed.
 3. No animals are to be left outside unattended.
 4. All outside pet enclosures must be permitted and approved by the ACC, guidelines available on request.
 - a. Enclosures cannot extend past the front of the home, structure, car port, RV port or Texas room, nor can they encroach on any Resort property, nor another owner's lot. An approved animal enclosure may be used for that purpose when the lot is occupied and may not be used for any other purpose.
 - b. Pet enclosures/panels can be no higher than 42 inches including any gate. They must be of an approved material and color and cannot contain any solid panels.
 - c. Enclosures must be portable and fully removeable and cannot be permanently cemented into the ground or any concrete pad.
 - d. When a lot will be unoccupied for more than fourteen (14) consecutive days, any enclosure must be taken down and secured. During hurricane season enclosures must be taken down and secured any time the lot is unoccupied.
 - e. The installation/use of an enclosure as herein defined without first having obtained a Winter Haven POA Building Permit will result in the assessment of a fine, until corrected.
5. Owners of vicious animals will be required to remove their animals from Winter Haven Property if the animal is deemed a danger to people or other animals.
6. Any dog or cat trespassing may be legally trapped, using a humane trap, and picked up by Brownsville Animal Control.
7. Pets may only "be walked" on the ends of Waterford; do not "walk" your dog on the rental lots on Waterford or the Coast -to- Coast area. Pets may be walked on any other common property or at the dog park.
8. Animals running loose should be reported to the Gate Host.

(The Association and its representatives assume no liability, judgements, expense (including attorney fees), or claims by third parties for any injury to any person, or damage to any property of any kind whatsoever caused by an owner's pet(s)/animal(s).)

5. Soliciting is not permitted in the Resort. No owner shall conduct any kind of business outside the Resort using the Resort as the Business Address. However, any Owner may make themselves available for work solely within the confines of the Resort.
6. Clubhouse usage.
 - a. Any owner may schedule the Clubhouse for any function, provided time is available per the activity calendar and all Winter Haven Resort Owners are invited to attend.
 - b. Shirt and shoes are required when entering the Clubhouse and Resort Office. No swimwear may be worn in the Clubhouse or Resort Office.

- c. Children under the age of eighteen (18) may enter or attend functions at the Clubhouse but must be accompanied by an adult.
- d. Children are not authorized to use the billiard room.

7. Resort Pool usage. Follow all posted rules at pool location.
- a. All adults and children must shower before entering pools.
 - b. The Clubhouse Pool and Spa are off limits to children under 18 years of age.
 - c. Spa capacity is 6 persons and maximum use is 24 minutes.
 - d. The Dorothy pool may be used by children under 18 years of age. They must be accompanied by an adult. If the Dorothy Pool is closed, children may use the Bermuda Pool during the Dorothy Pool closure period only.

8. Rental Provisions. Owners who rent their property are responsible for the actions of their renter(s).

a. No lots shall be leased or rented unless said lease or tenancy is made subject to the Governing Documents and rules of this Association.

b. All renters must register with the office upon their arrival. Only one family (husband, spouse/significant other) shall occupy the unit unless specifically permitted by the Board of Directors. One of the occupants must be 55 years of age or older or the rental term shall be limited to 30 days annually. Children under 18 are limited to 30 days per year and must always be accompanied by an adult.

c. Any lease, tenant, or any other user of another person's lot, site or storage area must be registered with the office. Written consent from the owner of the site must be on file with the office prior to or at the time of the arrival.

9. Residency Restrictions. Winter Haven Resort is a 55+ age restricted community of single-family dwellings operating under the Housing for Older Persons Act (HOPA). Accordingly, persons not 55 years of age or older, excluding a spouse or "significant other", may not occupy a lot or otherwise reside in the Subdivision, although visitation by such persons is allowed and may not exceed thirty (30) days per calendar year, unless specifically permitted, except:

a. One caregiver as recommended by physician due to illness or physical limitation unless more than one is specifically requested and approved by the Association.

b. The continuation of occupancy by a spouse or "significant other" who is under age 55 is authorized in the event of a death, acute care or extended long-term care.

10. A permit must be obtained from the Architectural Committee and posted on property, to be seen from the street, for any external maintenance, construction, repair or painting improvements in order to meet Resort regulations. Depending on the nature of the building repair or improvement, the Owner will be responsible to also obtain a building permit from the City of Brownsville and post accordingly. Landscaping does not require an Architectural Committee permit.

11. Texas Rooms are not to be used as permanent living quarters. To occupy a Texas Room, a fully, self-contained RV must be parked on the lot.

12. Owners selling their property will:

- a. Provide the office with an accurate survey of the property for sale.
- b. Obtain and complete a "For Sale Permit" from the Architectural Committee prior to selling.
- c. Verify the buyer is 55 years of age or older. If this rule is violated, Winter Haven Resort will take immediate action to invalidate the sale and the offending owner will be subject to all legal actions and court costs.

13. All lots, building structures and improvements shall always be maintained whether occupied or unoccupied. When Winter Haven Resort deems it necessary to clean a site, remove mold, pull weeds, mow lawns, rake or sweep, or trim trees/bushes because of a member's failure to do so, a maintenance fee of \$75.00 plus labor and materials will be assessed against that member for each such occurrence.

14. No stripped, unsightly, offensive, wrecked, junked or dismantled vehicle or portions thereof, no furniture or appliances designed for normal use or operation within, no building or construction materials, supplies, or excessive clutter, shall be parked, permitted, stored or located upon any street in the Resort or on any lot thereof in such manner or location as to be visible to the occupant of other lots within the Resort or to the users of any street in resort.

15. No motor home, boat, boat trailer, camper, travel trailer, utility trailer, or car dolly, golf cart or automobile, shall be parked overnight on any street or common area in Winter Haven Resort, except for up to a 72-hour period in any one 10-day period for RV's arriving or preparing to depart. All such vehicles placed on lots with stick-built homes, mobile homes, or park models, shall be at least 90% covered in a garage, under carport or RV port, except for golf carts and automobiles and no vehicle may protrude into roadways or common areas, nor be parked on grass or gravel areas on any lot.

16. No two Recreational Vehicles, motor homes, camping trailer or camper may be parked overnight on any lot unless:

- a. One of the vehicles is the only means of transportation or,
- b. One of the vehicles is 90% covered and is not being used as a residence.
- c. RV's may be parked in the driveway for the allotted 72 hours loading and unloading in any one 10-day period.

17. No tent, fold out camper, trailer, motor home or recreational vehicle of any kind that is not self-contained will be allowed in the Resort. Self-supported screen rooms may be erected for recreational purposes such as children play area, party, etc. with the permission of the Resort Manager.

18. No signs, bills, posters, or other advertising matter of any kind, including but not limited to, "FOR SALE" signs shall be erected, placed or displayed to public view, on, in, or from, any lot or structure thereon. Safety signs shall be exempt if approved by the Resort Manager.

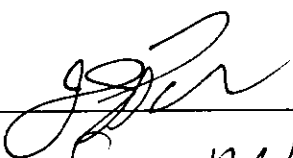
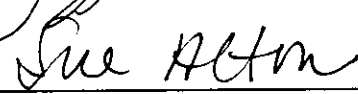
19. Watering lawns- All property owners in the Resort should demonstrate good water conservation practices. The following specifically pertains to property owners who are on the Winter Haven Resort Master Meter and pay a set amount each month directly to Winter Haven Resort.
- a. Lawns, trees, shrubs, and plants may be watered at any time using a hand-held hose.
 - b. A lawn sprinkler may be used from 6:00 am to 10:00 am and 6:00 pm to 10:00 pm, only while the property owner or caretaker is physically on the property overseeing the watering. A lawn sprinkler may not be left unattended at any time.
 - c. Property owners are encouraged to purchase a pump to utilize resaca water to water grass at the owner's expense and using the owner's electricity.
 - d. Automated lawn sprinkler systems may never be connected to Master Meter City water.
20. No garbage, trash or other refuse shall be dumped or stored on any lots. Do not allow garbage to sit out overnight. No outside burning of trash or garbage will be permitted.
21. Dumpsters: No person shall deposit any materials other than his/her household garbage in the dumpsters. No Trash Dumpster or Recyclable Dumpster Diving allowed.
- a. No large appliances including microwaves and furniture shall be dumped in the dumpsters or maintenance area. Plant clippings and brush must be deposited in brush trailer or put on curb for pickup on Wednesdays.
 - b. Deposit trash at curb on the designated pick-up days. If taking trash to the dumpsters place trash inside dumpster and not on top of or around. If dumpster is full take trash back to your property until dumpster is emptied or place in trash trailer.
 - c. For remodeling jobs, the owner or contractor is responsible for disposing of material outside of the resort.
22. No chemicals or foreign objects, including dropping fruit from trees, are to be introduced into any Resaca for any reason. Residents may purchase their own aerators/fountains and place in the resaca if it does not spray water on neighboring lots and said owner must provide the electricity to operate the aerator/fountain.
23. Do not feed stray or wild animals. Do not feed domestic or wild ducks or the swans. Bird feeders that attract ducks or wild animals are not allowed.
24. Fishing is permitted in all the Resort's resacas, except for the Clubhouse area (tournaments only). Always obtain the owner's permission before fishing from a privately owned lot. (When releasing fish, remove all hooks and lines whenever possible).
25. Except for clothesline apparatus attached to RV 's or motor homes on Coast-to-Coast or Waterford RV lots only, no permanently installed clothes lines are permitted in Winter Haven Resort. One freestanding, portable, folding, retractable, or umbrella style clothesline may be used on any lot. Clotheslines must be fully removable and must be taken down and put away when not in actual use or when the property is unoccupied. Clotheslines may not be

left in the open overnight. To maintain the aesthetics of the Resort, and based upon a lot's layout, clotheslines shall be used in as inconspicuous a spot as possible but must not be readily visible from the lot's primary street. Questions regarding clotheslines shall be addressed through the Architectural Control Committee.

Brownsville Winter Haven Resort reserves the right to alter, delete, and/or add to any of these preceding rules and regulations.

All previous versions of the Brownsville Winter Haven Property Owners Association Resort Rules are hereby rescinded.

Revised by the POA Board of Directors on this 15th day of December 2023.

Jimmy Parker  Date 12/15/23
President
Sue Alton  Date 12/15/23
Secretary

STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me on the 13th day of December 2023, by, Jimmy Parker,
President of Brownsville Winter Haven Property Owners Association, INC on behalf of said Corporation.



Thomas Wayne Sinyard
Notary Public in and for
State of Texas

My commission expires: 08/25/2024
ID No. 132640622



CERTIFICATE

I, Sue Alton, the Secretary of the Brownsville Winter Haven Property Owners Association, INC. (The Association) do hereby certify that the foregoing is a true and correct copy of Brownsville Winter Haven Property Owners Association (POA) Resort Rules dated 12/13/2023 of Winter Haven Subdivision, INC and Winter Haven R.V. Park Resort.

By: Sue Alton, Secretary
Sue Alton, Secretary

AFTER RECORDING RETURN TO:
BROWNSVILLE WINTER HAVEN
PROPERTY OWNERS ASSOCIATION, INC.
3501 Old Port Isabel Road
Brownsville, Texas 78526



VG-1321-2023-44668

**Cameron County
Sylvia Garza-Perez
Cameron County Clerk**

Instrument Number: 2023-44668

Real Property Recordings

Recorded On: December 19, 2023 08:23 AM

Number of Pages: 8

" Examined and Charged as Follows: "

Total Recording: \$60.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

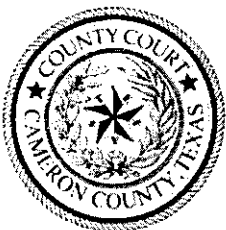
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 44668
Receipt Number: 20231219000007
Recorded Date/Time: December 19, 2023 08:23 AM
User: Julyssa A
Station: CClerk19_21

Record and Return To:

BROWNSVILLE WINTER HAVEN POB
3501 OLD PORT ISABEL RD
BROWNSVILLE TX 78526



**STATE OF TEXAS
Cameron County**

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Cameron County, Texas

Sylvia Garza-Perez
Cameron County Clerk
Cameron County, TX



FILED FOR RECORD
AT 8:30 O'CLOCK P.M.

DEC 19 2023

SYLVIA GARZA-PEREZ
CAMERON COUNTY CLERK
By *SG* Deputy