

CERTIFICATE FOR ORDER

THE STATE OF TEXAS                   §  
   §  
COUNTY OF HARRIS                   §

I, the undersigned officer of the Board of Directors of Nottingham Country Municipal Utility District, hereby certify as follows:

1. The Board of Directors of Nottingham Country Municipal Utility District convened in regular session on the 12<sup>th</sup> day of November, 2012, outside the boundaries of the District, and the roll was called of the members of the Board:

Ray Pavlovich	President
Ronald E. Hudson	Vice President
Vaughan Brown	Secretary
John "Jay" Wheeler	Assistant Vice President
Alan Wiggins	Assistant Secretary

and all of said persons were present, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

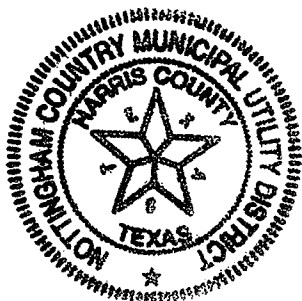
AMENDED ORDER ESTABLISHING PARK RULES

was introduced for the consideration of the Board. It was then duly moved and seconded that the order be adopted, and, after due discussion, the motion, carrying with it the adoption of the order, prevailed and carried unanimously.

2. A true, full, and correct copy of the aforesaid order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; the action approving the order has been duly recorded in the Board's minutes of the meeting; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid meeting, and that the order would be introduced and considered for adoption at the meeting, and each of the officers and members consented, in advance, to the holding of the meeting for such purpose; the meeting was open to the public as required by law; and public notice of the time, place, and subject of the meeting was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code.

SIGNED AND SEALED on the 12<sup>th</sup> day of November, 2012.

(SEAL)



  
Secretary, Board of Directors

## AMENDED ORDER ESTABLISHING PARK RULES

WHEREAS, Nottingham Country Municipal Utility District (the "District") is authorized by Texas Water Code Chapter 54, Subchapter I, to develop and maintain parks and recreational facilities for the people of the District; and

WHEREAS, the District acquired a 44 acre tract of land (the "Property") as further described in Exhibit "A," for the purpose of developing a park for the District; and

WHEREAS, the Board of Directors dedicated a park (the "District Park") for the benefit and use of the residents of the District by Order dated August 20, 2001; and

WHEREAS, the District is authorized by Texas Water Code Section 54.205, to adopt and enforce reasonable rules and regulations to regulate privileges on any land owned or controlled by the District; and

WHEREAS, pursuant to Texas Water Code Section 54.206, the rules adopted by the District under Texas Water Code Section 54.205 shall be recognized by the courts as if they were penal ordinances of a city; and

WHEREAS, the District is authorized by Texas Water Code Section 49.004 to set reasonable civil penalties for the breach of any rule of the district that does not exceed \$5,000; and

WHEREAS, the Board of Directors desires to adopt an order defining the District's rules and policies for the District Park (the "Park Rules"); Now, Therefore

BE IT ORDERED BY THE BOARD OF DIRECTORS OF NOTTINGHAM COUNTRY MUNICIPAL UTILITY DISTRICT THAT:

Section 1: All access to, and use of, the District Park shall comply with the rules set forth below, as adopted by the Board of Directors and as amended from time to time.

### Hours

The hours of operation are from 5 a.m. to 10 p.m., seven days a week.

### Access

Access to the District Park except through the points authorized by this order is prohibited. Pedestrians are authorized to enter via the pathways at the following access points:

- The intersection of Norwalk Drive and Highland Knolls Drive
- The intersection of Chelsea Park Drive and Highland Knolls Drive
- The intersection of Cobble Springs Drive and Highland Knolls Drive
- The intersection of Knolls Springs Drive and Highland Knolls Drive
- The intersection of South Fry Road and Highland Knolls Drive
- The intersection of Stonelodge Drive and South Fry Road
- The intersection of Chateau Bend Drive and South Fry Road
- Any gate constructed in a fence or wall adjacent to the District Park that complies with the design standards for gates adopted by the Architectural Review Committee of the Nottingham Country Fund (the "Committee") and has been approved in writing by the Committee.

#### Group Events

All persons or organizations (a "Group") holding an organized group event (an "Event") consisting of ten (10) or more people must submit an Event Request Form (the "Event Request Form") at least 30 days prior to the Event and submit the Event Request Form to the District for consideration. Upon review of the Event Request Form and approval of the Event by the District's Board of Directors, the Group must enter into a Park Use Agreement with the District on a form approved by the District. The District reserves the right to deny any request at their sole discretion due to scheduling conflicts, park maintenance, or otherwise.

#### Vehicles

No unauthorized motor vehicles are allowed. Authorized motor vehicles must use designated trail crossings.

#### Flower Beds

Walking, sitting, or standing on any border or flower bed is prohibited.

#### Animals

Dogs: Dogs must be on a leash and under the direct control of its owner at all times. Dog owners must clean up all solid waste deposited by their animals.

Horses: Horses are prohibited.

### Solicitation

Advertising, solicitation, or selling of any item is prohibited.

### Glass Containers and Litter

Glass: Glass containers are prohibited.

Litter: Littering is prohibited. Patrons must deposit their litter in trash receptacles.

### Fireworks and Weapons

Fireworks: Fireworks are prohibited.

Firearms: Discharge of firearms is prohibited.

Archery: Archery is prohibited.

### Fire

Open fires and burning of any kind is prohibited.

### Graffiti

Graffiti is prohibited. For this purpose, graffiti occurs if a person, without the effective consent of the owner, intentionally or knowingly makes markings, including inscriptions, slogans, drawings, or paintings, on the tangible property of the owner with: (1) aerosol paint; (2) an indelible marker; or (3) an etching or engraving device. "Aerosol paint" means an aerosolized paint product. An "indelible marker" means a device that makes a mark with a paint or ink product that is specifically formulated to be more difficult to erase, wash out, or remove than ordinary paint or ink products. An "etching or engraving device" means a device that makes a delineation or impression on tangible property, regardless of the manufacturer's intended use for that device.

### Theft

Theft is prohibited. For this purpose, theft occurs when a person unlawfully appropriates property with intent to deprive the owner of property. Appropriation of property is unlawful if: (1) it is without the owner's effective consent, (2) the property is stolen and the actor appropriates the property knowing it was stolen by another, or (3) property in the custody of any law enforcement agency was explicitly represented by any law enforcement agent to the actor as being stolen and the actor appropriates the property believing it was stolen by another.

## Criminal Mischief

Criminal mischief is prohibited. For this purpose, criminal mischief occurs when a person, without the effective consent of the owner, intentionally or knowingly (1) damages or destroys the tangible property of the owner, (2) tampers with the tangible property of the owner and causes pecuniary loss or substantial inconvenience to the owner or a third person; or (3) makes markings, including inscriptions, slogans, drawings, or paintings, on the tangible property of the owner.

## Penalties

Civil Penalties: Violators of any Park Rules will be liable to the District for any damages caused by such violation and will be subject to a fine by the District of up to \$5,000.

### Criminal Penalties:

Theft: The District will prosecute violators for the commission of a theft offense to the fullest extent of the law allowed under Texas Penal Code, Section 31.03 (defining a theft offense).

Graffiti: The District will prosecute violators for the commission of a graffiti offense to the fullest extent of the law allowed under Texas Penal Code, Section 28.08 (defining a graffiti offense).

Criminal Mischief: The District will prosecute violators for the commission of a criminal mischief offense to the fullest extent of the law allowed under Texas Penal Code, Section 28.03 (defining a criminal mischief).

Minors: To the extent that violators are under 18 years of age, parents of the violator will be held financially accountable under Texas Family Code Chapter 41, for such damages and fines imposed by the District.

Section 2: This Order shall be effective from the date of its adoption.

PASSED AND APPROVED the 12<sup>th</sup> day of November, 2012.

[Signature Page Follows]

*R. D. Polovnik*

President, Board of Directors

ATTEST:

*M. Brown*

Secretary, Board of Directors

(SEAL)

