

AFTER RECORDING, PLEASE RETURN TO:

**Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1717 Main Street
Suite 4600
Dallas, Texas 75201**

**TWENTY-FOURTH SUPPLEMENTAL CERTIFICATE AND
MEMORANDUM OF RECORDING OF DEDICATORY
INSTRUMENTS
FOR
HACKBERRY CREEK HOME OWNERS ASSOCIATION**

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

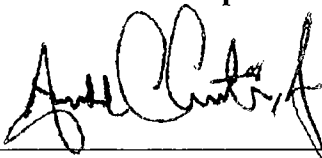
The undersigned, as attorney for Hackberry Creek Home Owners Association, for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instrument affecting the owners of property described on Exhibit B attached hereto, hereby states that the dedicatory instrument attached hereto is a true and correct copy of the following:

- ***Resolution of the Board of Directors of the Hackberry Creek Home Owners Association Approving Updates to Traffic Fining Schedules (Exhibit A).***

All persons or entities holding an interest in and to any portion of property described on Exhibit B attached hereto are subject to the foregoing dedicatory instrument. The attached dedicatory instrument replaces and supersedes previously recorded dedicatory instruments addressing the same subject matter and shall remain in force and effect until revoked, modified or amended by the Board of Directors.

IN WITNESS WHEREOF, Hackberry Creek Home Owners Association has caused this Twenty-Third Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments to be filed with the office of the Dallas County Clerk, and except as herein provided, serves to supplement those certain dedicatory instruments recorded in the Official Public Records of Dallas County, Texas, to wit: (i) in Volume 99252, Page 06422; (ii) in Volume 2001041, Page 05547; (iii) in Volume 2003142, Page 4105; (iv) as Instrument No. 200600396768; (v) as Instrument No. 20070382552; (vi) as Instrument No. 20080228698; (vii) as Instrument No. 201100340418; (viii) as Instrument No. 201300365115; (ix) as Instrument No. 201500251699; (x) as Instrument No. 201600222036; (xi) as Instrument No. 201700209128; (xii) as Instrument No. 202000064717; (xiii) as Instrument No. 202000086872; (xiv) as Instrument No. 2020-202000223431; (xv) as Instrument No. 2021-202100349456; (xvi) as Instrument No 2021-202100382072; (xvii) as Instrument No. 2022-202200215901; (xviii) as Instrument No. 2022-202200218500; (xix) as Instrument No. 2022-202200230611; (xx) as Instrument No. 2022-202200234644; (xxi) as Instrument No. 2022-202200315498; (xxii) as Instrument No. 2023-202300014934; (xxiii) as Instrument No. 2023-202300016873; and (xxiv) as Instrument No. 2023-202300063325. The attached dedicatory instrument serves to replace Exhibit A-2 recorded as Instrument No. 2023-202300063325 in the Official Public Records of Dallas County, Texas.

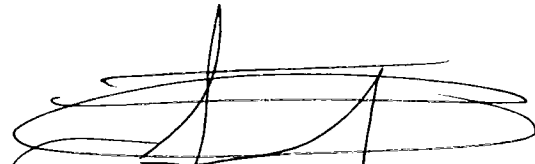
**HACKBERRY CREEK HOME
OWNERS ASSOCIATION,
a Texas Non-Profit Corporation**

By: 
Its: Attorney

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Judd A. Austin, Jr., attorney for Hackberry Creek Home Owners Association, known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 24th day of July, 2023.



Notary Public, State of Texas

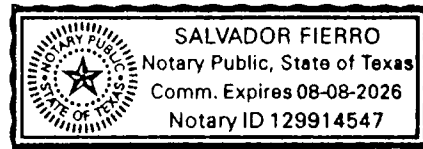


Exhibit A

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

**RESOLUTION OF THE BOARD OF DIRECTORS
OF HACKBERRY CREEK HOME OWNERS ASSOCIATION
APPROVING UPDATES TO TRAFFIC FINING SCHEDULES**

WHEREAS, the Board of Directors of the Hackberry Creek Home Owners Association (the “*Board*”) is the entity responsible for the operation of the Hackberry Creek Home Owners Association, Inc. (the “*Association*”) in accordance with and pursuant to that certain Amended and Consolidated Declaration of Covenants, Conditions and Restrictions on and for the Hackberry Residential Community, filed of record with the office of the County Clerk of Dallas County, Texas on October 10, 1996 and recorded in Volume 96213 Page 03823, et seq. of the Deed Records of Dallas County, Texas and any and all supplements thereof and amendments thereto (the “*Declaration*”), and the Bylaws of the Association (the “*Bylaws*”); and

WHEREAS, under Article IV, Section 4.09 of the Declaration, the Board is specifically authorized to recommend, adopt, implement and enforce rules, regulations, mechanisms and procedures governing use of the entry gatehouses, sidewalks, streets, including the levying of fines for violations of said rules and regulations; and

WHEREAS, the Board desires to update the Fining Schedules attached to the Traffic Rules Enforcement Policy; and

WHEREAS, a meeting of the Board was held on the 21st day of June, 2023 (the “*Meeting*”); and

WHEREAS, a quorum of the Directors was present at the Meeting; and

WHEREAS, the Board determined that it was in the best interests of the Association to resolve to update the Fining Schedules attached to the Traffic Rules Enforcement Policy; and

WHEREAS, no less than a majority of the Directors present at the Meeting voted to

resolve to approve the Traffic Finning Schedules attached hereto as Exhibits 1 and 2.

THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS that the Board has resolved and does hereby resolve as follows:

1. The Hackberry Creek Traffic Finning Schedule – Residents, attached hereto as Exhibit 1, is hereby approved for all purposes.

2. The Hackberry Creek Traffic Finning Schedule – Non-Residents, attached hereto as Exhibit 2, is hereby approved for all purposes.

3. Exhibit 1 and Exhibit 2 are referred to, collectively, as the “***Traffic Finning Schedules.***”

4. The Traffic Finning Schedules shall serve to replace the schedule attached to that certain Traffic Rules Enforcement Policy attached as Exhibit A to that certain instrument filed on November 22, 2021, and recorded as Instrument No. 2021-202100349456 in the Official Public Records of Dallas County, Texas.

5. That certain Resolution of the Hackberry Creek Home Owners Association Approving Updates to Traffic Finning Schedules, attached as Exhibit A-2 to that certain instrument filed on April 3, 2023, and recorded as Instrument No. 2023-202300063325 in the Official Public Records of Dallas County, Texas, is hereby withdrawn and of no further force and effect.

6. The Traffic Finning Schedules shall take effect when this Resolution is filed with the Office of the Dallas County Clerk and notice of this Resolution is posted on the Association’s website.

IT IS FURTHER RESOLVED that this Resolution shall remain in effect until the amended or revoked by a majority vote of the Board.

**HACKBERRY CREEK HOME
OWNERS ASSOCIATION**

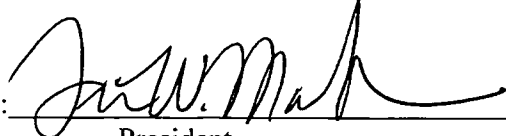
By: 
President

Exhibit 1

HACKBERRY CREEK TRAFFIC FINING SCHEDULE - RESIDENTS

VIOLATION DESCRIPTION	FINE SCHEDULE
<ul style="list-style-type: none"> In 30mph zone - Speeding over 36 MPH - First Occurrence. In 20mph zone - Speeding over 24 MPH - First Occurrence. 	<p>\$175.00, plus \$10.00 for each mile per hour greater than 40 MPH in 30mph zone.</p> <p>\$175.00, plus \$10.00 for each mile per hour greater than 27 MPH in 20mph zone.</p>
<ul style="list-style-type: none"> In 30mph zone - Speeding over 36 MPH - Second Occurrence within six months of first violation. In 20mph zone - Speeding over 24 MPH - Second Occurrence within six months of first violation. 	<p>\$175.00, plus \$10.00 for each mile per hour greater than 40 MPH in 30mph zone.</p> <p>\$175.00, plus \$10.00 for each mile per hour greater than 27 MPH in 20mph zone.</p>
<ul style="list-style-type: none"> In 30mph zone - Speeding over 36 MPH - Third Occurrence within six months of second violation. In 20mph zone - Speeding over 24 MPH - Third Occurrence within six months of second violation. 	<p>\$225.00, plus \$10.00 for each mile per hour greater than 40 MPH in 30mph zone.</p> <p>\$225.00, plus \$10.00 for each mile per hour greater than 27 MPH in 20mph zone.</p>
<ul style="list-style-type: none"> In 30 mph zone - Speeding over 36 MPH - Fourth Occurrence within six months of third violation. In 20 mph zone - Speeding over 24 MPH - Fourth Occurrence within six months of third violation. 	<p>\$225.00, plus \$10.00 for each mile per hour greater than 40 MPH in 30 mph zone or \$225.00, plus \$10.00 for each mile per hour greater than 27 MPH in 20 mph zone AND automatic & immediate revocation of Guest Privileges and Toll Tag / RFID automatic resident lane entry for 30 days. Must use guest lane.</p>
<ul style="list-style-type: none"> In 30 mph zone - Speeding over 36 MPH - Fifth Occurrence within six months of fourth violation. In 20 mph zone - Speeding over 24 MPH - Fifth Occurrence within six months of fourth violation. 	<p>\$225.00, plus \$10.00 for each mile per hour greater than 40 MPH in 30 mph zone or \$225.00, plus \$10.00 for each mile per hour greater than 27 MPH in 20 mph zone AND automatic & immediate revocation of Guest Privileges and Toll Tag / RFID automatic resident lane entry for 90 days. Must use guest lane.</p>
<ul style="list-style-type: none"> In 30mph zone - Speeding over 36 MPH - Sixth and any Subsequent Occurrence within six months of fifth & any subsequent violation. In 20mph zone - Speeding over 24 MPH - Sixth and any Subsequent Occurrence within six months of fifth & any subsequent violation 	<p>6th Occurrence \$450.00, plus \$20.00 for each mile per hour greater than 40 MPH in 30 mph zone or \$450.00, plus \$20.00 for each mile per hour greater than 27 MPH in 20 mph zone AND automatic & immediate revocation of Guest Privileges and Toll Tag / RFID automatic resident lane entry for 180 days. For each subsequent violation after 6th, fines are double the previous amount and revocation of guest/toll tag/RFID entry is extended an additional 180 days. Must use guest lane.</p>
Speeding in Alleys - Speed greater than 19 miles per hour	Same Fine Schedule as Speeding on Streets
Stop Sign - First Occurrence	Fine of \$25.00
Stop Sign - Second Occurrence within six months of first violation	Fine of \$125.00
Stop Sign - Third Occurrence within six months of second violation	Fine of \$125.00
Stop Sign - Fourth Occurrence within six months of third violation	Fine of \$125.00 and automatic & immediate revocation of Guest Privileges and Toll Tag / RFID automatic resident lane entry for 30 days. Must use guest lane.
Stop Sign - Fifth Occurrence within six months of fourth violation.	Fine of \$125.00 and automatic & immediate revocation of Guest Privileges and Toll Tag / RFID automatic resident lane entry for 90 days. Must use guest lane.
Stop Sign - Sixth and any Subsequent Occurrence within six months of fifth & any subsequent violation	6 th Occurrence \$250.00 and automatic & immediate revocation of Guest Privileges and Toll Tag / RFID automatic resident lane entry for 180 days. For each subsequent violation after 6 th , fines are double the previous amount and revocation of guest/toll tag/RFID entry is extended an additional 180 days. Must use guest lane.

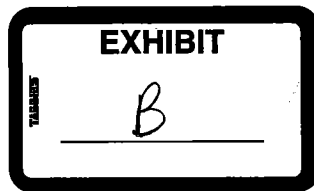
Note: Violations are counted cumulatively for all vehicles owned or registered to an individual property.

Exhibit 2

HACKBERRY CREEK TRAFFIC FINING SCHEDULE – NON-RESIDENTS

VIOLATION DESCRIPTION	PENALTY SCHEDULE
SOCIAL INVITEES - Speeding over 36 MPH in 30mph zone or over 24 MPH in 20mph zone or Stop Sign violation - First Occurrence	Guest Traffic Violation Warning Letter to the Guest and to the Resident that approved the social invitee's entry into the Village on the day of the violation
SOCIAL INVITEES - Speeding over 36 MPH in 30mph zone or over 24 MPH in 20mph zone or Stop Sign violation - Second Occurrence within six months of first violation	Social Invitee not allowed to drive on Village streets for 30 days and a fine of \$175.00, plus \$10.00 for each mile per hour greater than 40 MPH in 30mph zone or \$10.00 for each mile per hour over 27 MPH in a 20 mph zone (speeding) or \$125.00 (Stop Sign) - paid by the resident
SOCIAL INVITEES - Speeding over 36 MPH in 30mph zone or over 24 MPH in 20mph zone or Stop Sign violation – 3 rd & Additional occurrences by the same vehicle	Social Invitee not allowed to drive on Village streets for 90 days and a fine of \$350, plus \$20.00 for each mile per hour greater than 40 MPH in 30mph zone or \$20.00 for each mile per hour over 27 MPH in a 20 mph zone or \$250.00 (Stop Sign) for 3 rd occurrence - paid by the resident. Each subsequent occurrence after 3 rd is double the previous fine amount and Social Invitee not allowed on Village streets for 180 days for each subsequent occurrence.
CONTRACTOR VEHICLE - Speeding over 36 MPH in 30mph zone or over 24 MPH in 20mph zone or Stop Sign Violation	Contractor Traffic Violation Warning Letter to the contractor
CONTRACTOR VEHICLE - Speeding over 36 MPH in 30mph zone or over 24 MPH in 20mph zone or Stop Sign violation – Additional occurrences by the same vehicle	Contractor vehicle not allowed to drive on Village streets for 30 days
CONTRACTOR VEHICLE - Speeding over 36 MPH in 30mph zone or over 24 MPH in 20mph zone or Stop Sign violation – Additional occurrences by the same vehicle	Contractor vehicle not allowed to drive on Village streets for 90 days
COMMERCIAL DELIVERY OR SERVICE VEHICLE - Speeding over 36 MPH in 30mph zone or over 24 MPH in 20mph zone or Stop Sign violation	Commercial Traffic Violation Letter to the Owner/Manager of the delivery/service company.
COMMERCIAL DELIVERY OR SERVICE VEHICLE - Speeding over 36 MPH in 30mph zone or over 24 MPH in 20mph zone or Stop Sign violation – Additional occurrences by the same vehicle	Village attorney send letter to Owner/Manager of delivery/service company listing ramifications of continued unsafe driving in the Village
GOVERNMENT VEHICLE - Speeding over 36 MPH in 30mph zone or over 24 MPH in 20mph zone or Stop Sign violation	Government Vehicle Traffic Violation Letter to the appropriate government official
GOVERNMENT VEHICLE - Speeding over 36 MPH in 30mph zone or over 24 MPH in 20mph zone or Stop Sign violation – Additional occurrences by the same vehicle	Village attorney send letter to appropriate government official listing ramifications of continued unsafe driving in the Village

Exhibit B



A description of the land parcels included within, and the village-related restrictive covenants covering, the Hackberry Creek single-family residential community.

The Hackberry Creek single-family residential community generally consists of the six (6) separate land areas described as follows [and all references hereinbelow to recorded documents are to the Public Real Estate Records of Dallas County, Texas]:

1. **Area L (50):** Being a 51.511 acre tract of land situated in the B.B.B. and C.R.R. Survey, Abstract No. 196, in the City of Irving, Dallas County, Texas and more particularly described by metes and bounds within that certain "Declaration" filed and recorded in Volume 83121, Page 3049 et seq. (particularly within pages 3071-3074) of the Deed Records of Dallas County, Texas. Area L (50) has been platted as follows:

<u>Name of Plat</u>	<u>Plat Recording Data</u>
Final Plat Kinwest Sector 20 - Residential Phase I - First Installment	82132/2416

and Area L (50) (as well as all the other Areas within Hackberry Creek) has been subjected to previously recorded restrictive covenants as follows:

<u>Instrument</u>	<u>Volume</u>	<u>Page</u>
Supplementary Declaration No. 50	83120	4159
Declaration: Area L	83121	3049
Corrected Supplementary Declaration No. 50	83223	2864

2. **Area LXV (65):** Being a 32.938 acre tract of land situated in the B.B.B. and C.R.R. Survey, Abstract No. 196, in the City of Irving, Dallas County, Texas and being more particularly described by metes and bounds within that certain "Supplementary Declaration No. 65" filed and recorded in Volume 84170, Page 1891 et seq. (particularly within pages 1901-1902) of the Deed Records of Dallas County, Texas. Area LXV (65) has been platted as follows:

<u>Name of Plat</u>	<u>Plat Recording Data</u>
Preliminary Final Plat Hackberry Creek Village Phase IV 32.938 acres	85202/2561

and Area LXV (65) has been subjected to previously recorded restrictive covenants as follows:

<u>Instrument</u>	<u>Volume</u>	<u>Page</u>
Supplementary Declaration No. 65	84170	1891
Supplementary Declaration No. 1	84170	1904
Corrected Supplementary Declaration No. 1	85236	5809
Corrected Supplementary Declaration	85236	5820

**Dallas County
John F. Warren
Dallas County Clerk**

Instrument Number: 202300146477

eRecording - Real Property

Recorded On: July 24, 2023 02:34 PM

Number of Pages: 14

" Examined and Charged as Follows: "

Total Recording: \$74.00

******* 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: 202300146477
Receipt Number: 20230724000558
Recorded Date/Time: July 24, 2023 02:34 PM
User: Kevin T
Station: CC123.dal.ccdc

Record and Return To:

CSC Global



**STATE OF TEXAS
COUNTY OF DALLAS**

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 Dallas County, Texas.

John F. Warren
Dallas County Clerk
Dallas County, TX

A handwritten signature in black ink, appearing to be "JFW".