

**UNANIMOUS ACTION OF THE BOARD OF DIRECTORS OF
PEBBLE CREEK OWNERS ASSOCIATION, INC.**

We, the undersigned, constituting all of the Board of Directors of PEBBLE CREEK OWNERS ASSOCIATION, INC., a Texas nonprofit corporation (the “**Association**”), acting pursuant to the duties and powers afforded to the Association in the Declaration of Easements, Restrictions, and Covenants for the Pebble Creek Development recorded in Volume 1225, Page 1 of the Official Records of Brazos County, Texas (“**Declaration**”) and all subsequently filed Supplementary Declarations (“**Supplemental Declarations**”) (the Declaration and all Supplemental Declarations sometimes collectively referred to herein as the “**Declarations**”), pursuant to Section 6 of the Bylaws of the Association by our unanimous written consent take the following actions:

WHEREAS, Section 8.1 of the Declaration authorizes the Association to take actions to improve and enhance the attractiveness, desirability and safety of the Pebble Creek Development, and

WHEREAS, Section 8.15 of the Declaration gives the Association power to adopt rules and regulations with respect to the interpretation and implementation of the Declaration, and

WHEREAS, Section 3 of the Supplemental Declarations sets forth a number of “Use Restrictions,” including a restriction limiting use to single-family residential purposes in Section 3.1, and a restriction pertaining to rental and leasing in Section 3.33 or Section 3.35, as applicable; and

WHEREAS, the Association desires to adopt rules and regulations for the purpose of interpreting and further clarifying the “Use Restrictions” found in Section 3 of the Supplemental Declarations.

NOW, THEREFORE, the Association hereby adopts the following rules and regulations as set forth below, to further interpret and clarify the Use Restrictions found in Section 3 of the Supplemental Declarations:

Section 3.1: Rule Interpreting and Clarifying Single-Family Residential Use Restrictions.

Pursuant to Section 3.1 of the Supplemental Declarations, Lots and Units within the Pebble Creek Development (“**Subdivision**”) are designated as “single family residential” and are restricted to use for “residential purposes only.” Section 3.1 further provides that “no Lot or Unit shall be used for business, education, religious or professional purposes of any kind whatsoever, nor for any commercial or manufacturing purposes.”

“**Single family**” shall be interpreted to mean any number of persons related within the second (2nd) degree of consanguinity (by way of example and not limitation, a grandmother to grandchild) living with not more than one (1) person who is not so related. Lots and Units shall

be used for single family residential use only, and no Lot or Unit within the Subdivision shall be occupied by more than one (1) single family. No multi-family use of any Lot or Unit is permitted.

Single family residential use and residential purpose refer not only to the architectural design of the buildings and improvements on a Lot or Unit, but also the number of inhabitants and permitted uses which must be residential in nature. Trade, business, and commercial activities are prohibited except where (a) the existence or operation of the business activity is not apparent or detectable by sight, sound or smell from outside the dwelling Unit; (b) the business activity conforms to all governmental requirements and ordinances and other dedicatory instruments applicable to the Lot or dwelling Unit; (c) the business activity does not involve visitation to the dwelling Unit or Lot by clients, customers, suppliers, or other business invitees or door-to-door solicitation, and (d) the business activity is consistent with the residential character and use of Lots and Units within the Subdivision, and does not constitute a nuisance, or a hazardous or offensive use, or threaten the security or safety of other residents of the Subdivision, as may be determined in the sole discretion of the Association. The uses set out in (a) through (d) above are referred to singularly or collectively as an **"Incidental Business Use."** At no time may an Incidental Business Use cause increased parking or traffic within the Subdivision or the use will be deemed to be a violation of this regulation. **A day-care facility, home daycare facility, church, nursery, pre-school, beauty parlor, or barber shop or other similar facility, vacation rental, boarding house, "Airbnb," or bed and breakfast facilities are expressly prohibited and are not considered an Incidental Business Use.**

Section 3.33 or Section 3.35: Rule Interpreting and Clarifying Rental and Leasing Use Restrictions.

Residential dwelling Units within the Subdivision may be leased subject to the occupancy restrictions contained within the Declarations. Leasing must be for single-family residential purposes only. Lots and dwelling Units may be leased only in their entirety; no fraction or portion of a Lot or dwelling Unit may be leased separately. All leases shall be in writing and shall be for an initial term of not less than six (6) months. **Short-term leasing, meaning leasing for a term of less than six (6) months, is prohibited. "Game day" or weekend rentals are prohibited. Advertising a residential Lot or dwelling Unit on websites such as vacation rental by owner (VRBO), Airbnb, HomeAway, and the like is not permitted.**

The Declarations provide that a copy of the lease and the names of the tenants shall be provided to the Association for all lease or rental arrangements. This should be done **prior** to tenant occupancy, so that the Association may ensure that all leases are proper. Therefore, no later than five (5) days before the commencement of any lease, the owner of the Lot or dwelling Unit shall provide to the Association, in writing, a copy of the lease and the names of all tenants living in the dwelling Unit. Additionally, the Association requires that each tenant sign Pebble Creek's Lease Agreement prior to tenant occupancy. Every owner shall cause all occupants to comply

with the Declarations and all associated rules and regulations of the Subdivision, and shall be responsible for all violations caused by such occupants, notwithstanding the fact that such occupants are fully liable and may be sanctioned for any such violation. All leases shall also comply with all governmental laws, rules, ordinances and regulations.

IN WITNESS WHEREOF, the undersigned have executed this Unanimous Action of the Board of Directors to be effective as of the 7th day of November, 2019.

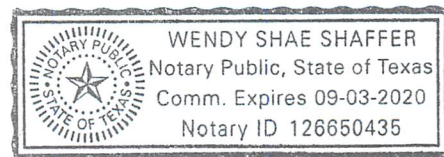
Pebble Creek Owners Association, Inc.

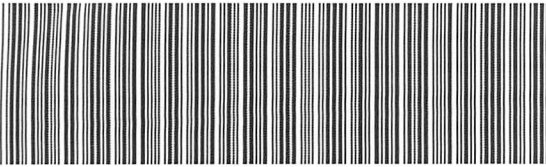
Michael Buckley
Michael Buckley, President

THE STATE OF TEXAS
COUNTY OF BRAZOS

This instrument was acknowledged before me on the 7th day of November, 2019, by Michael Buckley, President of Pebble Creek Owners Association, Inc., on behalf of said Association in the capacity therein stated.

Wendy Shae Shaffer
Notary Public, State of Texas





VG-267-2023-1493278

**Brazos County
Karen McQueen
County Clerk**

Instrument Number: 1493278
Volume : 18430
Real Property Recordings

Recorded On: January 17, 2023 03:50 PM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: \$34.00

***** 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: 1493278
Receipt Number: 20230117000152
Recorded Date/Time: January 17, 2023 03:50 PM
User: Patsy D
Station: CCLERK07

Record and Return To:

Pebble Creek Owners Assoc.
P. O Box 10660
COLLEGE STATION TX 77842



STATE OF TEXAS
COUNTY OF BRAZOS

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 Public Records of Brazos County, Texas.

Karen McQueen
County Clerk
Brazos County, TX