

**RULES AND REGULATIONS OF CHATEAU DIJON TOWNHOMES  
OWNERS ASSOCIATION, INC. CONCERNING  
BALCONIES, PATIOS, AND TERRACES**

STATE OF TEXAS

§

§

COUNTY OF BEXAR

§

**WHEREAS**, the Chateau Dijon Townhomes Owners Association, Inc., (hereinafter “**Association**”), is charged with administering and enforcing those certain covenants, conditions, and restrictions contained in the Declaration for the Association;

**WHEREAS**, Article 14(s) of the applicable Declaration empowers the Association, acting through the Board of Directors to adopt Rules and Regulations concerning the management and administration of the Project for the use and enjoyment of the owners;

**WHEREAS**, Section 7.1(a) of the applicable Bylaws empowers the Association, acting through the Board of Directors to adopt Rules and Regulations governing the use of the common areas and facilities and the personal conduct of the members and their guests thereon;

**WHEREAS**, Section 82.102(a)(7) empowers the Association, acting through the Board of Directors to adopt and amend rules regulating the use, occupancy, leasing or sale, maintenance, repair, modification, and appearance of units and common elements, to the extent the regulated actions affect common elements or other actions;

**WHEREAS**, Section 1(a) of the applicable Declaration defines “Townhome” in relevant part as “Each Townhome is numbered as shown on the Plan, and the Boundaries of each Townhome shall be and are the interior surfaces of the perimeter walls, floor, ceiling and the exterior surfaces of balconies, patios, and terraces; and a Townhome includes both the portion of the building so described and the airspace so encompassed;

**WHEREAS**, Section 1(f) defines “Common Elements” as “all of the Property except for the Townhomes”;

**WHEREAS**, Section 2(a) defines “Limited Common Elements” as “closets and storage areas...”;

**WHEREAS**, Section 7(h) states “The Board, for the benefit of the Property and the Co-Owners, shall enforce the provisions hereof and shall acquire and shall pay out of the Maintenance Fund hereinafter provided for the following: (h) Painting, maintenance, and repair and all landscaping of the Common Elements and exterior surfaces of Townhomes...the Board shall have the exclusive right and duty to acquire the same for the Common elements;”

**WHEREAS**, Section 9 of the Declaration states “Except for those portions of the

Townhome, if any, which the Board is required to maintain and repair hereunder, each Co-Owner shall, at his sole costs and expense, maintain and repair his Townhome, keeping the same in good condition;”

**WHEREAS**, Section 14(n) states in relevant part “Maintenance, upkeep and repairs of any Patio Space shall be the sole responsibility of the Co-Owner and shall not be, in any manner, the responsibility of the Board of the Council of Co-Owners”;

**WHEREAS**, certain Co-Owners have enclosed their patio, balcony, or terrace so as to create additional interior space in their Townhome;

**WHEREAS**, certain Co-Owners have made improvements to their patio, balcony, or terrace (i.e. installed tile/flooring, faucets, drains, etc.); and

**WHEREAS**, the Chateau Dijon Townhome Owners Association, Inc., desires to hereby establish rules and regulations related to the responsibility for the maintenance, upkeep, repair, and replacement of patios, balconies, and terraces and to additionally provide clear and definitive guidance to the Co-Owners.

**NOW THEREFORE**, the Board has duly adopted the following Rules and Regulations related to the responsibility for the maintenance, upkeep, repair, and replacement of patios, balconies, and terraces and to additionally provide clear and definitive guidance to the Co-Owners:

**I.**

**Policy**

1. Patios, balconies, and terraces that are currently enclosed shall be maintained, repaired, and replaced at the sole expense of the Co-Owner. The Association shall have no responsibility to maintain, repair, or replace patios, balconies, or terraces that have been enclosed;

2. Co-Owners that have modified patios, balconies, or terraces (i.e. installed tile/flooring, faucets, drains, etc.) shall be responsible for all maintenance, repair, or replacement of any modifications. In addition, any damages caused by the modification(s) to the patio, balcony, or terrace or the surrounding common areas shall be the responsibility of the Co-Owner to maintain, repair, and replace. All other maintenance, repair, and replacement of modified patios, balconies, and terraces shall be the responsibility of the Association. Any damage caused to a patio, balcony, or terrace modification during the discharge of the Association’s duty to maintain, repair or replace such patio, balcony, or terrace shall be the sole responsibility of the Co-Owner to repair or replace.

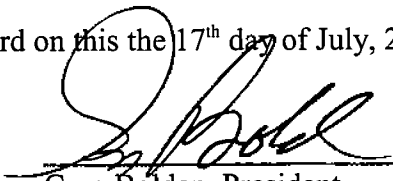
3. No Co-Owner shall enclose, modify, or otherwise improve a patio, balcony, or terrace without the prior written approval of the Association’s Board of Directors.

II.

Supplement

These rules and regulations related to the responsibility for the maintenance, upkeep, repair, and replacement of patios, balconies, and terraces may be supplemented from time to time by the Board of Directors of the Association. These rules and regulations are effective upon recording in the Official Public Records of Bexar County, Texas, and shall control over any policy regarding the maintenance, upkeep, repair, and replacement of patios, balconies, and terraces which may have previously been in effect. All other provisions contained within the Association's Rules and Regulations concerning the maintenance, upkeep, repair, and replacement of patios, balconies, and terraces, or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Board on this the 17<sup>th</sup> day of July, 2019.

  
\_\_\_\_\_  
Greg Bolden, President  
Chateau Dijon Townhomes Owners Association,  
Inc.

STATE OF TEXAS

§

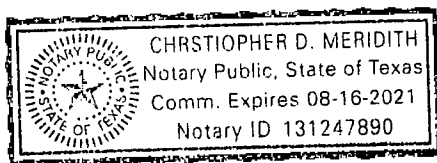
§

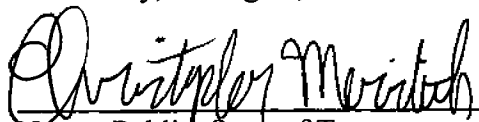
COUNTY OF BEXAR

§

Before me, the undersigned authority, on this day personally appeared Greg Bolden, President of Chateau Dijon Townhomes Owners Association, Inc., a Texas non-profit corporation, known to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that she had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein state.

Given under my hand and seal of office this the 29<sup>th</sup> day, of August, 2019.



  
\_\_\_\_\_  
Notary Public, State of Texas

Christopher Meridith  
\_\_\_\_\_  
Printed Name

My commission expires: 08/16/2021

**File Information**

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY  
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

**Document Number:** 20190173317  
**Recorded Date:** August 30, 2019  
**Recorded Time:** 12:55 PM  
**Total Pages:** 4  
**Total Fees:** \$34.00

**\*\* THIS PAGE IS PART OF THE DOCUMENT \*\***

**\*\* Do Not Remove \*\***

Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 8/30/2019 12:55 PM



*Lucy Adame-Clark*  
Lucy Adame-Clark  
Bexar County Clerk