

PARKING AND TOWING RESOLUTION

XIT Homeowners Association and XIT/Trav Shared Use Towing Policy

Amended 9/25/2018

Pursuant to the Declaration of Covenants, Conditions and Restrictions for X-It Homeowners' Association dated January 19, 2007 and recorded in the Office of the County Recorder of Clark County, Nevada as Book/Instrument number 20070119-0992372, the following policy will be formed:

WHEREAS, the X-IT Homeowners' Association, is a Nevada corporation duly organized and existing under the laws of the State of Nevada;

WHEREAS, XIT HOA and Trav HOA jointly wish to enforce parking regulations on the common areas pursuant to the Shared Use Agreement recorded 1/17/2014 and;

WHEREAS, XIT HOA has the controlling interest in the shared common areas and;

WHEREAS, Article 3.17 of the XIT Association Bylaws authorizes the Board of Directors to adopt and amend Rules and Regulations and;

WHEREAS, Article VI, section 6.1 (a, b, and c) Maintenance delineates the power of the board to regulate and restrict parking in the common elements and specifically to restrict parking to visitors only and;

WHEREAS, Parking space is very limited in the community and;

WHEREAS, In addition to this resolution distributed to the membership, signs have been placed and curbs have been marked to properly notify all owners and their guests of the parking restrictions and;

WHEREAS, Both the Trav and the XIT Boards have determined that towing vehicles in violation of the parking restriction is the only way to effectively enforce the parking rules for the community and;

WHEREAS, Identification of vehicles in violation of the parking restrictions is integral to properly and accurately enforcing the parking rules for the community:

NOW, THEREFORE, BE IT RESOLVED THAT X-It Homeowners' Association establishes and adopts the following resolution in regards to parking and towing vehicles from the property:

1. Residents shall register with the Association: a registration form will be provided which requests information for both the Owners and Residents of the unit including contact and vehicle information. It is mandatory that this registration form is filled out and returned to the management company.

2. Two Guest Permits which are uniquely identified to each unit will be distributed to the owners of each unit. Only two permits will be authorized per unit. The requisite registration form must be filled out and returned to management prior to receiving your guest parking permits. If a guest permit is lost, it must be reported so it can be voided and tracked: any vehicle found using it will be immediately tagged for tow. Replacement permits will cost \$10 each, the initial two will be free of charge.

3. When a guest is parked in any guest parking space overnight (**overnight will be defined as anytime between 8 pm to 8 am**) a guest parking permit is required to be visible on the dashboard or hanging from the rear view mirror of the vehicle. The permit must be easily read to be identified. Partially visible and/or partially legible permits will be

treated as having no permit and the vehicle will be tagged for towing after 48 hours. Pictures will be taken before towing.

4. Residents must park in their garage with the garage door closed. Residents are not allowed to park in the common area parking save to unload and load only. Guest parking permits are for guests, not residents.

5. If a vehicle is found to be parked using a guest parking pass in such a manner as to appear to be living most of the time in the community, an immediate hearing letter will be sent to the owner with notice of violation of the parking restriction. If this violation continues unabated or unresolved, the Board may levy a continuing fine of \$100 initially and \$100 per week for violation of the guest parking rules. If the violation continues, a tow sticker may be placed on the vehicle and the vehicle towed after 48 hours.

6. If a resident's vehicle is cited for using a guest pass in violation of the rules, the resident may be called to hearing and fined \$100 per incident if found in violation. Furthermore, the resident's vehicle, whether registered with the Association or not, will be tagged for towing after 48 hours regardless a guest permit. The vehicle will be towed if found parked in any visitor parking space overnight for a period of three months thereafter.

7. If a resident needs a variance to park in guest parking, a special variance permit separate from the guest permit may be issued at the discretion of the Board. If a resident is having a party or more than two guests overnight, the resident must notify the Management Company at least 5 days in advance to work out a way to proceed within the rules.

8. If any vehicle is improperly tagged, it is the sole responsibility of the owner and/or guest to contact management and correct the mistake within the 48 hour time frame before the vehicle is towed. If the Management Company is not contacted by the owner of the unit or by the owner of the vehicle in a timely manner, neither the Management Company nor the HOA are responsible for any tow charges regardless if the vehicle was inadvertently tagged.

9. Residents may appeal to the Board in writing through the management company for a parking variance. The Board will consider each case individually but will at no time grant a permanent variance to any resident to park in the guest parking spaces or at the clubhouse. One thirty day parking variance is all the Board will grant to give the resident time to find off-site parking or a solution for their parking issues. Garages shall be used for the maximum number of cars they are designed to park, not used for storage of other items. A site inspection of the garage may be required before a variance is granted. The Board may direct the resident where to park if a variance is granted.

9. Any vehicle parked in handicapped parking without a handicap permit or in a red zone will be towed immediately at the discretion of the agents for the Association. Any vehicle that is inoperable, leaking fluids or not properly registered with the department of motor vehicles will be tagged for towing after 48 hours.

5. Any previously tagged vehicle can be towed immediately for a period of 3 months if it is found in guest parking still in violation of the parking restrictions regardless if it has been moved.

10. If a vehicle is towed, the owner of the vehicle is responsible to pay the towing fees and retrieve the vehicle. If the owner believes the tow was done illegally, the owner is still responsible for paying to retrieve the vehicle in a timely manner. The owner may then challenge the towing charges through the Tow Company and/or Management.

11. This Resolution replaces and nullifies all previous towing and parking resolutions previously adopted.

Adopted November 3, 2017. Amended 9/25/2018