

**AN ORDER ESTABLISHING RULES AND REGULATIONS GOVERNING
RECREATIONAL FACILITIES AND RELATED FEES AND CHARGES**

BLOCK HOUSE MUNICIPAL UTILITY DISTRICT

September 23, 2009

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

WHEREAS, Block House Municipal Utility District (the "District") is the owner of certain park and recreational facilities located within its boundaries, including Tumlinson Park, Comanche Park, Apache Park, Jumano Park, Tonkawa Park and greenbelt along Block House Creek (collectively, the "Parks"), Tumlinson Pool and Apache Pool (collectively, the "Pools"), softball practice field in Tumlinson Park and softball/soccer practice fields in Tonkawa Park (collectively, the "Practice Fields"), tennis courts and a basketball court (the "Tennis and Basketball Courts"), a park pavilion (the "Pavilion"), a skate court (the "Skate Court"), bicycle trails (the "Bike Trails"), an historic residence homestead known as the Walker House (the "Walker House"), a marquee sign and kiosk (the "Block House Creek Information Center") and a recreation/community center building in Jumano Park (the "Jumano Community Center"); and

WHEREAS, the Board of Directors (the "Board") of the District is authorized to adopt and enforce all necessary rules and regulations governing its Parks and recreational facilities and to establish fees, charges and a schedule for the use of these facilities; and

WHEREAS, the Board wishes to establish, as a mission statement, the following goals for the District's Parks and recreational facilities:

To provide adequate and safe facilities for the District's residents to use while promoting team sports, fairness, respect for the land and responsibility for upkeep and maintenance;

To encourage and support the District's youth and adults while they develop skills in the areas they have chosen and respect for others while using the Parks;

To establish a balance of use of all parkland by organized team associations within the District; and

To create a recreational adventure for ALL residents and to maintain the availability of park facilities to ALL residents for their use and enjoyment;

IT IS THEREFORE ORDERED by the Board of Directors of Block House Municipal Utility District as follows:

Section 1: The mission statement set forth in the preamble to this Order is hereby adopted.

Section 2: The rules and charges contained in the attached Exhibit "A" apply to the Pools.

Section 3: The rules contained in the attached Exhibit “B” apply to the Parks (Tumlinson Park, Comanche Park, Apache Park, Jumano Park, Tonkawa Park and the greenbelt along Block House Creek).

Section 4: The rules contained in the attached Exhibit “C” apply to the Practice Fields.

Section 5: The rules contained in the attached Exhibit “D” apply to the Tennis and Basketball Courts.

Section 6: The rules and charges contained in the attached Exhibit “E” apply to the Walker House.

Section 7: The rules and charges contained in the attached Exhibit “F” apply to the Pavilion.

Section 8: The rules contained in the attached Exhibit “G” apply to the Skate Court.

Section 9: The rules contained in the attached Exhibit “H” apply to the Bike Trails.

Section 10: The rules contained in the attached Exhibit “I” apply to the Block House Creek Information Center.

Section 11: The rules contained in the attached Exhibit “J” apply to the Jumano Community Center.

Section 12: The District’s Parks and recreational facilities will be developed and maintained in accordance with reasonably acceptable standards for similar facilities. Funds for the development and maintenance of the facilities may be obtained from the fees and charges established in this Order and from any other lawful source of District revenue. These funds may be allocated within the District’s annual budget. The Board finds that the size and location of its recreational facilities do not duplicate recreational facilities provided by other government entities and are harmonious with municipal or county recreational facilities, whether existing or proposed, serving the area in which the District is located.

Section 13: The District’s Parks and recreational facilities are available only to residents of the District who have (i) registered into and are shown to be in “good standing” in the District’s digital database system, which stores the contact information of residents registered to use the District’s Parks and recreational facilities (the “Database System”) and (ii) executed the required Application to Use District Recreational Facilities and Release of Liability form, a copy of which is attached as Exhibit “K” (“Application and Release”). For minors under the age of 18, the Application and Release must be signed by a parent or legal guardian. An individual will be shown to be in “good standing” in the Database System if the monthly water/wastewater bills charged to the individual’s residence have been timely paid. Residents may register into the Database System at the entrances of the Pools during regular Pool hours. Individuals must present a copy of a recent water/wastewater bill charged to the individuals’ residences and photo identification at the time of registration. Minors under the age of 18 must be accompanied by a family member to register. Upon registration, residents will receive a barcode tag, which must be swiped against the barcode scanners located at the entrances of the Pool in order to gain access to the Pools. If a resident loses or damages a barcode tag, the resident will be charged a \$5 replacement fee a new barcode tag.

Section 14:

A. Violation of the rules and regulations contained in this Order, vandalism, behavior that is dangerous to others, use of vulgar language or other inappropriate behavior may subject the violator to removal and exclusion from the District's Parks and recreational facilities. The Board may direct the District's attorney to pursue an injunction in order to enforce an exclusion.

B. Pursuant to Sections 49.004 and 54.206 of the Texas Water Code, the rules and regulations contained in this Order may be enforced by complaints filed in the appropriate court of jurisdiction in Williamson County, Texas, and will be recognized by the courts as if they were penal ordinances of a city.

C. Violation of the rules and regulations contained in this Order will result in the offending party being subject to the payment of a penalty in an amount that does not exceed the jurisdiction of a justice court, as provided by Section 27.031, Texas Government Code. Each day of violation constitutes a separate offense. In addition, the offending party will be liable to the District for any costs incurred by the District, including fees for attorneys, expert witnesses and other costs incurred before the court.

D. A violation of these rules and regulations involving a loose dog that causes or has caused physical injury to a person will render the violator subject to the maximum penalty permitted under Subsection 14.C., above and will result in the offending dog and the dog's owner to be immediately and permanently excluded from the District's Parks and recreational facilities. Further violations will render the owner subject to prosecution for trespassing. In addition, the District will seek all other remedies available to it under applicable law.

E. The District's General Manager, the employees of the District's General Manager and off-duty Williamson County Sheriff Deputies, with whom the District contracts for security services (the "Security Contractor"), will each serve as the District's representative in identifying violations and establishing the appropriate fines for violations of the rules and regulations set forth in this Order. Upon identifying any violation, the District's representative will give written notice to the offending party of the amount of the fine that has been imposed, the violation or violations giving rise to the fine, the date or dates of the violations, and any other information the District's representative deems appropriate. The written notice will further advise the offending party that the fine will be reviewed by the Board at its next regular meeting, and that the offending party may appear at that meeting to appeal the imposition of the fine. The date, time and place of the meeting will be included in the notice. A copy of such notice will be given to the Board.

Section 15: The Secretary of the Board is directed to file a copy of this Order in the principal office of the District.


Section 16: The District's attorney is directed to publish a summary of this Order in accordance with the requirements of the Texas Water Code.

Passed and approved this 23rd day of September, 2009.



Terence Davis, President
Board of Directors

Attest:



Steve Bennett, Assistant Secretary
Board of Directors

(SEAL)