

# Jenkins Road Property Owners Association, Inc.

PO Box 930  
Aledo, TX 76008  
jenkinsroadpoa@gmail.com

October 5, 2021

Fred Disney  
Westbrook Companies  
1015 Champions Drive, Suite 1400  
Aledo, TX 76008

Dear Fred,

The Jenkins Road Property Owners Association (Jenkins Road POA) commits to the terms of the Jenkins Traffic Safety Gate (Gate) access for all residents of the Aledo River Subdivision, Phase 1 and Phase 2. Aledo River is a new subdivision for single family residences, currently in development by Westbrook Companies. The total number of lots in the Aledo River Subdivision will be no more than forty (40). The size of the lots will be no less than two (2) acres.

In appreciation and exchange for your completion of a traffic turn-around on the south side of the Gate, according to Parker County road standards, the Jenkins Road POA agrees to the following:

**Residents of the Aledo River Subdivision, Phase 1 and Phase 2, if desired, will have access to the Gate**

- a. The access will be the same paid access as that granted to Active Members of the Jenkins Road Property Owners Association.
- b. Access is dependent upon residency in the Aledo River Subdivision, Phase 1 or Phase 2.
  - 1) Persons who own a lot in the Aledo River subdivision and have a single family home under construction will be granted access no more than six months before estimated move-in.
- c. This access includes up to five vehicles per lot, including a phone APP that allows emergency gate operation remotely.
  - 1) A vehicle's license plate and North Texas Toll Tag number are needed for access, as the gate uses that toll RFID sticker to recognize approved vehicles. No toll fee is charged.
  - 2) If the vehicle does not have a North Texas Toll Tag, a custom sticker will be provided by the Jenkins Rd POA at a cost of \$25 as a one-time fee for the life of that vehicle or windshield.
- d. All gate users must agree to the gate TERMS OF USE, which specify how the gate works, what constitutes abuse of the gate, what to do in emergencies or incidents of damage, etc. Like any driver, HOA gate users are personally responsible for accidental or intentional damage to the gate or gate systems or turnarounds. Gate privileges may be terminated by the Jenkins Road POA Executive Committee upon repeated violation of the Terms of Use.
- e. Residents who desire to use the gate must pay an annual fee for access.
  - 1) The annual fee for access will be the same amount paid by Active Members of the Jenkins

Road POA.

2) The fee may fluctuate from year to year. Yearly fees will be determined in the final months of the preceding year by the Jenkins Road POA Executive Committee, with fees due by March 31st each year.

3) Gate users who establish residency after March 31<sup>st</sup> will pay a prorated annual fee for their first year.

4) Gate users who terminate residency in Aledo River and, therefore, terminate their access to the Gate, will be refunded on a pro-rated basis for the year.

5) The fee will be used to cover costs of regular maintenance, repairs, replacements, insurance, electricity, wifi, phone, the gate operator's fee to maintain the access accounts, a 24-hour answering service for problems at the gate and other costs deemed necessary.

6) The fee for Residents of Aledo River will be collected and remitted by the Aledo River HOA.

**The Aledo River HOA will be responsible for the following -**

a. Collecting and remitting annual fees from Aledo River residents who choose to use the gate.

b. Coordinating the registration process for Aledo River residents who choose to use the gate.

c. Obtaining and updating information needed for access to the Gate, which includes the following

1) License plates of vehicles belonging to gate users

2) North Texas Toll Tag numbers associated with vehicles belonging to gate Users

3) Cell phone numbers of gate and APP users

d. Delivering needed information to both the gate operator and the Jenkins Road Property Owners Association

e. Maintaining an annual list of active gate users

f. Alerting the gate operator and the Jenkins Road POA of the following

1) New residents of Aledo River who choose to use the gate and have paid the required annual fee

2) Gate users who terminate residency in Aledo River and, therefore, terminate their access to the gate

**Additionally, up to five cars used by owners, employees, or associates of Westbrook Companies (the developer of the Aledo River subdivision) will be granted the same Gate access as outlined above.**

a) Fees and registrations for vehicles for Westbrook Companies will be handled directly between the Jenkins Road POA and Westbrook Companies.

No construction traffic may use the gate access. Large trucks are specifically prohibited on the Annetta North section of Jenkins Road.

While the purpose of the gate is to offer as much traffic safety as possible, the Jenkins Road POA and the Town of Annetta North and their respective officers assume no responsibility for road or driving conditions, accidents, temporary gate closures or failure, or any damage whatsoever to drivers, pedestrians or cyclists on Jenkins Road and users of the traffic safety gate.

The Jenkins Road POA certifies the following -

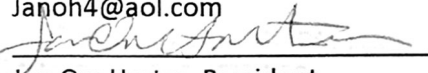
- a. The Jenkins Road POA owns and operates the gate under a license agreement with the Town of Annetta North.
- b. The Jenkins Road POA has the power to enter into this agreement with Westbrook Companies.
- c. The Jenkins Road POA has the power to grant gate access to residents of the Aledo River subdivision, Phase 1 and Phase 2.

This agreement is expressly between the Jenkins Road POA and Westbrook Companies and its successors or assigns. Westbrook Companies may assign this contract to the Aledo River HOA at a later date.


The Town of Annetta North has no responsibility to maintain or execute this agreement and has no obligations to Westbrook Companies OR the residents of the Aledo River subdivision OR members or officers of the Aledo River HOA. If the License Agreement between the Town of Annetta North and the Jenkins Road POA should be amended or terminated, that will amend or terminate all obligations outlined in this agreement.

This is a life-saving, new and unusual project. We expect to learn and adapt as we proceed. This agreement can be amended by either joint approval of the Jenkins Road POA and Westbrook Companies and its successors or assigns.

Sincerely  
Jan Orr-Harter, President  
Jenkins Road Property Owners Association, Inc.  
817-291-3952  
Janoh4@aol.com

  
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Jan Orr-Harter, President  
Jenkins Road Property Owners Association, Inc.

10/13/2011  
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Date

  
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Fred Disney, President  
Westbrook Companies

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Date