A SECOND AMENDED ORDER OF ELM RIDGE WATER CONTROL AND IMPROVEMENT DISTRICT OF DENTON COUNTY ESTABLISHING RULES GOVERNING DISTRICT PARKS, TRAILS, GREENBELTS, AND OTHER LAND OWNED BY THE DISTRICT; ESTABLISHING FEES; PROVIDING FOR A PENALTY FOR THE VIOLATION FOR THIS ORDER; PROVIDING FOR SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, Elm Ridge Water Control and Improvement District of Denton County (the "District") is a conservation and reclamation district and political subdivision of the State of Texas existing and operating pursuant to the provisions of Article III, Section 52, and Article XVI, Section 59, of the Texas Constitution and Chapters 49, 51 and, for certain purposes, 53, of the Texas Water Code; and

WHEREAS, pursuant to Sections 51.122 and 51.127 of the Texas Water Code, the Board of Directors of the District (the "Board") is authorized to adopt rules and regulations governing District property and to control the use of land owned by the District;

WHEREAS, the District is the owner of certain greenbelt areas that include native vegetation and wildlife habitat and trails owned and maintained by the District (the "Greenbelt");

WHEREAS, the District is the owner of various platted and unplatted tracts of land that contain native vegetation and wildlife habitat, water, wastewater, and drainage facilities, irrigation fields, detention ponds, roads, parks and recreational facilities, and other facilities owned and maintained by the District (the Greenbelt and all land owned by the District is collectively referred to as the "District Land");

WHEREAS, the Board has determined that substantial public funds have been and will be invested by or on behalf of the District to build, maintain and repair the District Land and the District holds this District Land as an asset in trust for District citizens; it is desirable to adopt regulations to protect the integrity of District Land and safeguard the value of the public investment for the benefit of District residents;

WHEREAS, the Board has further determined that regulation of District Land shall help maintain the safe condition of the District Land, protect the public health, safety, welfare, and community aesthetics, is a valid and appropriate exercise of the District's power, and is a District responsibility; and

WHEREAS, on May 10, 2022, the Board adopted that certain "Order Establishing Rules Governing District Parks, Trails, Greenbelts, and Other Land Owned by The District" (the "Order"); and

WHEREAS, on December 14, 2023, the Board adopted that certain "Amended Order Establishing Rules Governing District Parks, Trails, Greenbelts, and Other Land Owned by The District" (the "Amended Order"); and

WHEREAS, the District desires to adopt a Second Amended and Restated Order to further establish rules and regulations governing the District Land, and the Board finds that it is necessary to provide recommended actions and prohibited actions within the District Land.

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF ELM RIDGE WATER CONTROL AND IMPROVEMENT DISTRICT OF DENTON COUNTY:

Section 1. Rules Applicable to all District Land

1.1 Motorized vehicles are not permitted on District Land, other than District roadways, except when operated by representatives of the District or contractors of the District with authorization from the Board. Specifically, golf carts, three-wheelers, four-wheelers, all-terrain vehicles, dune buggies, motorcycles, e-bikes, scooters, and dirt bikes are not permitted on District Land other than District roadways, however, use on District roadways could be subject to State or local laws.

1.2 Travel or operation of authorized construction equipment of any kind is not permitted on District Land.

1.3 Pets must be restrained on a leash, not exceeding five (5) feet, at all times on District Land.

1.4 Pet owners must collect their own pet's waste and dispose of it in an appropriate trash receptacle.

1.5 Camping is not permitted on District Land.

1.6 Open fires (campfires, solo stoves, or other similar burning equipment) are not permitted on District Land.

1.7 Smoking cigarettes, cigars, vapes, e-cigarettes, or similar items or devices is prohibited on District Land.

1.8 Loud Music (music exceeding 85 decibels) or Public Access (PA), or other nuisances, are not permitted on District Land between the hours of 10:00 pm – 6:00 am. At no point should music or announcements be heard outside of park limits. Any external lights brought into District Land may not distract or create a nuisance to residents living in homes around the park area.

1.9 Residents, guests, and the public shall not disturb the landscape or wildlife in its native habitat. Destruction, modifications, and alternations to the landscape of any kind are not permitted, except by written authorization from the District. The cutting or trimming of trees is not permitted except by written authorization from the District. Downed/broken branches on the ground may be picked up by the public as refuse, provided that no cutting tools are used on District Land.

1.10 Littering or dumping of trash, debris, yard clippings, or brush piles is prohibited on District Land.

1.11 Unauthorized construction of any kind is prohibited on District Land.

1.12 Hunting, target shooting, or discharging any sort of weapon (including pellet guns or arrows) is prohibited on District Land.

1.13 The possession of, or setting off fireworks, firecrackers, or any type of explosive is not permitted on District Land unless a written authorization is obtained through the District.

1.14 No alcohol may be consumed, sold, or provided on District Land without express permission of the District.

1.15 No soliciting is allowed anywhere on District Land without the express written permission of the District. No funds may be collected from anyone using District Land without the expressed written permission (or contract) of the District.

1.16 District waterways on District Land are considered drainage easements and recreational boating is strictly prohibited.

1.17 Violations under this Section 1 are subject to all Criminal and Civil penalties established in Section 8 of this Second Amended Order.

Section 2. Encroachments within District Land

2.1 No unauthorized signs may be posted, attached to, or placed within District Land including, but not limited to, signs advertising houses for sale, garage sales, special events, or political candidates without the expressed approval of the District. Unauthorized signs may be removed and disposed of without liability to the District.

2.2 The placement, installation, or attachment of lighting, power sources, or any other personal property within District Land is not permitted. Any unauthorized personal property or installation may be removed and disposed of without liability to the District or the Board. The District may charge the party responsible for the installation for the cost of removal and disposal, as well as any cost to repair any damage to the District Land from the installation or removal of the installation.

2.3 No privately-owned fence or improvement may encroach on District Land. The District may remove and dispose of any such encroachment without liability to the District or the Board. The District may charge any responsible party for the encroachment for cost of the removal, as well as any cost to repair any damage to the District Land resulting from the encroachment or the removal of the encroachment.

2.4 Violations under this Section 2 are subject to all Criminal and Civil penalties established in Section 8 of this Second Amended Order.

Section 3. Dumping and Disposal of Refuse and Hazardous Waste Prohibited

No foreign materials or debris may be littered, dumped, placed, thrown, disposed of, deposited on, discharged into, or allowed to migrate into on District Land. This includes sweeping or dumping any foreign materials into storm drains, drainage canals or waterways. Foreign materials include, but are not limited to, trash, grass, yard debris, tree clippings, leaves, brush piles, construction debris, pet waste, motor oil, or any type of hazardous waste. As used in this Second Amended Order, "Hazardous Waste" means any chemical, compound, mixture, substance or article designated by the United States Environmental Protection Agency or the Texas Commission on Environmental Quality to be "hazardous," as the term is defined by federal or state law.

Violations under this Section 3 are subject to all Criminal and Civil penalties established in Section 8 of this Second Amended Order.

Section 4. Vandalism Policy

Damage to District property is a crime. Persons causing damage to District property will be prosecuted to the full extent of the law. Acts of vandalism, damage, or concerns regarding the District Land or personal property or facilities owned by the District should be reported to the Elm Ridge Police Department by calling 9-1-1 and to the District's General Manager at Parks@elmridgetx.org.

Violations under this Section 4 are subject to all Criminal and Civil penalties established in Section 8 of this Second Amended Order.

Section 5. Access for Construction Projects on Private Property

5.1 The entry, travel, or operation of vehicles or construction equipment on District Land for the purpose of landscaping, constructing swimming pools, constructing structures, or any other project on land that is not owned by the District is prohibited, except as authorized by an executed, written agreement signed by an authorized representative of the District.

5.2 Violations under Section 5.1 are subject to all Criminal and Civil penalties established in Section 8 of this Second Amended Order. In addition, the District may charge a party that accesses the District Land without permission, to undertake a construction project on private property, all of the costs incurred by the District to repair any damage caused by such party to the District Land. The owner or occupant of the private property and the contractor undertaking the construction project without an agreement shall each be separately liable for the penalties for a violation of this Second Amended Order.

5.3 A party wishing to access the District Land for the purpose of construction projects on private property must first execute an agreement with the District; pay all deposits and fees required under the agreement, and complete all erosion control and site preparation measures required under the agreement. The District can be contacted for more information by contacting the District's General Manager at Parks@elmridgetx.org.

Section 6. Rules Applicable to ArrowBrooke Park

6.1. In addition to all other rules and regulations stated in this Order, this Section 6 shall also be applicable to ArrowBrooke Park.

6.2 Park Hours: ArrowBrooke Park is open from 6:00 a.m. to 10:00 p.m. ArrowBrooke Park may be used by the public at any time the park is open, provided there is no conflicting reservation. Rental fees may apply. For scheduling, vendor related questions or rental options, please contract the District's General Manager at Parks@elmridgetx.org.

6.3 Park Maintenance: ArrowBrooke Park will be maintained at the sole discretion of the District. While third-parties may request certain maintenance features, these may or may not be possible based on a number of factors to be considered. This includes periodic maintenance of fields (filling in ruts), installation of lights, or changing park features. Upon written agreement with the District, third-parties may be allowed to maintain different parts of the park to the mutual benefit of the District and the third-party.

6.4 Parking: Parking on fields, near concessions or anywhere other than the parking lot is prohibited at all times. Vehicles may not remain at park overnight or after hours. Commercial vehicle parking is not allowed at any time without written authorization from District.

6.5 Concessions & Food Trucks: Sales of any food product on District Land will require a written agreement with the District. For use of the Concession Facilities, a written agreement with the District is required. Food Truck vendors are required to enter into a written agreement with the District to use designated parking areas. Unless otherwise stated in an agreement with the District, a park reservation or rental does not automatically include concession stand access.

6.6 Restroom Facilities: Park usage agreements shall include access to the park restroom facilities. It is the policy of the District that restroom facilities will otherwise be locked when not in use to prevent vandalism and other nefarious incidents. Any issues with facilities may be reported to the District's General Manager at Parks@elmridgetx.org. Note: Restroom locks will time out each evening when park is closed.

6.7 Equipment: Park usage does not include permission to store any items at the park. The District assumes no responsibility for any items stored on District Land and assumes no liability for damage to equipment or risk of injuries caused by stored equipment.

6.8 Violations under this Section 6 are subject to all Criminal and Civil penalties established in Section 8 of this Second Amended Order. In addition to penalties under Section 8,

violations of parking rules could result criminal violations, penalties, and towing of vehicles and public use of the park outside of the established park hours could result in criminal trespass violations and penalties under State law.

Section 7. District Greenbelts and Waterways

7.1 In addition to all other rules and regulations stated in this Order, this Section 7 shall be applicable to District Greenbelts and Waterways.

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7.2 District Greenbelts are designed to be a wild, nature reserve type area and wildlife refuge space and therefore will not be maintained to any specific standard. District cleanup or maintenance will occur at the District's sole discretion.

7.3 Greenbelt hours: The use of Greenbelts for recreational purposes shall be limited to District park hours, currently open only from 6:00 am to 10:00 pm. Public use of the Greenbelts for recreational purposes outside of these hours could result in criminal trespass violations and penalties under State law.

7.4 Wildlife: It is the District's desire to provide an area in which native wildlife may flourish. Any member of the public using this area may encounter snakes, rats, coyotes, and other wildlife, which call this area home. Members of the public should never harass wildlife in the Greenbelt spaces. From time to time, the District may find it necessary to trap or remove destructive or predatory wildlife including beavers, coyotes, pigs, etc. Members of the public should never remove or tamper with wildlife traps. As this area may be considered wild, usage of these areas is at the user's sole risk.

7.5 Public Clean-up: From time to time, certain groups have expressed a desire to hold volunteer clean-up events. Any member of the public may remove any trash, waste, debris, or downed / broken branches from the ground as refuse - provided that no cutting tools are used on District Land and the items are on the ground. Poisons or pesticides may not be used.

7.6 Greenbelt Jogging Trails: The District grants the Savannah HOA a perpetual easement for maintaining common area jogging trails originally developed and contracted by the developer. Issues with this trail may be directed to Savannca@ciramail.com.

7.7 Grass Maintenance: District Maintenance or abutting residents may cut any grass abutting resident property along the Greenbelt for 10 feet off their property line without any notification to or from the District. Pesticides or poisons may not be used in this area. Any other landscaping features may not be modified without the District's written authorization.

7.8 In all District waterways within Savannah, fishing will follow HOA rules and policies of catch and release.

7.9 Violations under this Section 7 are subject to all Criminal and Civil penalties established in Section 8 of this Second Amended Order. In addition to penalties under Section 8,

public use of the Greenbelt for recreational purposes outside of the established park hours could result in criminal trespass violations and penalties under State law.

Section 8. Penalties for Violations

8.1 The rules adopted by this Second Amended Order may be enforced to the fullest extent permitted by Chapters 49 and 51, Texas Water Code. Criminal trespass penalties under State law may also apply.

8.2 Criminal Penalties. These rules set forth in this Second Amended Order are adopted under the authority set forth in Sections 51.122 and 51.127, Texas Water Code. As provided in Section 51.128, Texas Water Code, the provisions of this Second Amended Order will be recognized by the courts as if they were penal ordinances of a city. As provided in Section 51.241, Texas Water Code, any person who violates a rule adopted by the District commits a Class C misdemeanor offense, punishable by a fine not to exceed $500.00.

8.3 Civil Penalties. Pursuant to Section 49.004, Texas Water Code, the Board establishes a civil penalty for a violation of the rules set forth in this Second Amended Order in an amount not to exceed $2,000.00 per offense, with each day of a violation constituting a separate offense. Any person or entity that violates any of the provisions of this Second Amended Order may be assessed a civil penalty in an amount not to exceed $2,000.00 per offense. Specific violations of Sections 1.8 and 3 of this Second Amended Order shall be assessed a civil penalty of $250.00 for any first-time offense, and a $1,000.00 fine for any violation after the first violation, with each day of a violation constituting a separate offense. Any violator under this Section may also be assessed all costs of clean-up, remediation, regulatory compliance, and administrative and professional fees incurred by the District related to the violation.

8.4 Enforcement. As permitted by Section 49.004, Texas Water Code, a civil penalty under this section may be enforced by complaints filed in the courts of Denton County, Texas. If the District prevails in any suit to enforce the rules set forth in this Second Amended Order, it may recover reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court.

8.5 Discontinuation of Services. Any failure of the owner or occupant of a property in the District to pay a civil penalty or other amount owed to the District under the rules set forth in this Second Amended Order could result in the discontinuation of certain services provided by the District. The District may, after written notice, discontinue District services to the property in question until any such breach is remedied. Owners and occupants shall be responsible for any violations of the rules set forth in this Second Amended Order by contractors or builders employed by the owner or occupant.

Section 9. Publication of Notice

The President and Secretary of the Board, and the District's consultants, are hereby authorized to do all acts and things necessary pursuant to this Second Amended Order, including

publishing a substantive statement of the rules adopted by this Second Amended Order as required by Section 51.129, Texas Water Code.

Passed and approved the 21st day of August, 2025.

ELM RIDGE WATER CONTROL AND IMPROVEMENT DISTRICT OF DENTON COUNTY

By: /s/ Mike Perry
Mike Perry, President
Board of Directors

ATTEST:

By: /s/ Brandon Story
Brandon Story, Secretary
Board of Directors