

**MONTALCINO RESIDENTIAL COMMUNITY, INC.**

**Drones and Unmanned Aircraft**

**WHEREAS**, the Board of Directors (the “Board”) of Montalcino Residential Community, Inc. (the “Association”) wishes to adopt reasonable guidelines to establish a Drones and Unmanned Aircraft Policy; and

**WHEREAS**, the Board held an open board meeting on the 15<sup>th</sup> day of December 2023, wherein at least a majority of the Board voted in the affirmative to adopt this Drone and Unmanned Aircraft policy on behalf of the Association.

**WHEREAS**, the Board intends to file these guidelines in the real property records of each county in which the subdivision is located, in compliance with Section 202.006 of the Texas Property Code; and

**WHEREAS**, this policy may be amended at any time and from time to time by the Declarant during the Declarant Control Period and thereafter by the Board of Directors by Resolution as a stand-alone policy to comport with industry standards, to amend or revise provisions of the policy as may be deemed necessary and in the best interest of the Association; and

**NOW, THEREFORE, IT IS RESOLVED** that as of the 15<sup>th</sup> day of December 2023, the following guidelines are established by the Board:


1. Drone and Unmanned Aircraft Use is subject to Government Code Title 4, Subtitle B, and Chapter 423 of the Texas Statute.
2. Any Owner operating or using a drone or unmanned aircraft within the Property and related airspace must register such drone or unmanned aircraft with the Federal Aviation Administration (“FAA”), to the extent required under applicable FAA rules and regulations, and mark such drone or unmanned aircraft prominently with the serial number or registration number on the drone or unmanned aircraft for identification purposes. Any use of a drone or unmanned aircraft contrary to the lawful uses as set forth in Chapter 423 of the Government Code is subject to violation, monetary fine, and shall be reported to local law enforcement or governmental agencies governing the illegal use of drones or unmanned aircraft.
3. BY ACCEPTANCE OF TITLE TO ANY PORTION OF THE PROPERTY, EACH OWNER ACKNOWLEDGES THAT USE OF A DRONE OR UNMANNED AIRCRAFT TO TAKE IMAGES OF PRIVATE PROPERTY OR PERSONS WITHOUT CONSENT MAY BE A VIOLATION OF TEXAS LAW AND CLASS C MISDEMEANOR SUBJECT TO LEGAL ACTION AND FINES UP TO \$10,000. IT IS YOUR RESPONSIBILITY TO KNOW AND COMPLY WITH ALL LAWS APPLICABLE TO YOUR DRONE AND/OR UNMANNED AIRCRAFT USE. “Image” means any capturing of sound waves, thermal, infrared, ultraviolet, visible light, or other electromagnetic waves, odor, or other conditions on or about real property in the state of Texas or an individual located on the Property.

**[Signature Page to Follow]**

**IT IS FURTHER RESOLVED**, this adopted policy is executed to be effective as of the date herein noted above and that this Policy supersedes in all respects any prior policy and resolution with respect to the Drones and Unmanned Aircraft Policy filed by the Association or its predecessor-in-interest and shall remain in full force and effect until revoked, modified or amended.

**IN WITNESS WHEREOF**, the undersigned, being the Board President of the Association has executed this Notice as of the 15<sup>th</sup> day of December 2023.

Montalcino Residential Community, Inc., a Texas non-profit corporation

Name:   
Title: Brock Babb, Board President