

**11926 Rail Dr.
San Antonio, Texas 78233
(210) 590-6200 Fax 590-4224**

Agreement to Remove Vehicle From Private Property

This agreement is entered into this 3rd day of December, 2018,
between Bexar Towing and The Villas of Babcock (SUMMERWIND) Homeowner's Association, Inc.
The address of the "Property" to which this agreement refers is as follows:

For and in consideration of allowing Bexar Towing to enter the Property for the purpose of removal of unauthorized, abandoned or illegally parked vehicles and other related services, the receipt and sufficiency of which is acknowledged by Bexar Towing and Bexar Towing's agent's signature hereto.

This legally binding agreement gives Bexar Towing the authority and written permission to enter upon the Property and **remove** any vehicle deemed unauthorized, abandoned, inoperable or illegally parked by the parking facility owner/property owners' association for the reasons set forth in this agreement.

This Agreement gives Bexar Towing the authority to act as agent of and on behalf of the above referenced property owner or management for the purposes of defending the legality and validity of a tow in a hearing in any Justice of the Peace court having jurisdiction over the case in compliance with Texas Occupations Code 2308 subchapter J.

This Agreement between Bexar Towing and the party named above shall remain in effect indefinitely. Written thirty-day (30) cancellation notices delivered by Certified Mail, return receipt requested by either party, is required to cancel this agreement.

Bexar Towing acts as an independent contractor and will assume all liabilities for physical damages or injuries incurred as a result of the removal and storage of vehicles pursuant to this agreement. A parking facility owner/property owners' association who causes the removal of an unauthorized vehicle is not liable for physical damages arising from the removal or storage of the vehicle.

Bexar Towing will assume all responsibilities in the notification of law enforcement agencies in reporting this impoundment of vehicles from said "Property" as required by Texas Occupation Code Section 2308.056, Subchapter B.

Bexar Towing acknowledges that the parking facility owner/property owners' association will owe Bexar Towing no compensation whatsoever for services rendered in this agreement.

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In accordance with Texas Administrative Code 86.705, signs will be provided by Bexar Towing to be installed in accordance with the law.

Initiation of this contract by the parking facility owner/property owners' association is a written conveyance to Bexar Towing that: (A) the parking facility owner/property owners' association has installed signs required by Section 2308.252(a)(1); or (B) the vehicle owner or operator received notice under Section 2308.252(a)(2); or (C) the parking facility owner/property owners' association gave notice complying with Section 2308.252(a)(3) prior to any tow request being made.

It is understood by the parking facility owner/property owners' association that once a vehicle is removed from the Property per the contract's violation section and Bexar Towing has in its possession a photograph that verifies the violation, all towing and storage charges must be paid in full before the vehicle in question is to be released to the registered owner.

It is understood and agreed that Bexar Towing shall be authorized to use any subcontractors that comply with Texas Occupation Code 2308.255 and registered under Chapter 1135, Acts of the 70th Legislature, Regular Session, 1987. Such subcontractors will be bound by all conditions within this agreement.

Initial the type of service requested:

- MS Patrol
- _____ Limited Patrol: From _____ to _____
- MS By Request Only

It is understood that if patrol is requested, Bexar Towing will be operating as an authorized agent for the parking facility owner/property owners' association and will be given authority to enforce only those violations outlined by the property owner in Addendum II. This contract will serve as signature authority to enforce such violations.

If any part of this agreement is determined by a Court of law to be unenforceable, the remaining parts of this agreement will remain in full force throughout the term agreed to by both parties.

AUTHORIZATION
Martin Salazar, HOA Board President
Printed Name & Title of Property Owner/Agent
Christopher J. Masoleas
Printed Name of Bexar Towing / Agent

Martin Salazar
Authorized Signature
[Signature]
Signature – Bexar Towing

Referred By: Liz Greydanus

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Addendum II

Parking Violation Enforcement Section

Property Name: The Villas of Babcock (SUMMERWIND) Homeowner's Association

Service requested effective date: 12-3-2018

- MS Patrol
- Limited Patrol: From to
- MS By Request Only

Initial all approved violation codes for which vehicles can be removed and impounded from the Property. All vehicles will be photographed prior to loading to verify the violation in question.

#1 MS DO NOT TOW any vehicle with a resident or owner sticker parked on any street or in designated visitor parking unless called in by an HOA board member. You can tag these vehicles with any sticker and if you can document the offense with sticker and plate information this will allow us to tow in the future after proper notification from the board to the resident/owner.

#2 MS ANY VEHICLE parked on the wrong side of the street (odd month/odd house number and even month/even house number OR on Viaduct Post or Cavalier Pass without a resident/owner tag on the windshield SHOULD be towed immediately without any warning. Please make sure to properly document the vehicle, make, model, plate number and date/time of the offence.

A No Permit. No Resident/Tenant or Guest Permit.

B Tow-away Zones. Vehicles parked in Tow-Away Zones.

C MS Fire Lanes. Vehicles parked in "Marked Fire Lanes" or next to Red Curbs. **SEE #1 AND #2 ABOVE.**

D MS Vehicles parked on grass or other landscaped areas. **SEE #1 AND #2 ABOVE.**

E MS Vehicles taking up two (2) parking spaces. **SEE #1 AND #2 ABOVE.**

F Handicap Violation. Vehicles parked in Handicap Space with no Handicap Permit or license plates. Handicap spaces must have a sign posted to enforce this violation.

G Blocking Dumpsters. Vehicles parked in front of garbage dumpsters or blocking access for garbage trucks.

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H ___ Double-Parked Vehicle. Vehicles parked behind another vehicle in a designated parking space.

I **MS** ___ Vehicles parked in an area not designated for parking. **SEE #1 AND #2 ABOVE.**

J ___ Vehicles parked in driveways.

K ___ Assigned/Reserved Parking Space. (Residents or Guests without proper permits properly displayed may be impounded.)

L ___ No After-Hours Parking. This violation consists of vehicles parked at a place of business after closing.

M ___ No Parking at Any time. Vehicles parked in vacant lots or closed / vacant businesses.

N ___ Non-Customer/Client. Vehicle's operator is not a customer or client of the business located on the property.

O ___ For Sale Vehicles. Vehicles with "For Sale" signs left parked within parking lots of shopping centers, office buildings, etc.

P ___ Security Request. (Is a signature required from security? ___ Yes ___ No)

Q **MS** ___ Vehicles blocking sidewalk access. (Curb cuts) **SEE #1 AND #2 ABOVE.**

R ___ Health hazard. Vehicle leaking excessive fluids, full of trash.

S ___ Noise Disturbance. Vehicle's burglar alarm will not shut off after ___ minutes.

T ___ Vehicle Wrecked, not drivable on city streets.

U ___ Expired License plates or Inspection Sticker.

V ___ Flat Tires, Missing Wheels.

W ___ Inoperable

X ___ Property Employee Request. (Is signature required? ___)

Y ___ May Residents call to have a vehicle towed? ___ Yes ___ No.

If yes, what proof, if any, is required? Please explain

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Z No Street Parking

Signature: Martin Salazar Printed Name: MARTIN SALAZAR