



Laura Richard
Laura Richard, County Clerk
Fort Bend County Texas
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BRIGHTWATER HOMEOWNERS ASSOCIATION, INC.

SECURITY MEASURES POLICY

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

WHEREAS, Brightwater Homeowners Association, Inc. (the "Association"), is the governing entity for Lakeside Meadow at Brightwater, Sections 1 and 2, Lakeshore at Brightwater, Sections 1 and 2, Lakeshore Park at Brightwater, Section 1, Southshore at Brightwater, Section 1, Lakeshore Point at Brightwater, Section 1, Brightwater Estates, and Brightwater Point Estates, additions in Fort Bend County, Texas, according to the maps or plats thereof, recorded in the Map Records of Fort Bend County, Texas, at Slide Nos. 1267/B, 1355/A, 672/B, 1042/A, 1442/A, 671/B, 1259/B, 1260/B, and 1356/A, respectively, along with any amendments and replats thereto, (the "Subdivision"); and

WHEREAS, this Security Measures Policy is applicable to the Subdivision and Association; and

WHEREAS, all terms used herein that are defined in Chapter 202 of the Texas Property Code shall have the meaning as defined in the statute; and

WHEREAS, Section 202.023 of the Texas Property Code was amended to establish the right of property owners whose property is subject to restrictive covenants to install and maintain certain types of security measures; and

WHEREAS, to the extent this policy conflicts with any existing governing document or dedicatory instrument of the Association or Subdivision, this policy controls by virtue of such contrary provision being pre-empted by State law; and

WHEREAS, to the extent any existing governing document or dedicatory instrument does not conflict with this policy or Section 202.022 of the Texas Property Code, such provision remains in full force and effect, including requirements that application for and approval of improvements be obtained prior to installation; and

WHEREAS, this Dedicatory Instrument constitutes Restrictive Covenants as those terms are defined by Texas Property Code §202.001, et. seq, and the Association shall have and may exercise discretionary authority with respect to these Restrictive Covenants;

NOW THEREFORE, in view of the foregoing and in compliance with the Texas Property Code, the Association hereby adopts and imposes on the Subdivision and the Association the following policies, rules, and regulations:

Pursuant to Section 202.023 of the Texas Property Code, a property owner may install security measures, including but not limited to, a security camera, motion detector, or perimeter fence, to the extent such measure complies with the regulations set forth below.

1. **Committee Application Required.** Before any security measure is constructed or otherwise erected or installed on a Lot, an application must be submitted to the Association and approved in writing by the Committee. The following information must be included with the application; however, the committee may require additional information:
 - a. Type of security measure;
 - b. Location of proposed security measure;
 - c. General purpose of proposed security measure; and
 - d. Proposed construction plans and/or site plan.

2. Installation, Placement and Maintenance of Exterior Cameras
 - a. Cameras must be placed only on an owner's private property, and not on any right-of-way, public sidewalk or street, common area or property which is owned and/or maintained by the Association.
 - b. Cameras may be installed on the exterior of private homes only. Such devices shall be compact in size and as obscured from view as possible so as not to detract from the appearance of the home.
 - c. Installation of such devices in/on trees, poles, tripods, free-standing poles and/or similar items is not allowed.
 - d. Cameras must be angled such that the camera does not observe or record the private property of others.
 - e. Cameras must be maintained in like new condition and all camera wires must be installed out of public view.
 - f. The Association is in no way responsible for any use of recorded materials, improper camera placement, nor the invasion of privacy.

3. Construction/Installation of Perimeter Fences
 - a. Any security perimeter fence to be installed at or behind the front building line (and as to corner lots, the front and side street building lines) must meet all Association requirements in its dedicatory instruments relative to materials, height, location and appearance for privacy fencing.

 - b. Any security perimeter fences to be installed forward of the front (or side street) building line shall be:
 - i. Constructed only of wrought iron measuring at least five feet (5') in height but not exceeding six feet (6') in height;
 - ii. Painted or otherwise coated black with a matte finish;
 - iii. Pickets shall be three-quarter inch (3/4") pickets spaced four inches (4") apart;
 - iv. Decorative elements and embellishments of any type are prohibited on security measure fencing;
 - v. Chain link, brick, concrete, barbed wire, razor wire, vinyl, electrified fencing of any type and metal panel fencing is expressly prohibited;
 - vi. No landscaping, hedge, bush, vines, greenery or other vegetation shall be planted adjacent to or allowed to grow on security measure fencing;

- vii. Fencing cannot be installed across sidewalks; and/or to enclose sidewalks. If a sidewalk is located within the perimeter of a lot, the fencing must be located on the residence side of the sidewalk. No fencing shall be installed in any manner that would prevent someone from accessing property that they have a right to use/access;
- viii. Fencing shall be kept in good condition and repair at all times, so as not to detract from the overall appearance of the property.

CERTIFICATION

“I, the undersigned, being a Director of the Brightwater Homeowners Association, Inc., hereby certify that the foregoing was adopted by at least a majority of the Brightwater Homeowners Association, Inc.’s board of directors, at an open and properly noticed meeting of the board, at which a quorum of the board was present.”

By: Diane Mauricio

Print name: Diane Mauricio

Title: President, Brightwater HOA

ACKNOWLEDGEMENT

STATE OF TEXAS §
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BEFORE ME, the undersigned authority, on this day personally appeared the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 23rd day of March, 2022.

Vikki Marie Styles
 Notary Public, State of Texas

