

KINGSPOINTE POA

Cedar Creek Lake

September 1, 2024

To:

Property Owners of the KingsPointe Community
Cedar Creek Lake
Malakoff, Texas

From:

The KingsPointe POA Board of Directors

Re: KingsPointe POA Restrictions Definitions, Policies and Procedures

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The KingsPointe Community is a wonderful place to call home for its residents. We are a calm and content community on a beautiful street with a spectacular view of the lake. Working together is the best possible way to care for our community.

Over the years, we have all let the community's rules and regulations slip. It's time that we get back to the basics and follow the rules, restrictions and regulations set out forth in our Bylaws and Restrictions.

While the restrictions of the POA are generally laid out, determining if a member is complying is not clearly defined. The KingsPointe community is therefore providing these Restrictions Definitions and Policies. These are being added as policy without being formally added to the Restrictions.

This living document will go into effect on November 1, 2024 and remain in effect until October 30, 2026.

The KingsPointe POA's Bylaws and Restrictions, along with this document, are available on the community's website, www.kingspointe.org.

If you have any questions, please reach out to any POA Board member or feel free to contact us using the message tool at www.kingspointe.org.

Thank you,

Keith King

KingsPointe POA, President

Mark Kuzski

KingsPointe POA, Vice President

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KingsPointe POA Restrictions Definitions, Policies and Procedures

September 1, 2024

Review, Assessment and Enforcement

In accordance with the existing KingsPointe Bylaws, the President and Vice President shall be responsible for the property review, violation assessment and enforcement of the restrictions, covalence, and reservations of KingsPointe subdivision.

The President and the Vice President will be supported by an appointed a three-person community Restrictions Review Committee that will work with the President and Vice President in conducting regular "Property Reviews" of the community.

This Committee will consist of volunteers made up of three additional property owners designated by the POA Board (*following the same rules as the new construction committee in the by-laws*).

- The President and the Vice President, on the 2nd Saturday of every month, will review the entire street (Kings Row) to review possible violations. This review will happen as scheduled so as to not have any surprises to the community.
- The President and Vice President will document and take pictures of any violations to present to the board to vote on the violation(s) per the restrictions. The restrictions review committee will tour the area 4 times a year and submit their recommended violation(s) to the board. The board will vote to determine if these are violation(s) per the restrictions. If approved, the secretary will send letters via email or direct mail to inform the property owner of the violation(s).
- There will be a 30-day grace period to allow for any violation to be rectified. This "grace period" begins when the property owner has been notified by the POA that a violation has occurred.
- After the grace period has lapsed, the President and the Vice President, will revisit the property to ensure compliance. If the property owner is not in compliance, a written warning will be sent to the property owner. If the property is still not in compliance after the written warning, the matter will be sent to the Treasurer to assess fines. An initial fine will be assessed followed by two monthly fines of \$50.
- Should any property owner, for circumstances that are beyond their control, need additional grace period time, they can submit a request to the Board. This request must include an understanding of the violation, a clear statement of the extenuating circumstances, and the approximate amount of additional time needed to bring the violation back into compliance.
- After the grace period, written warning, and three fines have been assessed, the POA board will submit a copy of the violation, a copy of all correspondence, and a statement of all fines assessed over to a collection's agency. After 4 months of collection efforts, a lien will be filed.

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Proposed POA Restrictions Definitions, Policies and Procedures

September 1, 2024

What the POA Rules are Regarding Lawn Appearance as Stated in Restrictions:

- 6) No inoperative or junk cars, non-functioning household appliances, rubbish, or anything deemed by the POA Board, Executive Committee and Restrictions Committee to be of an unsightly nature shall be kept on any property, nor anything that would not be in keeping with the character of a residential neighborhood.***
- 7) All lots must be maintained, so as to not detract from the character of a residential subdivision. Grass heights of more than 12" are not permitted. Non-waterfront properties: 1) Wooded areas behind cleared living areas containing homes 2) Native wooded areas beyond forty (40) feet from the center of the road are exempt.***

Restrictions Definitions, Policies and Procedures Regarding Lawn Appearance (Including Trash):

- Rubbish includes – but is not limited to – old unused window air conditioners, kitchen or bathroom fixtures, tires, old lawn equipment and furniture.
- Unused construction and building materials or supplies must be stored in an orderly fashion on the side or back of the residence or garage. This includes, includes but is not limited to, roofing materials, lumber, siding, or decking.

Lawn Mowing

Warning Period: 10 DAYS

Grace Period: 30 DAYS

Initial Fine: \$150

Recurring Monthly: \$50

After 60 days of noncompliance (two \$50 recurring fines), the matter will be turned over to a collection's agency. After 4 months of unsuccessful collection efforts, a lien will be filed.

Rubbish Removal

Warning Period: 30 DAYS

Grace Period: 30 DAYS

Initial Fine: \$150

Recurring Monthly: \$50

After the warning period, grace period and 90 days of noncompliance (three \$50 recurring fines), the matter will be turned over to a collection agency. After 4 months of unsuccessful collection efforts, a lien will be filed

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Restrictions Definitions, Policies and Procedures Regarding Yard Signs:

- Any sign larger than 2' x 3' needs to be approved by the POA.
- No "Business" (Products for sale, small business offerings, etc.) signs permitted
- Absolutely no threatening messages or violence themed signs allowed.
- Absolutely no profane signs allowed.

Warning Period: **None (If the sign is threatening in nature, the County Sheriff will be called.)**

Grace Period: **30 DAYS**

Initial Fine: **\$100**

Recurring Monthly: **\$50**

After the warning period, grace period and 90 days of noncompliance (three \$50 recurring fines), the matter will be turned over to a collection agency. After 4 months of unsuccessful collection efforts, a lien will be filed.

What the POA Rules are Regarding Property Rentals as Stated in Restrictions:

10) Property Rental: *The KingsPointe POA respects the fact that it has limited authority over a property owner that wishes to rent their property. Property owners must inform the POA Board in writing if they intend to rent said property. The POA will hold the property owner responsible for ensuring that the renter(s) (short or long-term) will obey all county, city, state and federal laws as well as abide by ALL KingsPointe POA rules, regulations and restrictions as outlined in The POA Restrictions.*

Restrictions Definitions, Policies and Procedures Regarding Rental Units:

- The Lessor must let the POA know if they are renting the property as a day rental (Airbnb/VRBO) or as a month-to-month (long-term) leased property.
- The POA will provide a summary set of Rules and Restrictions that must be given to every renter (Day or Monthly).
- The Lessor must sign a statement accepting accountability for violations caused by their renter.
- Anyone leasing their property to a tenant for over four consecutive months needs to submit the name(s), mailing address, and cell numbers of the renters to the POA.

For Issues regarding property appearance (excessive wear and tear) and compliance:

Warning Period: **30 DAYS**

Grace Period: **30 DAYS**

Initial Fine: **\$500**

Recurring Monthly: **\$50**

After the warning period, grace period and 90 days of noncompliance (three \$50 recurring fines), the matter will be turned over to a collection agency. After 4 months of unsuccessful collection efforts, a lien will be filed.

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What the POA Rules are Regarding Parked and Stored Vehicles as Stated in Restrictions:

- 6) *No inoperative or junk cars, non-functioning household appliances, rubbish, or anything deemed by the POA Board, Executive Committee and Restrictions Committee to be of an unsightly nature shall be kept on any property, nor anything that would not be in keeping with the character of a residential neighborhood. Trailers and vehicles are not allowed to be stored or parked in an unsightly manner not in keeping with the character of a residential neighborhood. Overgrown grass, weeds, vegetation etc. (considered to be inconsistent with the immediate area) within and around trailers and vehicles etc. is not allowed.*
- 9) *... Travel trailers must be of good appearance and repair, no add-ons to trailers of the type will be permitted. No travel trailers can be used on any lot for more than 30 days without being moved, unless special permission is granted by both the POA Board and Executive Committee.*

Restrictions Definitions, Policies and Procedures Regarding “Stored” Vehicles:

- **A “Stored” vehicle is defined as a vehicle that sits un-moved for more than 45 days.**
- **A Stored Vehicle** can be a car, truck, travel trailer, boat, RV or motorhome.
- No more than **two** “Stored” vehicles per driveway/lot.
- Tractors, rideable lawnmowers and other lawn equipment should be stored in the back or on the side of the house.
- All “off-water” Boats and Jet Skis must be stored on a trailer.
- Golf Carts, Trail Wagons, ATVs, Boats and/or Jet Skis on trailers that are not used regularly should be stored in a covered fashion. The trailer tires need to be full, and the lawn/weeds under the trailer need to be cut regularly.
- The stored vehicle covers need to be kept up – not torn, worn or shredded.
- **RVs may be stored on a property with written approval from the POA Board.**
 - Long-term RV Storage is only permitted if the RV is stored behind the house (for non-lakefront properties) or on the side of the house.
 - RVs stored on property over 45 days must be well maintained and wheels covered or skirted. The lawn/weeds under the RV need to be cut regularly.
 - If the RV is being stored on a property without a house, the RV must be kept clean and well maintained. The RV tires need to be full, and the lawn/weeds under the RV need to be cut regularly.

Warning Period: 30 DAYS

Grace Period: 30 DAYS

Initial Fine: \$100 per vehicle

Recurring Monthly: \$50

After the warning period, grace period and 90 days of noncompliance (three \$50 recurring fines), the matter will be turned over to a collection agency. After 4 months of unsuccessful collection efforts, a lien will be filed

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What the POA Rules are Regarding Dogs as Stated in the Restrictions

- 5) *No livestock, including but not limited to horses, donkeys, mules, cattle, deer, swine, sheep, goats, llamas, alpacas, camels, ostriches, emus, peacocks, roosters, chickens, pigeons, rabbits and dogs bred for profit, shall be kept on any property. No pets shall be allowed on said tracts unless they are properly leashed or penned. Dogs cannot be allowed to run loose; if outside they must be within a fenced in area, on a lead, or on a leash. Property owners and guests are not to be threatened or approached by pets while on POA common areas or using roads within the KingsPointe Subdivision.*

Restrictions Definitions, Policies and Procedures Regarding Pets:

Dogs are not permitted to run unattended. If you are letting your dog out to go to the bathroom, you must be present with them. Otherwise, they must be on a leash.

Warning Period: None

Grace Period: 30 DAY Probationary Period

Initial Fine: \$100 – to be fined if a violation occurs within the Probationary period.

Recurring Monthly: \$50

After the probationary period and 90 days of noncompliance (three \$50 recurring fines), the matter will be turned over to a collection agency. After 4 months of unsuccessful collection efforts, a lien will be filed.

NOTE: All pet owners leaving their dogs left outside on a leash are subject to Texas State Law - Section 821.102 - Unlawful Restraint of a Dog;

- (a) An owner may not leave a dog outside and unattended by use of a restraint unless the owner provides the dog access to:
 - (1) adequate shelter; (2) an area that allows the dog to avoid standing water and exposure to excessive animal waste; (3) shade from direct sunlight; and (4) potable water.
 - (b) An owner may not restrain a dog outside and unattended by use of a restraint that:
 - (1) is a chain; (2) has weights attached; (3) is shorter in length than the greater of:
 - (A) five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail; or (B) 10 feet; or
 - (4) is attached to a collar or harness not properly fitted.
- **If you see a dog being treated inhumanely, please notify the SPCA or Animal Control.**
 - **Additionally notify the Board so we can follow-up with a community report to the authorities.**

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What the POA Rules are Regarding Property Structures as Stated in the Restrictions:

- 1c) Building plans for all new home construction and additions must be approved by the POA "Committee on New Construction" before construction begins. This committee is to be made up of the current POA officers plus three additional property owners designated by the POA officers.***
- 2) Storage buildings, Garages, Boat Barns, etc., may be placed or constructed on all tracts provided that they are not used as a dwelling or weekend dwelling and that they are in keeping with the residential character of the subdivision. No outside toilet(s) or privy(s) shall be permitted on said property.***
- 4) All structures, regardless of type shall observe a minimum set back of forty (40) feet from the center of the road and five feet from property lines.***

Restrictions Definitions, Policies and Procedures Regarding Storage Sheds:

- A shed is defined as a structure big enough to be a storage unit that can hold a small tractor and trailer – but not a garage (*If you can put a full-size car in it – it is a garage and not a shed*).
- Sheds that are 4' x 6' x 8' tall (or equivalent) or smaller do not need to be approved by the POA Committee on New Construction.
- Any structure larger than that, one that is visible from the street, requires the owner notifying the POA for approval – it will need to meet the same requirements as new construction and must blend in with the character of the neighborhood.
- Freight containers used as sheds will need to be retrofitted to look like structures – not left as shipping containers. Plans for these containers will need to be submitted to the POA Board and Committee on New Construction for approval and will be required to meet all requirements as stated in the POA Restrictions.
- Any free-standing large shed must be positioned on the property to be secondary (passive) to the view of the house from the road – not primary. (*Don't place a storage unit in your front yard in front of your house.*)
- Not only should the shed match the architectural tone of the community – it should match the house it is serving.

Warning Period: 30 DAYS

Grace Period: 30 DAYS

Initial Fine: \$500

Recurring Monthly: \$50

After the warning period, grace period and 90 days of noncompliance (three \$50 recurring fines), the matter will be turned over to a collection's agency. After 4 months of unsuccessful collection efforts, a lien will be filed.

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Restrictions Definitions, Policies and Procedures Regarding Carports and Garages (New Construction):

- Visible carports and garages should meet the same requirements as new construction.
- Not only should visible carports and garages match the architectural tone of the community – they should match the house they are serving.

Warning Period: **30 DAYS**

Grace Period: **30 DAYS**

Initial Fine: **\$500**

Recurring Monthly: **\$50**

After the warning period, grace period and 90 days of noncompliance (three \$50 recurring fines), the matter will be turned over to a collection's agency. After 4 months of unsuccessful collection efforts, a lien will be filed.