



STILL CREEK RANCH HOMEOWNERS ASSOCIATION, INC.
SECURITY MEASURES POLICY

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

WHEREAS, the property encumbered by this Security Measures Policy (the "Policy") is that property restricted by the Declaration of Covenants, Conditions and Restrictions for Still Creek Ranch, recorded under Clerk's File No. 2019084064 in the Official Public Records of Fort Bend County, Texas, as same has been or may be amended from time to time (the "Declaration"), and any other property which has been or may be annexed thereto and made subject to the authority of the Still Creek Ranch Homeowners Association, Inc. (the "Association"); and

WHEREAS, pursuant to the Dedicatory Instruments governing the Property, the Association is vested with the authority to adopt policies, rules and/or guidelines; and

WHEREAS, the Board of Directors of the Association (the "Board") has determined that, in order to provide guidance regarding security measures authorized by Texas Property Code Section 202.023 (the "Code"), it is appropriate for the Association to adopt a Security Measures Policy for the properties under the jurisdiction of the Association; and

WHEREAS, any reference made herein to approval by the Architectural Review Committee (the "ARC"), means prior written approval by the ARC; and

WHEREAS, reference is hereby made to the Declaration for all purposes, and any and all capitalized terms used herein shall have the meanings set forth in the Declaration, unless otherwise specified in this Policy.

NOW THEREFORE, pursuant to the authority granted in the Code, the Board hereby adopts this Policy, which shall run with the land and be binding on all Owners and Lots within the Property. The provisions of this Policy are in addition to any other applicable guidelines, rules or policies. In the event of a conflict between the terms of this Policy and any previously adopted guidelines, rules, and/or policies addressing security measures, this Policy will control.

SECURITY MEASURES

1. **ARC Application Required.** Before any security measure contemplated by Section 202.023(a) of the Texas Property Code is constructed or otherwise erected on a Lot, an ARC application must be submitted to the Association and approved in writing in accordance with the Dedicatory Instruments. The following information must be included with the application:

- a. Type of proposed security measure;
- b. Location of proposed security measure;

- c. General purpose of proposed security measure; and
- d. Proposed construction plans and/or site plan.

Owners are encouraged to be aware of the following issues when seeking approval for and installing a security measure:

- a. The location of property lines for the Lot. Each Owner should consider obtaining a survey before installing a security measure;
- b. Easements in the area in which the security measure is to be installed; and
- c. Underground utilities in the area in which the security measure is to be installed.

The Association is not obligated to and will not review an Owner's ARC security measure application for the above-referenced issues. Owners should be aware that a security measure may have to be removed if a person or entity with superior rights to the location of a security measure objects to the placement of the security measure.

2. Type of Fencing. The Code authorizes the Association to regulate the type of security measure fencing that an Owner may install on a Lot.

- a. [OPTIONAL] The following types of security measure fencing are prohibited:

[insert prohibited types of security measure fencing]

The ARC shall have the discretion to determine any other types of prohibited security measure fencing that are in addition to the types listed in this Policy.

- b. The following type of security measure fencing is approvable:

Insert approvable types of security measure fencing, including height, FOR EXAMPLE:

- i. *Steel flat top metal fencing [ANOTHER OPTION ~ solid iron fencing] measuring six feet (6') in height. Fence must be painted black. Decorative embellishments are prohibited.*
- ii. *Pickets shall be 3/4", 4" on center with 1-1/4" top and bottom rails.*
- iii. *Any driveway or pedestrian gates installed must be comprised of the same material as the security measure fencing, must swing inward and equipment must be kept screened from view with evergreen shrubs.*

iv. *When a metal picket fence meets a wood fence, the metal fence may not be attached to the wood fence. The metal fence is to be terminated with a three inch (3") post adjacent to the wood post.*

v. *Placement of fencing must comply with all state and local regulations.*

The ARC shall have the discretion to determine any other types of approvable security measure fencing that are in addition to the type listed in this Policy.

- c. If the proposed security measure fencing is located on one or more shared Lot lines with adjacent Lot(s) (the "Affected Lots"), all Owners of record of the Affected Lots must sign the ARC application evidencing their consent to the security measure fencing before the requesting Owner (the "Requesting Owner") submits the ARC application to the ARC. In the event that the Affected Lot Owner(s) refuse to sign the ARC application as required by this section, the Affected Lot Owner(s) and Requesting Owner hereby acknowledge and agree that the Association shall have no obligation to participate in the resolution of any resulting dispute in accordance with this Policy.

3. [OPTIONAL] **Burglar Bars and Security Screens.** All burglar bars, security screens, and front door entryway enclosures shall be black, or any color approved by the ARC. Notwithstanding the foregoing, the ARC shall have the discretion to approve another color for burglar bars, security screens and front door entry enclosures if, in the sole and absolute discretion of the ARC (subject to an appeal to the Board in the event of an ARC denial), the proposed color of the burglar bars, security screens, and front door entryway enclosures complements the exterior color of the Dwelling. All burglar bars and front door entry enclosures will be comprised of straight horizontal cross-rails and straight vertical pickets. Decorative elements and embellishments (whether part of the original construction of the burglar bar or security screen or an add-on) of any type are prohibited on burglar bars, security screens, and front door entryway enclosures.

4. **Location.** A security measure may be installed only on an Owner's Lot, and may not be located on, nor encroach on, another Lot, street right-of-way, Association Common Area, or any other property owned or maintained by the Association. No fence shall be installed in any manner that would prevent someone from accessing property that they have a right to use/access.

5. **Disputes; Disclaimer; Indemnity.** Security measures, including, but not limited to, security cameras and security lights, shall not be permitted to be installed in a manner that the security measure is aimed/directed at an adjacent property which would result in an invasion of privacy, or cause a nuisance to a neighboring Owner or Occupant. **In the event of a dispute between Owners or Occupants regarding security measure fencing, or a dispute between Owners or Occupants regarding the aim or direction of a security camera or security light, the Association shall have no obligation to participate in the resolution of the dispute. The dispute shall be resolved solely by and between the Owners or Occupants.**

EACH OWNER AND OCCUPANT OF A LOT WITHIN THE PROPERTY ACKNOWLEDGES AND UNDERSTANDS THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE ARC, ARE NOT INSURERS AND THAT EACH OWNER AND OCCUPANT OF ANY DWELLING AND/OR LOT THAT HAS A SECURITY MEASURE THAT HAS BEEN OR WILL BE INSTALLED PURSUANT TO THIS POLICY ASSUMES ALL RISKS FOR LOSS OR DAMAGE TO PERSONS, TO DWELLINGS AND IMPROVEMENTS AND TO THE CONTENTS OF DWELLINGS AND IMPROVEMENTS, AND FURTHER ACKNOWLEDGES THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE ARC, HAVE MADE NO REPRESENTATIONS OR WARRANTIES, NOR HAS ANY OWNER OR OCCUPANT RELIED UPON ANY REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE, RELATIVE TO ANY SECURITY MEASURE THAT MAY BE APPROVED BY THE ARC PURSUANT TO THIS POLICY.

OWNERS OF LOTS WITHIN THE PROPERTY HEREBY AGREE TO INDEMNIFY, PROTECT, HOLD HARMLESS, AND DEFEND (ON DEMAND) THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND COMMITTEE MEMBERS COMPRISING THE ARC (COLLECTIVELY REFERRED TO AS THE "INDEMNIFIED PARTIES") FROM AND AGAINST ALL CLAIMS (INCLUDING, WITHOUT LIMITATION, CLAIMS BROUGHT BY AN OWNER OR OCCUPANT) IF SUCH CLAIMS ARISE OUT OF OR RELATE TO A SECURITY MEASURE GOVERNED BY THIS POLICY. THIS COVENANT TO INDEMNIFY, HOLD HARMLESS, AND DEFEND INCLUDES (WITHOUT LIMITATION) CLAIMS CAUSED, OR ALLEGED TO BE CAUSED, IN WHOLE OR IN PART BY THE INDEMNIFIED PARTIES' OWN NEGLIGENCE, REGARDLESS OF WHETHER SUCH NEGLIGENCE IS THE SOLE, JOINT, COMPARATIVE OR CONTRIBUTORY CAUSE OF ANY CLAIM.

The installation of a security measure that is not in compliance with this Policy will be considered a violation of the Dedicatory Instruments governing the Property.

[SIGNATURE PAGE FOLLOWS]

CERTIFICATION

I hereby certify that, as Bedrock HOA of the Still Creek Ranch Homeowners Association, Inc., the foregoing Security Measures Policy was approved on the 1 day of September, 2021, at a meeting of the Board of Directors at which a quorum was present.

DATED, this the 1 day of September, 2021.

By: Breanna Acevedo
Print Name: Breanna Acevedo
Title: Agent for the Association

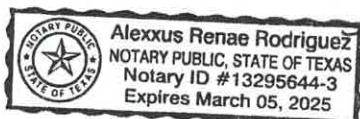
STATE OF TEXAS

COUNTY OF Ft Bend County

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Agent of Association BEFORE ME, on this day personally appeared Breanna Acevedo, the Agent of Association of Still Creek Ranch Homeowners Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 22 day of September, 2021.



Alexis Renae Rodriguez
Notary Public – State of Texas

After Recording, Return To:

Casson Wen
Isabella L. Vickers
Roberts Markel Weinberg Butler Hailey PC
2800 Post Oak Blvd., 57th Floor
Houston, Texas 77056

RETURNED AT COUNTER TO:

Breanna Alcedo
77 Sugar Creek Center Blvd #600
Sugar Land TX 77478

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard

Laura Richard, County Clerk

Fort Bend County Texas

October 12, 2021 01:30:40 PM

FEE: \$32.00 JR

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