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FOR OFFICE USE ONLY  
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Recd by \_\_\_\_\_

# DEER TRAIL PROPERTY OWNERS ASSOCIATION

## Builder's Packet

**DEER TRAIL POA**  
**ARCHITECTURAL CONTROL COMMITTEE**

**CONSTRUCTION PACKAGE FOR:**

**NEW HOME CONSTRUCTION**  
**&**  
**CONSTRUCTION OF HOME ADDITIONS**

**REVISED AND EFFECTIVE JANUARY 1, 2016**

**NOTE: IN ADDITION TO COMPLIANCE WITH THE RULES  
AND GUIDELINES CONTAINED IN THIS DOCUMENT, PROPERTY  
OWNERS ARE ALSO REQUIRED TO COMPLY WITH THE CURRENT  
EDITION OF THE DEER TRAIL ASSOCIATION, INC.  
DEED RESTRICTIONS.**

# **CONSTRUCTION PACKAGE**

## **NEW HOME CONSTRUCTION & CONSTRUCTION OF HOME ADDITIONS**

This package is to inform you of the process required to build a new home, or to build an addition to an existing home or garage within the Deer Trail Subdivision.

Included please find the following:

- 1) Minimum Building Guidelines
- 2) Architectural Drawings Required
- 3) Inspections Required
- 4) Application for Deer Trail Building Permit
- 5) Sample Building Permit
- 6) Log of Completed Inspections
- 7) ACC Fees & Fines Schedule

Minimum construction plan requirements are specified in this Building Packet document. Prior to any work being performed, you must submit to the Deer Trail Architectural Control Committee (ACC), at the IMC (Investment Management Company) office, the following documents:

- 1) The completed Deer Trail Application for Building Permit.
- 2) Two (2) complete sets of construction plans and specifications. One set will be returned with a Deer Trail Building Permit along with the Log of Completed Inspections form.
- 3) If you intend to install an electrical standby generator, solar panel system, a rainwater harvesting system, a rainwater storage system, or turf grass, detailed plans must be submitted to the ACC for written approval prior to installation.
- 4) A copy of your Montgomery County Building Permit must be submitted with this Packet.
- 5) A copy of the septic system design and Montgomery County Septic permit.
- 6) A **cashier check** for the required deposit amount.

**\*\* The allowed 30 days for approval or denial does not begin until the ACC has received all items above\*\***

The following charges for deposit amounts, construction inspections, and permit fees will apply:

**New Home Construction:** A cashier check from the contractor or property owner in the amount of **\$3,000.00, made payable to Deer Trail POA**, shall be submitted with the Building Permit Application and construction plans. This check will cover the cost of the Deer Trail Building Permit, the cost of all DTPOA required professional construction inspections and a \$2000.00 builder's deposit. The \$2000.00 builder's deposit will be refunded and returned within 30 working days after the final construction inspection is made, if this final inspection grants final approval of the finished project. If any fines or penalties have been levied by the ACC against the builder or property owner for violation of the construction regulations contained herein, the total of these fines will be deducted from the original \$2000.00 deposit, and the remaining net deposit balance will then be refunded to the builder or property owner.

If the total of any fines or penalties exceed the amount of the \$2000.00 initial deposit, causing a deficit balance, then the builder or the property owner will be expected to pay this deficit balance to Deer Trail POA. Before the final inspection approval will be granted to the builder or property owner.

**New Home Additions:** A cashier check from the contractor or property owner in the amount of \$1,500.00, made payable to Deer Trail POA, shall be submitted with the Building Permit Application and construction plans. This check will cover the cost of the Deer Trail Building Permit, the cost of all DTPOA required professional construction inspections and a \$500.00 builder's deposit. The \$500.00 builder's deposit will be refunded and returned within 30 working days after the final construction inspection is made, if this final inspection grants final approval of the finished project. If any fines or penalties have been levied by the ACC against the builder or property owner for violation of the construction regulations contained herein, then the total of these fines will be deducted from the original \$500.00 deposit, and the remaining net deposit balance will then be refunded to the builder or property owner. If the total of any fines or penalties exceed the amount of the \$500.00 initial deposit, causing a deficit balance, the property owner will be expected to pay this deficit balance to Deer Trail POA before the final inspection approval will be granted to the builder or property owner.

**All inspections performed during the construction process at the direction of Deer Trail ACC are intended to insure compliance with the Minimum Building standards as Required by the Deer Trail POA.**

Even though the Deer Trail ACC is ordering various construction inspections, the owner of the property has the sole responsibility to protect his/her own interests and insure that the measurements, material types, quality, quantity, and construction methods meet his/her approval, and are in compliance with the construction documents. It is recommended that the property owner hire an architect, engineer or inspector to complete inspections for the property owner in order to protect his/her interest and insure compliance with the construction plan documents.

Any and all references in this document to the Deer Trail ACC are a direct extension of the Deer Trail POA. Any actions taken by the Deer Trail ACC will be considered an action by the Deer Trail POA.

Initials: \_\_\_\_\_ Date: \_\_\_\_\_

## **MINIMUM BUILDING GUIDELINES**

### **NEW HOME CONSTRUCTION & HOME ADDITIONS**

1. No "track equipment" is allowed to be offloaded onto the street surface. No access to the building lot is allowed through an adjacent lot without prior written approval of the adjacent lot owner. The builder or property owner must repair any damage to subdivision streets, curbs, utilities, or adjacent property before final construction inspection approvals are granted. The cost of such repairs will be the sole responsibility of the builder or property owner.
2. Temporary erosion control methods or silt fence **must be placed** around the perimeter of the entire building site to prevent soil erosion onto adjacent properties and/or drainage & roadside ditches.
3. A **portable toilet is required** on the work site and must be located inside the lot lines. No portable toilet will be allowed to be placed upon property which is adjacent to the work site. The toilet must remain on the site during the entire period that workers are on the site. There will be a **\$50.00** per day fine for each day a portable toilet is not in place while workers are on the site. Toilet must be promptly removed upon final inspection approval.
4. No construction work, concrete pouring, or landscaping work is allowed to begin prior to 6:00am. All construction work must cease prior to 9:00pm. Concrete pours that need to be scheduled earlier than 6:00 am will be permitted as long as the ACC is notified 48 hrs prior to the scheduled pour. The ACC will attempt to notify the neighbors to let them know the early hour pour will take place.
5. Concrete trucks are **not** allowed to "wash out" in the street, ditches or any other area of Deer Trail. Any "wash out" will need to be done on the actual building lot where construction is taking place, or at some other location outside of Deer Trail. Cured "wash out" must be placed in trash dumpster for removal off site.
6. Builder must provide a **trash dumpster** on the construction site. **Builder is responsible for maintaining a clean worksite at all times.** Violations are subject to a **\$50.00** charge per day for each day that the trash violation exists.  
**\*Burnable waste can be burned weekly, weather permitting. In the case of a burn ban, all material waste must be disposed of in the trash dumpster.\*\***
7. All building, landscaping, driveway and utility construction must be 100% complete within 270 calendar days of the date of ACC approval.
8. All primary residences must be a minimum of 1,500 SF living area. Porches, garages, covered walkways and carports are not included in the minimum living area.
9. All garage interiors must be finished with no wall studs or ceiling joists left exposed.
10. No signs are allowed on the construction site, except one small sign indicating the street address and the name of the builder so that suppliers can locate the building site. The ACC will issue a sign noting ACC approval.
10. All framing members shall be installed on **16 inch centers (maximum spacing)**.
11. All slab exposures of the house shall be no more than 12 inches above the finished grade.
12. All roof decking for composition shingle roofs shall be a minimum thickness of 7/16 inch. All OSB or plywood roof decking shall be installed using metal spacer clips.

13. Finished roofing material shall be either composition shingle (Lifetime or Architectural shingles) or architectural metal panels and must be approved by the ACC prior to installation.
14. Color schemes & materials for exterior elevations and roofing must be approved by ACC.
15. Portable generators may be used from 9am to 5pm for a maximum of two weeks after the date of commencement. At that point, builder must have set a temporary electric power pole to provide electric power for use by all construction crews.
16. All residences shall be connected to an aerobic septic system. Design and septic permit shall be approved by Montgomery County and submitted to ACC.
17. All propane tanks must be underground or hidden by fencing or landscaping.
18. All construction sites must have temporary entrance with required culverts installed
  - a. **Contact Mont. County Pct. 4 for required culvert size and quantity**

**Montgomery County Pct. 4**

**Commissioner: Jim Clark**

**Phone: 936-521-8919 or 281-577-8919**

**Link to Pct. 4 Request for Service page:**

[http://www.mctx.org/dept/--commissioners/commissioner\\_precinct\\_4/request\\_for\\_service.html](http://www.mctx.org/dept/--commissioners/commissioner_precinct_4/request_for_service.html)

19. All construction shall meet minimum guidelines set forth in the Declaration of CCR's for Deer Trail.
20. A copy of the Montgomery County Building Permit, Deer Trail Building Permit, one copy of the approved construction plans and drawings; and the Log of Completed Inspections must be kept on the job site, out of the weather.



Initials: \_\_\_\_\_ Date: \_\_\_\_\_

## **ARCHITECTURAL DRAWINGS REQUIRED**

### **NEW HOME CONSTRUCTION & HOME ADDITIONS**

1. A professional Survey of the property, showing a Licensed Surveyor's seal, shall be provided to the ACC.
2. A Site Plan, drawn to scale, showing dimensions of all improvements, easements, streets, and building lines shall be provided to the ACC. The site plan must also show the final water drainage plan. The water drainage plan shall not negatively impact adjacent property in any way.
3. Complete structural drawings, drawn to scale, must be provided to the ACC. These drawings must display the seal of a Licensed Professional Architect; Professional Building Designer; or Professional Engineer. These drawings must show the following:
  - a) Design and details of the foundation and beams; slab; driveway; sidewalks; and all framing details. A Professional Engineer's seal is **required** on the foundation drawings.
  - b) Exterior elevations, with complete dimensions (including overall height of structure above finished grade). These elevation drawings must also indicate the type of materials to be used on all of the exterior surfaces of the home.
  - c) A detailed floor plan showing complete dimensions. This floor plan must indicate finishes and types of floor coverings to be used. These floor plan drawings must indicate the square footage of all living areas on each floor, as well as square footage of all garages, porches, and patios.
4. Septic System design and location on building site must be submitted.
5. Samples and colors of exterior elevation materials must be submitted.

**NOTE: All work must be completed within 270 calendar days from the date of the Building Permit issued by the Deer Trail Architectural Control Committee (ACC). This time period shall exclude any "rain out days". If the approved construction of the new home or home addition is not completed within this allowed time frame, builder or property owner will forfeit all deposits and must then submit a new Application for a Building Permit along with new Permit fees and deposits.**

Initials: \_\_\_\_\_ Date: \_\_\_\_\_

## **INSPECTIONS REQUIRED FOR NEW HOME CONSTRUCTION & HOME ADDITIONS**

These inspections are required in order to insure conformance with minimum construction standards as set forth in the Deer Trail Deed Restrictions and the Deer Trail Architectural Control Committee (ACC) Construction Package. It is the property owner's responsibility to insure that the builder adheres to the design criteria for the new improvements noted on the construction plans. Please insure that you are completely ready for an inspection before you call to schedule it. Inspections are made only Monday through Friday and a 48 hour notice is required when you schedule an inspection. **Each re-inspection will be assessed a fee of \$50.00.**

**1. PRIOR TO POURING OF CONCRETE:**

Inspection by professional inspector (TBD) is required to inspect the forms, plumbing underground and the placement of all steel in the foundation, as well as conformance with the International Building Code. It is the owner's responsibility to insure that the preparation is in accordance with the plans and specifications that have been submitted to the ACC. A minimum of 48 hours notice is required for this inspection.

**2. PRIOR TO COVER-UP OF PLUMBING, ELECTRICAL & HVAC:**

Inspection by professional inspector (TBD) is required to inspect all plumbing, electrical & HVAC rough in materials, methods and conformity to current codes. Framing members and materials will also be inspected at this time. A minimum of 48 hours notice of this inspection is required.

**3. PRIOR TO POURING DRIVEWAY, PATIOS OR SIDEWALKS:**

After all forms, dirt fill and reinforcing steel are in place an inspection by ACC is required. A minimum of 48 hours notice is required.

**4. SEPTIC SYSTEM:**

Aerobic septic system must be inspected by Montgomery County. Inspection results shall be sent to the ACC upon receipt from county.

**5. FINAL INSPECTION: DO NOT CALL FOR FINAL INSPECTION UNTIL—**

- A) All work is 100% completed.
- B) All excess materials and trash have been completely removed from the property.
- C) Final lot grading is complete.
- D) Any damage to adjoining lots or Deer Trail reserves/easements has been completely repaired.

**For all inspections, call Account Manager at IMC so that the Deer Trail ACC & the inspection company can be notified.**

Initials: \_\_\_\_\_ Date: \_\_\_\_\_



# APPLICATION FOR DEER TRAIL BUILDING PERMIT NEW HOME CONSTRUCTION & HOME ADDITIONS

I /we desire to construct a \_\_\_\_\_, located at \_\_\_\_\_  
(street address); Section \_\_\_\_\_; Block \_\_\_\_\_;  
Lot \_\_\_\_\_ in the Deer Trail Subdivision, Montgomery County, Texas, and request that a Deer Trail Building Permit be issued by the Deer Trail Architectural Control Committee (ACC) for the construction of same.

I/we have read and fully understand the Deer Trail Deed Restrictions as well as the Deer Trail building requirements contained in this Deer Trail ACC Construction Package. I/we agree that the structure and any other improvements will be built in strict accordance with the plans and specifications which have been submitted to Deer Trail Association, Inc. and which have been approved by the Deer Trail Architectural Control Committee (ACC). I/we agree to abide by all Deer Trail POA standards, requirements, restrictions, and deadlines. Further, in the event of non-compliance with any standard, requirement, or restriction as determined solely by the Deer Trail ACC, or for failure to satisfy same for any inspection during the construction process, I/we recognize and agree that a **FINAL INSPECTION** approval will not be issued. In that circumstance, I/we understand that permanent water, sewer, electric, and gas service may not commence, and that the structure shall not be occupied until any and all non-compliance issues are corrected to the satisfaction of the Deer Trail ACC and a **FINAL INSPECTION** of the property is conducted and approved by the ACC.

I/we expressly give the Deer Trail ACC, the Deer Trail Association, and its representatives, permission to enter the property during the construction process, to ensure compliance with these regulations, and the association's other dedicatory instruments.

Recognizing and agreeing to the foregoing, I/we hereby request approval from the Deer Trail Architectural Control Committee (ACC) to construct improvements on the above identified Deer Trail property, as per the plans which I/we have submitted to the ACC. It is understood and agreed that the Deer Trail ACC has the right to rescind its approval of this Building Permit Application and revoke the Building Permit if I/we do not comply with the agreements and requirements as set forth herein. Furthermore, I understand and agree that the actions of any independent builder which I have contracted with, or the actions of builder's sub-contractors shall be considered to be my own actions under this agreement.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Property Owner

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Contractor

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

# BUILDING PERMIT

## DEER TRAIL PROPERTY OWNERS ASSOCIATION

This Building Permit is issued by the Deer Trail Architectural Control Committee (ACC), as authorized by the Board of Directors of Deer Trail POA, Deer Trail Subdivision, Montgomery County, Texas. This Building Permit is issued to:

Property Owner:

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Contractor:

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

To build improvements within the Deer Trail Subdivision as shown on Plans and Specifications which have been submitted to the Deer Trail ACC for approval. These improvements are to be located at:

Address: \_\_\_\_\_

Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

This Permit authorizes construction of only those improvements which are in accordance and compliance with the Plans and Specifications which have been submitted to the ACC for approval and which are in compliance with the terms and conditions of the Application for Deer Trail Building Permit; Minimum Construction Guidelines; the Deer Trail Deed Restrictions; and compliance with all required inspections and inspection approvals as outlined in this Construction Package.

Permit Approved:

Date: \_\_\_\_\_

Permit Expires:

Date: \_\_\_\_\_

Deer Trail Architectural Control Committee

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

## **LOG OF COMPLETED INSPECTIONS**

**(\*\* NOTE: THIS DOCUMENT MUST BE KEPT ON JOB SITE FOR INSPECTOR SIGNATURES. \*\*)**

Property Owner Name: \_\_\_\_\_

Physical Property Street Address: \_\_\_\_\_

Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Contractor or property owner must call for all inspections. Inspector has forty eight (48) hours after being notified to make inspection. Each failure to call for a required inspection will result in a \$100.00 fee being assessed to the contractor or property owner. If an inspection is not called for, then work will stop and any items needing inspection will be uncovered by the contractor in order to allow the inspection, the total cost of which will be borne by the contractor. If an inspection is called for by the contractor, and if the site is not ready for inspection when the inspector arrives, a fee of \$ 50.00 will be charged to the contractor. **You must call a minimum of 48 hours in advance to schedule each inspection.**

**1. FOUNDATION AND SLAB PREPARATION (Prior to Concrete Pour)**

Call Account Manager at IMC to schedule inspection.

Inspector Name \_\_\_\_\_

Date Passed \_\_\_\_\_

**2. PLUMBING, ELECTRICAL & HVAC ROUGH-INS/FRAMING**

Call Account Manager at IMC to schedule inspection.

Inspector Name \_\_\_\_\_

Date Passed \_\_\_\_\_

**3. DRIVEWAY, SIDEWALKS AND PATIOS**

Call Account Manager at IMC to schedule inspection.

Inspector Name \_\_\_\_\_

Date Passed \_\_\_\_\_

**4. FINAL INSPECTION.**

Call Account Manager at IMC to schedule inspection.

Inspector Name \_\_\_\_\_

Date Passed \_\_\_\_\_

**Mailing Address: Investment Management Company**

**Re: Deer Trail POA**

**3500 W. Davis, Suite 190**

**Conroe, TX 77304**

**Contact Information: IMC Account Manager for DTPOA**

**(936) 756- 0032**

**[www.imcmanagement.net](http://www.imcmanagement.net)- Property management company website**

**[www.deertrailpoa.net](http://www.deertrailpoa.net)- Subdivision website**

# ACC CONSTRUCTION FEES & FINES SCHEDULE

- **NEW HOME CONSTRUCTION FEES**

1. **\$3,000** Deposit-Payable to Deer Trail POA.
  - a. Covers all professional inspections required by DTPOA/ACC.
  - b. Covers all costs associated with Builders Packet recording.
  - c. Covers the Deer Trail Building Permit
  - d. Includes a \$2,000 builders deposit (refundable upon completion after any fines, if applicable, have been applied)

- **HOME ADDITION FEES**

1. **\$1,500** Deposit-Payable to Deer Trail POA.
  - a. Covers all professional inspections required by DTPOA/ACC.
  - b. Covers all costs associated with Builders Packet recording.
  - c. Covers the Deer Trail Building Permit
  - d. Includes a \$500 builders deposit (refundable upon completion after any fines, if applicable, have been applied)

- **ACC FINES**

1. **\$50** per day for no Portable Toilet
2. **\$50** per day of Construction Debris not cleaned up & site in disorder  
(Construction site and adjacent sites shall be kept clean of construction debris)
3. **\$500.00** for failure to apply for an Association Builder's Packet or Building Permit
4. **\$100.00** for failure to request a required inspection
5. **\$25** per occurrence for re-inspection
6. **\$10** per calendar day over 270 day time period allowed for completion

- **ACC FEES**

1. **\$25** for Builders Packet submittal & recording (included in deposit)
2. **\$300** Inspection Fee
3. **\$75** for Building Permit- review and recording
4. **\$100** for Deed Restriction Variance Request (Refundable if Request refused)
5. **\$100** for Building Packet Variance Request (Refundable if Request refused)

Initials \_\_\_\_\_ Date \_\_\_\_\_

**NOTES:**

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FILED FOR RECORD

11/21/2016 03:55PM

*Mark Turnbull*

COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was filed in the file number  
sequence on the date and time stamped herein  
by me and was duly RECORDED in the Official Public  
Records of Montgomery County, Texas.

11/21/2016



*Mark Turnbull*

County Clerk  
Montgomery County, Texas

**CORPORATE CERTIFICATE  
DEER TRAIL PROPERTY OWNERS ASSOCIATION**

The undersigned certifies that he is the Attorney-in-Fact for DEER TRAIL PROPERTY OWNERS ASSOCIATION (the "Association"). The Association is the property owners' association for Deer Trail, Section One, Section Two, Section Three and Section Four, subdivisions in Montgomery County, Texas, according to the maps or plats thereof recorded in the Map Records of Montgomery County, Texas.

The Association is a Texas non-profit corporation, and attached to this certificate is a true and correct copy of the **BUILDER'S PACKET FOR DEER TRAIL PROPERTY OWNERS ASSOCIATION**.

Signed this 21<sup>st</sup> day of November, 2016.

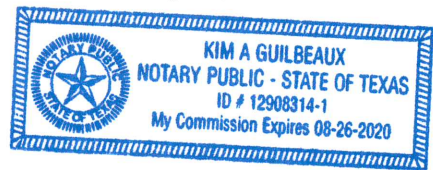
**DEER TRAIL PROPERTY  
OWNERS ASSOCIATION**

B P F

**BRYAN P. FOWLER, Attorney for the Association**

STATE OF TEXAS                   §  
   §  
COUNTY OF MONTGOMERY       §

SWORN TO AND SUBSCRIBED BEFORE ME on the 21<sup>st</sup> day of November, 2016, by **BRYAN P. FOWLER**, Attorney for DEER TRAIL PROPERTY OWNERS ASSOCIATION, a Texas non-profit corporation.



*Kim A. Guilbeaux*  
NOTARY PUBLIC, State of Texas

THE STATE OF TEXAS           §  
   §  
COUNTY OF MONTGOMERY       §

This instrument was acknowledged before me on the 21<sup>st</sup> day of November, 2016, by **BRYAN P. FOWLER**, Attorney for DEER TRAIL PROPERTY OWNERS ASSOCIATION, a Texas non-profit corporation, on behalf of said corporation.



*Kim A. Guilbeaux*  
NOTARY PUBLIC, State of Texas

AFTER RECORDING RETURN TO:  
**BRYAN P. FOWLER**  
**The Fowler Law Firm**  
**300 West Davis, Suite 510**  
**Conroe, Texas 77301**