

## ***Welcome Neighbor!***

***Rustling Oaks is a deed restricted subdivision, and has a mandatory membership requirement in the “Property Owners Association”. Membership dues are currently \$12 per month for one lot and \$7 per month for every extra lot as recorded on the original survey plat for each phase (replat properties have no bearing in determining the membership dues). These dues are paid on an annual basis and are due by January 1<sup>st</sup> of each new year.***

***The money is used for street repairs, beautification projects, mowing of the common area, other approved Community projects and operating expenses.***

***The “Architectural Control Committee” (ACC) follows the guidelines provided in the ‘Declarations of Covenants, Conditions and Restriction. ALL CONSTRUCTION that a property owner wants to perform on their property requires ACC written approval. This is to protect everyone’s property value.***

***The ACC are fellow neighbors and will work with you to achieve your construction needs. Feel free to contact us, as we will be more than happy to answer your questions.***

***Here are a few of the common expectations in Rustling Oaks:***

- ***Campers, Travel Trailers and RV’s are allowed on vacant lots for TEMPORARY USE ONLY (weekends, vacations) and must be REMOVED when such time is over. AT NO TIME MAY THE CAMPER, TRAVEL TRAILER or RV be stored in any manner on a vacant lot.***
- ***Campers, Travel Trailers or RV’s must have written ACC approval before being brought onto your property. Please contact one of the ACC members shown on the last page.***
- ***A Storage Building on vacant lot(s) is under the control of the Navarro County Richland/Chambers Lakeshore Area Zoning Ordinance and must be approved by the ACC, as the restrictions are in place. Please consult an ACC member.***

- ***All Fences must be approved by the ACC. NO chain link, hog wire, pipe, etc. is allowed across the front (Nearest the road) of the property.***
- ***Hunting or recreational shooting, such as target practice or discharging of a firearm, pellet gun, BB gun, or the like, is not allowed in the subdivision.***
- ***Dogs and other pets must be restrained and are not allowed to roam freely in the subdivision. Complaints regarding nuisance pets can result in fines to the owner!***

#### ***Burn Pile***

***Rustling Oaks Estates has been granted use of a burn pile area by Kodiak TJ LLC ( Developers ). THIS IS THEIR PROPERTY! ONLY woody vegetation shall be allowed from a property owners lot! No household garbage, construction material, metal, boxes, etc. NO material shall be brought in from outside of Rustling Oaks Estates!***

#### ***Current Architectural Control Committee Contacts:***

***Mike Stotler***

***281-900-9686 (Cell)***

***Richard Coker***

***903-390-2727 (Cell)***

***Michael Norris***

***512-789-2299 (Cell)***

***[mstotler9686@gmail.com](mailto:mstotler9686@gmail.com) [rc.lake01@gmail.com](mailto:rc.lake01@gmail.com) [Michael.L.Norris@outlook.com](mailto:Michael.L.Norris@outlook.com)***

***Rev. 10-23***

# Architectural Control Committee

## Enforcement Fees/Fines

Effective October 16, 2023

### FEES:

Mowing	\$250 per 1/2 acre Or, \$170 per 1/3 <sup>rd</sup> acre original platted lots
Brush Piles	Minimum of \$400
Dead Trees	Minimum \$1200 per tree

Property owners will be contacted by phone, text, email or letter of the need for mowing, removal of brush piles, dead limbs/trees, any type landscape debris. Those who refuse to rectify the situation will be sent a certified letter, allowing them twenty (20) days to bring their property up to standard. If it is not done within the twenty-day period, the ACC will get it mowed or cleaned up and bill the lot owner for that amount. If the lot owner refuses to pay, a lien will be placed on their property until it is paid.

Construction / Road Fees	(as shown below)
New Home Construction/addition	\$0.85 per square foot
Swimming pool (Total fee based on excavated area and includes 1000 SQ.FT. of walks, decks, etc.)	\$1,000
Lakeside retaining wall (if done from land)	\$1,000
New boat house	\$750

### Cement trucks:

For HOUSES **\$0.85 PER SQUARE FOOT** (The entire slab, including the garage, porch, etc.)

For OTHER PROJECTS: sheds, driveways, other projects -poured separate from house slab - **\$250 each for first two trucks, then no additional charge for the same project. Limit-six (6) yards per load.**

Storage shed	\$250 (shed only)
Projects requiring large flatbed trailers (other than heavy equipment trailers)	\$250

**Contractor or owner performed projects:**

Double axel trailer- **\$250** per trailer if hauling heavy-equipment, **\$100** if just delivering materials (Contractors only) (One time per project). (Construction projects, new/repair of retaining walls, new/total replacement of septic systems, tree removal, etc. – (no charge for regular lawn maintenance folks). Regular home maintenance- roofing, plumbing, septic system repair, etc., no charges.

Trailers with heavy equipment \$100 per truck

Dirt/gravel hauling dump trucks in or out \$50 per load

Large (Semi) type trucks, 3 axle or more- \$500 first load, \$500 second load, none thereafter-for the same project. No charge for moving vans bringing or taking furniture for new or departing residents.

No Charges for store delivery vans (Two axle box type), UPS, FedEx, DHL, etc.

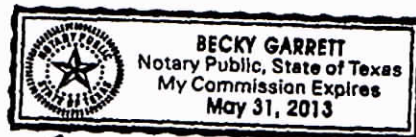
Self-help projects, owner preformed:

Pickup truck or small trailer (Not carrying heavy equipment – bobcat, backhoe, etc.)

No Fees

The above fees are to be paid to Rustling Oaks Estates Property Owners Association. Fees are subject to change at the request of the ACC and approval of the Board of Directors.

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J. L. F. 11/20/12



Becky Garrett

Rustling Oaks Estates Property Owners Association, Inc.

Current Architectural Control Committee  
Policy and Course of Principle Actions

00000376

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*All of the restrictions in this handbook will be enforced by the ACC and backed by the POA Board, to insure that our community keeps a high regard for property value and preserve, as far as practicable, the natural beauty of the property. Enforcement will include courtesy phone calls, and or letters. Continued or deliberate violations will include legal actions. The Navarro County Sheriff's Office will be called for all deliberate and criminal involvement.*

100% BD APPROVED 2009  
ACC enforcement Policy

June 2009

Fred Watts



**(1) RV's/campers**

RV's, campers and tents are allowed on a lot for temporary use only as long as the RV, camper or tent has been approved by the ACC in writing. Vacationers using RV's, campers or tents resulting in stays of three weeks or longer need to advise ACC so action will not be instigated.

RV's, campers and tents must be removed from property when stays are over, along with all other camping gear, chairs, tables, etc. Owner must contact ACC, when there are removal problems, due to weather or an emergency. ACC will arrange with owner about removal.

At no time may an owner use a lot to store or park a RV or camper. This is a Navarro County Zoning Ordinance.

RV or camper may be used while building a house. (#4 House Construction)

**(2) Storage Building & Other Structures**

Only a storage building may be constructed on a lot before a house is built.

The ACC will not approve a storage building larger than 12 feet by 16 feet.

The storage building cannot have an overhead or rollup type door.

No metal buildings will be allowed.

**Building procedure:**

Owner of lot turns in to the ACC a completed Request for Construction Approval Form along with plans, material list, and plat placement.

ACC will then study plans, material list and plat placement. If there is a problem the owner will be contacted, otherwise the ACC will issue a signed "Construction Approval Form" to the owner. Approval form is only valid for six months.

The owner will show the signed Construction Approval Form to the Navarro County Zoning Commission to apply for a "Specific Use Permit".

The Commissioners Court will rule on the lot owners Specific Use Permit request.

Owner of the lot will give the ACC a copy of the Approved Specific Use Permit.

Construction may begin.

**(3) Mowing/ clean up**

Property owners will be held accountable for keeping their lot clean of trash, dead limbs, down trees, weeds and high grass.

Due to the danger of wild fires, and the overall appearance of the subdivision, lots are overseen by the ACC and they will issue mowing or cleanup letter to the owners.

No pit, hole, or excavation can be made for burning on any lot.

The ACC will send out "courtesy" letters to notify lot owners if there is a need for mowing and or clean up. If a situation is not corrected, a letter will be sent, stating a time limit for correction or the POA will have the lot mowed and the owner will be charge \$75.00 per lot. Refusal to pay will result in legal action.



#### **(4) House Construction**

We welcome new homes in Rustling Oaks Estates. The goal is that houses meet restrictions to insure the Rustling Oaks Estates property values are maintained.

Houses on waterfront lots must be a least 1600 square feet of heated/ac living area. Houses on off water lots must be at least 1200 square feet of heated/ac living area.

The POA requires that the property owner pay a \$500.00 road assessment fee, before construction can begin.

Houses may have attached or unattached garages. However, an independent garage can only be constructed after the slab for the house has been established. This applies to all other out buildings or structures except a storage building. (#2 storage building)

Before any house can be occupied, all lavatories, toilets, and bath facilities must be in good working order.

Builder or contractor must have a container for scrap, trash and debris.

Chemical toilet must be on site during construction.

Road weight limits and speed limits must be observed.

A Navarro County Building Permit should be posted during construction.

#### **Building Procedure:**

Owner turns in to the ACC a completed Request for Construction Approval Form along with floor plan, drawing, elevation, or picture of house, placement of house on lot with measurements on plat, short description of house, and material list (type of siding and roof). Road assessment fee check for \$500.00 made out to Rustling Oaks Estates Property Owners Association, Inc is turned in at this time.

ACC will study the quest of required attachments, if there is a problem, they will contact the property owner.

ACC will then issue a signed Construction Approval Form to the property owner.

Approval form is only valid for 6 months.

The property owner will then need to obtain a building permit from Navarro County.

Construction may begin.

ACC will visit the sight during construction.

The ACC will allow the owner to set up a RV/camper on the construction site for temporary use only during the construction, after obtaining a signed Approval for use of Recreational Vehicle Permit from ACC.

#### **(5) Construction Projects**

Homeowner's construction projects are also welcomed at Rustling Oaks Estates, since they generally enhance the homeowner's property value and allow them to enjoy their property.

Construction projects such as garages, storage building, deck, outdoor kitchen, sunroom, etc. must be approved before construction can begin. (Fences #6)

#### **Building procedure:**

Make contact with ACC concerning the project.



Homeowner turns into the ACC a Request for Construction Approval Form, along with a floor plan, drawing, elevation or picture of project. Also, turn in a placement of the project with the measurement in feet to the property lines on a sketch of the plat. b A description of the plan with a material list (type of siding and roof).

ACC will study the project and if there is a problem, they will contact the owner.

ACC will issue a signed Construction Approval Form to the property owner. Approval form is only valid for 6 months.

Construction may begin.

#### **(6) Fences**

ACC must approve all fences in the subdivision and this mandate creates some judgment calls.

Fences are to be of a type that will not obscure vision of the landscape or the lake. Chain link, decorative metal, split rail, pickets and in some cases, field fence would generally be approved in the backyard.

If there is a good reason for the homeowner to need a fence in the front of the house, only a decorative type fence will be considered.

Screening type fencing will not be approved.

#### **Building Procedure:**

Homeowner turns into the ACC a Request for Construction Approval Form with a drawing of fence placement and description.

ACC will study the request and may inspect the property. If there is a problem, they will contact the owner.

ACC may contact homeowners and neighbors for help with judgment in some cases.

ACC will issue a signed Construction Approval Form to the property owner. Approval form is only valid for 6 months.

Construction may begin.

#### **(7) Pets and Restricted Animals**

Rustling Oaks Estates is a community of people that enjoy the outdoors and their doors are open to friends and family, many with children.

Domestic animals such as dogs, cats and other animals customarily maintained for domestic purposes are allowed but must be maintained on the owners premises and kept and maintained in a sanitary non-odorous and inoffensive condition at all times and not be a nuisance to the neighborhood. The operation of any kind of dog or cat kennel is not allowed. Cat or puppy "mill" is not allowed.

Navarro County Zoning Law allows a resident to have no more than four dogs or cats or any combination thereof not to exceed a combined total of four such animals three months or older.

Animals are not allowed to run loose, or be a nuisance to joggers, pedestrians or vehicles. No fowl, hogs, sheep, goats, horses; or cattle can be maintained on the premises at any time or for any purpose.



Horse back riding is not allowed on the roads or on property in Rustling Oaks Estates. Violation of these restrictions will result in a courtesy letter explaining the problem, but if the problem is not corrected the Animal Control of Navarro County Sheriff's Office will be notified.

**(8) Bill Boards and Signs**

No billboards, signboards, unsightly objects, or advertising displays of any kind shall be installed, maintained or permitted to remain on any residential lot, except that one sign containing not more than three square feet of surface area may be displayed for the sale of a dwelling house and lot, but only after construction of the dwelling house has actually been started. No such signs for the sale of unimproved lots shall be permitted.

Signs for the sale of unimproved lots would be a problem between the developer and property owner. The POA will not take sides in this restriction or its enforcement. All other billboards, signboards, unsightly objects, or advertising displays (except ones displayed by homebuilders, while the house is being built) will not be approved or allowed. Violation of these restrictions will result in the sign being taken down, but not removed from the property. A courtesy letter will be sent notifying the property owner. If the problem persists, a fine and legal action will be taken.

**(9) Firearms and Hunting**

No hunting or discharging of firearms shall be permitted on any lot or any part of this subdivision.

The POA understands that a property owner may need to protect their property from destructive/dangerous animals on their property only. The use of a firearm is a violation, and abuse of this restriction may bring enforcement.

BB guns, pellet guns, bow and arrows, or the like are considered dangerous and their use is not permitted on any part of the subdivision, other than adult supervised, safe activity, and only on the owner's lot.

Violation of these restrictions may or may not result in contact with the violator to convey knowledge of the violation. The Navarro County Sheriff's Office will enforce this policy.

**(10) Garbage**

Property owners are responsible to provide their own garbage removal. Many homeowners use a private contract service in this area.

Absolutely no burn barrels, burn pits or on sight, burning of household garbage is allowed. Household garbage must be removed from property of Rustling Oaks Estates.

All household garbage must be in plastic bags or containers. Other bulky items such as small appliances, large boxes maybe placed along side of the containers. All containers must be removed from sight the same day as pick up. In the event that service fails or refuses to take the refuse, property owner must remove and place it out of sight the same day as pickup. All property owners are responsible for garbage or trash that has spilled or has become uncontained and unsightly. The refuse must be cleaned up immediately. It is unlawful and a criminal offense to place garbage, refuse or bagged rubbish on any other property for the use of that property owners garbage pickup service.

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Receipt Number - 44147  
By:  
Gena Chandler

STATE OF TEXAS

COUNTY OF NAVARRO

I hereby certify that this instrument was  
filed on the date and time stamped hereon by me and  
was duly recorded and stamped hereon by me.

Jan 20, 2012

Sherry Doud, COUNTY CLERK  
Navarro County