



STATE OF TEXAS §

COUNTY OF TRAVIS §

AMENDMENT OF RULES AND REGULATIONS OF THE OVERLOOK AT RIVER PLACE PROPERTY OWNERS' ASSOCIATION

Document reference. Reference is hereby made to that certain Declaration of Covenants, Conditions and Restrictions for The Overlook at River Place, recorded at Volume 12283, Page 0039, of the Official Public Records of Travis County, Texas (together with all amendments and supplements thereto, the "Declaration"). Reference is further made to the Bylaws of The Overlook at River Place Property Owners' Association, filed as Document No. 1999158084, and the First Amendment to Bylaws filed as Document No. 2021206378, both of the Official Public Records of Travis County, Texas (together with all amendments thereto, the "Bylaws"). Reference is further made to the Amendment of Rules and Regulations of The Overlook at River Place Property Owners' Association (the "2021 Amendment"), filed as Document No. 2021095873, the Notice of Dedicatory Instruments (Roof Tile Replacement Policy), filed as Document No. 2014127235, and the Collection Directive, filed as Document No. 2020056588 and amended in the 2021 Amendment, all of the Official Public Records of Travis County, Texas (together with any amendments or supplements, the "Rules"). This document supplements the 2021 Amendment and supersedes the Roof Tile Replacement Policy filed in 2014 and the Collection Directive filed in 2021 as part of the Amendment

WHEREAS the Declaration provides that owners of lots subject to the Declaration are automatically made members of The Overlook at River Place Property Owners' Association (the "Association");

WHEREAS the Association, acting through its board of directors (the "Board"), is authorized to adopt and amend rules and regulations governing the property subject to the Declaration and the operations of the Association pursuant to Section 8 of the Bylaws, and has previously adopted Rules; and

WHEREAS the Board has voted to amend the Rules to:

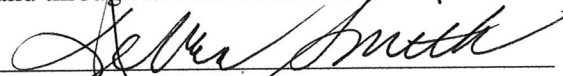
- 1. Add the Architectural Control Committee Procedures, as set forth in Exhibit "A" attached hereto,
2. Add the Contract Bid Process Guidelines as set forth in Exhibit "B" attached hereto,
3. Revise the Rules Relating to Certain Installations that are part VI of the Amendment, as set forth in Exhibit "C" attached hereto;
4. Add Section VIII, Leasing Policy, to the Amendment, as set forth in Exhibit "D" attached hereto; and
5. Amend the Collection Directive, as set forth in Exhibit "E" attached hereto.

THEREFORE the Rules are amended to ADD the Architectural Control Committee Procedures contained in Exhibit "A, to ADD the Contract Bid Process Guidelines contained in Exhibit "B", to AMEND part VI of the Amendment, Rules Regarding Certain Installations, by replacing it as reflected on Exhibit "C", to ADD a Leasing Policy as contained in Exhibit "D"; and to AMEND the Collection Directive as reflected on Exhibit "E";

Except as amended by this document, the Rules remain in full force and effect.

**THE OVERLOOK AT RIVER PLACE PROPERTY OWNERS' ASSOCIATION**

Acting by and through its Board of Directors

Signature:   
Debra Smith, President

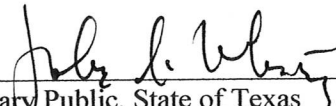
- Exhibit "A": Architectural Control Committee Procedures
- Exhibit "B": Contract Bid Process Guidelines
- Exhibit "C": Rules Regarding Certain Installations
- Exhibit "D": Leasing Policy
- Exhibit "E": Collection Directive

**Acknowledgement**

STATE OF TEXAS §

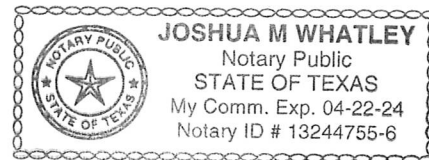
COUNTY OF TRAVIS §

This instrument was executed before me on the 5 day of August, 2021, by  
Debra Smith in the capacity stated above.

  
Notary Public, State of Texas

**After Recording, Return to:**

Certified Management of Austin  
101 River Hills Dr.  
Georgetown, TX 78628



## EXHIBIT "A"

### **ARCHITECTURAL CONTROL COMMITTEE (ACC) PROCEDURES**

Are you thinking of making changes/improvements to the exterior of your home or property? If so, you need to be aware of the purpose of The Overlook at River Place Property Owners' Association Architectural Control Committee (the "ACC"). Please read the following information.

#### **WHO COMPRISES THE ARCHITECTURAL CONTROL COMMITTEE?**

The Architectural Control Committee (ACC) is made up of property owners and Board members. For a listing of current ACC members for The Overlook at River Place Property Owners' Association (the "Association"), contact a member of the board of directors (the "Board").

#### **WHAT IS THE PURPOSE OF THE COMMITTEE?**

The purpose of the ACC is to maintain property values by protecting the environmental and architectural integrity of the Association in accordance with the provisions of the Declaration of Covenants, Conditions and Restrictions for The Overlook at River Place (the "Declaration"). Most covenants state that no building, structure or improvement of any character shall be erected, placed, added to or altered on any lot until the building plans, specifications and a site plan showing the location of the proposed structure or structures have been submitted to and approved by the ACC. These building plans, specifications and site plan must be in compliance with the Declaration as to use, quality of workmanship and materials, nature of materials, harmony or external design and colors with existing and proposed structures, and location of improvements with respect to topography, finished grade elevation, lot boundary lines and building lines, and the like.

#### **WHY DO OWNERS NEED TO REQUEST PERMISSION TO MAKE CHANGES OR IMPROVEMENTS TO THEIR PROPERTIES?**

Some owners have requested and been granted approval to add improvements to their properties by following the procedures outlined in the Declaration. However, there are some owners who have expressed surprise and concern about having to "ask permission" to improve or change their property. The Association was developed and made subject to a Declaration, and all owners become obligated to follow the terms of the Declaration when they receive the deed to their properties.

#### **WHAT TYPES OF ITEMS REQUIRE WRITTEN APPROVAL?**

Some examples of the improvements and/or alterations that may require written pre-approval from the ACC include, but are not limited to the following:

- Exterior light fixtures
- Play structures
- Fences and walls
- Landscaping (major changes)
- Garage doors
- Solar collectors/panels
- Storage buildings
- Decks and outside stairs/steps
- Patio covers and awnings
- Swimming pools/spas
- Flagpoles
- Painting and paint colors of homes and railings
- Roofing
- Front doors
- Windows
- Driveways and stone pavers
- Basketball goals and some trampolines
- Standby electric generators
- Rainwater collection systems

**WHAT POLICIES SHOULD A HOMEOWNER IN THE OVERLOOK REVIEW BEFORE COMPLETING THE SUBMITTAL FORMS?**

Before completing any submittal forms, a property owner should review the following existing policies of the Association, as well as the policies set forth in the Section VI of the Amendment of Rules and Regulations filed in 2021 (identified in the Document Reference box on the first page of this filing, and available on the Association’s website), to ensure compliance with any modification requests:

**Roof, Tile and Paver Replacement Policy**

The Association’s Board of Directors adopts this policy to ensure that property within the subdivision continues to have a uniform appearance and harmonizes with existing surroundings and structures.

1. Specifications for Roofing: When replacing roofing, Owner must use:  

Boral Concrete Tile, Berkus Green, Style # 1TSCB4245, 16 ½” height x 13” width.

Any variation from the above specifications must be expressly approved in writing, in advance of installation, by the Association’s Architectural Control Committee.
2. Front Elevations: When replacing roofing on the front elevation and any side elevation that has significant visibility from Golf Vista Drive, existing tile(s) from the rear elevation must be used for the replacement. New roof tile shall be installed only on the rear elevation.
3. Specifications for Pavers: When replacing or adding brick/concrete pavers on any portion of the Lot that is visible from Golf Vista Drive, Owner must use:

Pavestone Heritage Series Concrete, Venetian Stone  
Product Number: 270 (Giant), Color: Antique Pewter

Any variation from the above specifications must be expressly approved in writing, in advance of installation, by the Association's Architectural Control Committee. This section applies to pavers used in driveways, walkways, borders, edging, patios, and comparable installations.

### Palette of Exterior Colors

(Note: These are the only colors property owners can use for changes/modifications.)

Requirements/Restrictions:

- (a) **Home Exteriors:** All home exteriors are to be fully painted with a base and a trim color selected from the approved list of exterior colors outlined below. Specific requirements/restrictions are as follows:
  - Trim colors are limited to the lightest color on each palette as listed below.
  - Base colors can be chosen from the next three (3) darker shades on the selected palette.
  - Darker shades on the palettes are not approved.
- (b) **Garage Doors:** Garage doors are to be fully painted with either the base or the trim color of the house.
- (c) **Front Doors:** All front doors are to be a combination of wood and glass and be maintained with a brown wood stain as originally treated.
- (d) **Exterior Metal Fences:** All exterior metal fences, including those between individual property lines and individual property owners' deck railings, are to be painted in the same POA-approved color as the exterior boundary fence enclosing the entire neighborhood.
- (e) **Roof Vents:** All roof vents are to be painted in the POA-approved color as listed below.
- (f) **Decks and Outside Staircases:** All decks are to be painted or stained in a natural brown or grey wood tone that complements the exterior paint color of the home. Also approved are the natural brown and grey colors of the synthetic decking materials such as Trex. As stated in the Rules, if the current paint color was approved by the ACC previously and the same color will be used to repaint, "like for like" improvements do not need to be approved. If the deck or stairs is being painted or stained in a new color, then approval of the ACC is necessary.

General Colors Information:

- (a) **Home Exteriors/Garage Doors:** The five (5) Color Palettes/Color Charts shown in the chart below of Sherwin-Williams (SW) paint (<https://www.sherwin-williams.com/homeowners/color/find-and-explore-colors>) have been approved by the Board and ACC. All property owners within the Association must choose a paint color(s) from one of the following colors and in keeping with all requirements/restrictions in painting any part, or all, of the exterior of their homes and garage doors. No other color(s) than those listed below can be used, regardless of past history or any ACC prior action or approvals on the part of the ACC or the River Place master neighborhood. Trim and base colors must be chosen from within the same Color Chart. If any other paint brand is preferred other than Sherwin-Williams, the selected color(s) must be mixed to match the Sherwin-Williams colors in the color chart.
- (b) **Exterior Metal Fences:** Only the color SW 6200/Link Grey can be used.
- (c) **Roof Vents:** Only the color SW 9131/Cornwall Slate can be used.

Colors Chart (for Home Exteriors/Garage Doors):

<b>SW Color Chart Number</b>	<b>Allowed Trim and Base Colors</b>
16	Trim: SW 6105/Devine White  Base: SW 6106/Kilim Beige; SW 6107/Nomadic Desert; SW 6108/Latte
18	Trim: SW 6119/Antique White  Base: SW 6120/Believable Buff; SW 6121/Whole Wheat; SW 6122/Camelback
19	Trim: SW 6126/Navajo White  Base: SW 6127/Ivoire; SW 6128/Blonde; SW 6129/Restrained Gold
20	Trim: SW 6133/Muslin  Base: SW 6134/Netsuke; SW 6135/Ecru; SW 6136/Harmonic Tan
23	Trim: SW 6154/Nacre  Base: SW 6155/Rice Grain; SW 6156/Ramie; SW 6157/Favorite Tan

**WHAT ACTION IS REQUIRED OF OWNER(S)?**

The action required by owners is a two-step process as outlined below:

**Step One:** Before making any changes or improvements, any owner planning to change or add to the existing structures on a lot must complete and submit a request in writing to the ACC on the ACC's standard form. The current form is attached hereto. The completed form must include all the details of the intended change and the improvement or need for the variance. In addition, the property owner must attach samples or plans to more clearly describe the projected change or addition. If any change, improvement or action in variance from the Declaration or these Rules is taken prior to written approval of the ACC, the Association has the right to require the property owner to remove the improvement(s) and/or change(s) from the property in a timely fashion and at the property owner's expense.

**Step Two:** In addition to submitting a completed ACC form for The Overlook, a property owner must complete the *River Place Architectural Compliance Submittal Addition/Modification* form. The River Place ACC form must include all necessary documents and can be obtained from the Management Company and/or the River Place Master website [www.riverplacehoa.org](http://www.riverplacehoa.org).

**WHY DO YOU NEED TO PUT EVERYTHING IN WRITING?**

The formal request and approval process on the part of The Overlook ACC and River Place ACC is necessary to assure that every property owner's desire to improve his or her property can be given due

process without discrimination. It will also provide the property owner(s), the Committees and the Association Boards with a permanent record of actions taken under the Declaration.

**ARE THERE ANY EXCEPTIONS TO GETTING THE WRITTEN PRE-APPROVAL FROM THE ACC?**

The only time a property owner does not have to obtain written pre-approval is when he or she is replacing 'like with like' or when approval already exists for a particular change from the ACC. For example, if a property owner is repainting any part of the exterior of his/her home, the exterior paint color being used for repainting purposes must already have been approved as one of the currently approved exterior paint colors previously approved by the ACC. Otherwise, the modification is not considered a 'like with like' replacement modification. The same is true for drive-way pavers, roof tiles, windows, front doors, and any other exterior modification.

**CAN THE OVERLOOK COMMITTEE GRANT VARIANCES FOR CERTAIN DETAILS?**

The ACC is authorized to grant variances for things such as location, height, number of improvements, materials, etc. However, the property owner must request this variance in writing, giving reasons why the variance should be granted so that the Committee can make a reasoned decision.

**WHAT HAPPENS AFTER FORMS ARE SUBMITTED?**

Once forms are submitted, Certified Management of Austin (CMA) staff will upload the forms for review to a 3<sup>rd</sup> party program Smartwebs. Then the evaluation and decision-making process begins on the part of The Overlook ACC and the River Place ACC. This process is expected to be completed within approximately 30 days, after which time the property owner will be formally notified of the final decision via email thru Smartwebs.

**WHAT HAPPENS IF THE SUBMISSION IS DENIED?**

If the submission is not fully approved, the Association must specify the reason(s) and identify changes necessary to make the plan approvable (if possible). If the ACC identifies changes that would make the submission approvable, the owner is strongly encouraged to implement such changes. Notice of the ACC decision must be sent by certified mail, hand delivery, or email to the address provided by the owner.

If the owner is dissatisfied with the ACC's decision, the owner has the right to appeal the decision to the Board of Directors.

**APPEALS**

An appeal must be in writing and submitted to CMA within 30 days of the date of the decision. Hearing on the appeal shall be within 30 days of receipt of the appeal, and the owner shall be given at least 10 days' notice of the date, time and place of the hearing before the Board. Either the Board or the owner may

request a postponement, but the postponement shall not exceed 10 days. Additional postponements shall be allowed only on mutual agreement of the Board and owner.

At the hearing, the parties will have an opportunity to discuss the decision and verify facts. The Board may affirm, modify, or reverse, in whole or in part, the ACC's decision, and shall communicate such action in writing sent to the owner by email or first-class mail.



**THE OVERLOOK AT RIVER PLACE PROPERTY OWNERS' ASSOCIATION (POA)  
ARCHITECTURAL CONTROL COMMITTEE COMPLIANCE SUBMITTAL FORM  
REQUEST FOR PROPERTY MODIFICATION**

*Last updated: June 2021*

**IMPORTANT NOTICE:** *Before any work begins on any project, this Submittal Form must be completed in full and delivered, or sent via email, along with all necessary/relevant documents to Certified Management of Austin (see contact information below). The property owner also needs to give a completed copy of this Form to a member of The Overlook ACC. No work should begin on any project until both The Overlook Architectural Control Committee (ACC) and the River Place Architectural Compliance Committee (ACC) both approve the property modification request. Please write legibly.*

Association: **The Overlook at River Place Property Owners' Association (POA)**

\*Owner's Name(s): \_\_\_\_\_

\*Email: \_\_\_\_\_ \*Phone: \_\_\_\_\_

\*Property Address: \_\_\_\_\_

Legal Description: Lot#: \_\_\_\_\_ Block: Q Section: The Overlook at River Place

Estimated Project start date once all necessary approvals received: \_\_\_\_\_

Estimated Project completion date: \_\_\_\_\_

All submittals must include the following information and, if applicable, any additional information that will assist with the review process the owner feels appropriate: **Site plan or plat with improvement outlined or drawn in showing the proposed location on the lot (including in relation to other improvements), with all specifications noted, including materials to be used, color, size, dimension, square footage, elevation, fencing and easements.** If contractor/city permit requires a portable toilet facility, please locate such information on site plan or plat. Either The Overlook POA or the River Place Master Association may request further information to be submitted, in accordance with the governing documents. Either Association reserves the right to decline to review a submittal until all applicable materials for submittal are received.

**PROJECT DESCRIPTION**

- |                                 |                              |                           |
|---------------------------------|------------------------------|---------------------------|
| _____ Storage/Shed/Outbuilding  | _____ Patio/Deck/Cover       | _____ Play Structure      |
| _____ Landscape Improvements    | _____ Fence                  | _____ Pavers              |
| _____ Exterior Home Painting    | _____ Pool/Spa               | _____ Iron Railings       |
| _____ Front Door                | _____ Roofs                  | _____ Solar Panels        |
| _____ Basketball Goal           | _____ Outside Steps/Stairs   | _____ Walls               |
| _____ Antennae/Satellite dishes | _____ Exterior Light Fixture | _____ Garage Door         |
| _____ Trampoline                | _____ Flagpole               | _____ Windows             |
| _____ Awning/Gazebo/Arbor       | _____ Standby Generator      | _____ Rainwater Collector |
| _____ Outside Steps/Stairs      | _____ Exterior Doors         |                           |

General Additions/Other (Describe): \_\_\_\_\_

**Please submit all applicable information along with this form.**

\*Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Please note: This Form is being provided as a courtesy and as a general guideline for modification submittals. It is the owner's responsibility to verify specific requirements needed for the submission with the Association's, both the sub-Association (if any) and the River Place Master Association, governing documents (including covenants, conditions and restrictions, rules and regulations, architectural guidelines, and all other government documents) prior to submitting the request for review and approval. Copies of all governing documents are available from Certified Management of Austin, LLC for a copy fee. By this form, neither the Association(s) nor Certified Management of Austin, LLC makes any representations about the specific requirements of the governing documents. Submitting this Form is a part of the submittal process. Please reference the governing documents for details of the submittal requirements, including deadlines. The Association(s) will review, request and render decisions based on the Association's governing documents. **No construction, installation or modification shall commence without written approval from the sub-Association, if any, and the River Place Master Association, except as expressly provided by the governing documents.** Failure to respond to a submittal within any time frame does not represent approval of this request unless otherwise expressly provided by the Association's governing documents.*

**\*Required Field: Failure to complete will result in delay of processing and may result in application being denied.**

**Return to:**

Certified Management of Austin  
101 River Hills Drive  
Georgetown, TX 78628  
(512) 339-6962 (office)  
(512) 339-1317 (fax)  
[frontdesk@cmaaaustin.com](mailto:frontdesk@cmaaaustin.com)

## EXHIBIT "B"

### CONTRACT BID PROCESS GUIDELINES

Texas Property Code §209.006(a) provides that “an association that proposes to contract for services that will cost more than \$50,000 shall solicit bids or proposals using a bid process established by the association”. The following guidelines are therefore adopted:

1. As a general rule, and subject to certain exceptions, the Association shall obtain multiple (more than one) bids for all contracts that anticipate an expenditure of \$50,000 or more for a single project. The requirement for multiple bids may be waived depending on the circumstances, i.e., whether the work is an emergency, the Association has a long-standing relationship with a particular vendor who is especially knowledgeable about the Association’s operations/property, changing vendors would disrupt existing warranties, and/or other qualified vendors are not willing to bid on the contract.
2. Given the unique and subjective nature of the management relationship, the requirement for multiple bids shall not apply to bids for providing Association management services.
3. The Board has complete discretion on which bidders to notify of the opportunity to contract with the Association. The Association is not required to advertise the contract opportunity in newspapers, the internet, or otherwise.
4. Evaluation charts, matrices, and other documents that contain subjective evaluations regarding a bid shall be deemed confidential and not an Association record subject to disclosure, in the same manner that discussions during executive session are confidential.
5. The bidder must disclose to the Association, in writing and at the time of submitting its bid, all potential conflicts of interest that it may have with Association directors, officers, management personnel, or employees. Potential conflicts of interest include (but are not limited to) a family relationship or a business investment/affiliation. If a potential conflict of interest is discovered after bid submission, the bidder must supplement the disclosure as soon as the potential conflict is discovered. Similarly, each person evaluating bids on behalf of the Association must disclose to the Association, in writing, all potential conflicts of interest that it may have with any bidder as soon as the person discovers the potential conflict of interest. Association representatives who have or may have a conflict of interest may be precluded from participating in Association deliberations concerning the contract if required by applicable law or the Board of Directors.
6. Contracts will not necessarily be awarded to the lowest bidder--contracts will be awarded to the best bidder as determined by the Board of Directors. Non-price factors that the Board may consider include (but are not limited to): reputation, references, experience, qualifications, licenses, financial resources, insurance coverage, prior contract history with the Association, length of time in business, individual personnel who will perform the contract, and potential conflicts of interest.

## EXHIBIT "C"

### Section VI. RULES RELATING TO CERTAIN INSTALLATIONS

*(Rainwater Harvesting, Solar Devices, Roofing Materials, Religious Displays, Political Signs, Flags & Flagpoles, Satellite Dishes, Standby Electric Generators, Pool Enclosures, Security Devices)*

The Association's Board of Directors adopts the following rules relating to certain installations and improvements in The Overlook at River Place:

These rules apply to Installations (defined below) addressed in Texas Property Code Chapter 202 (Chapter 202) and political signage addressed in Texas Election Code Chapter 259 (Chapter 259). These rules adopt all conditions and limitations that these statutory provisions allow the Association to adopt. Installations that do not comply with these rules are prohibited.

1. Installations Covered by this Rule

All restrictions and limitations on rain harvesting equipment, solar energy devices, roofing materials, religious items, political signs, flagpoles and flags, standby electric generators, satellite dishes and antennas, pool/spa enclosures, and security devices (collectively, the **Installations**) that are contained in or allowed by Chapter 202 or Chapter 259, as applicable, as now existing or later amended, are adopted by the Association as if the same were restated verbatim in this rule. The Association may prohibit Installations that do not comply with the standards contained in these rules.

2. Placement on Association Property

An Installation cannot be located or placed, and no holes or penetrations may be made, on common elements/common area or property owned, maintained, or controlled by the Association without the Association's advance written consent.

3. Association Approval

Except as otherwise expressly provided in these Rules, all Installations must be submitted to the Association for advance review and approval, as provided in the Association's governing documents, and must otherwise comply with/conform to Association rules, regulations, standards, and guidelines.

4. Rainwater Harvesting Systems

The following restrictions apply to rainwater harvesting systems, as defined by Chapter 202:

a. Rain barrels and rainwater harvesting systems may not be located between the front of the residence/unit and an adjoining or adjacent street. Rain barrels and the rainwater harvesting system must (i) be located at the rear of the residence or other location not visible from the street, other lot/unit, or common area, (ii) be adequately shielded from view by fencing, foliage, or other means approved by the Association, and (iii) have storage tanks of a reasonable size, as determined by the Board of Directors in its discretion. These requirements shall be applied in such a way that the system is economically possible and technically feasible for single family residential use.

b. The rain barrel and harvesting system must be a color consistent with the color scheme of the residence.

c. No part of the rain barrel or harvesting system may display any language or other content that is not typically displayed by such a barrel or system as it is manufactured.

5. Solar Energy Devices

The following additional restrictions apply to solar energy devices, as defined by Chapter 202. Solar energy devices are prohibited if:

a. A Court rules the device is a threat to the public health or safety or violation of law.

b. The device is located in a location other than (i) the roof of the home or another permitted/approved structure or (ii) in a fenced yard or patio owned and maintained by the owner.

c. The device is mounted on the roof of the home and (i) extends higher than or beyond the roofline, (ii) does not conform to the slope of the roof or has a top edge that is not parallel to the roofline, (iii) has a frame, a support bracket, or visible piping or wiring that is not in a silver, bronze, or black tone commonly available in the marketplace, or (iv) is in a location not designated/approved by the Association, unless the owner's requested location increases the estimated annual energy production of the device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than 10 percent above the energy production of the device if located in the area designated by the Association.

d. The device is located in a fenced yard or patio and is taller than the fence line.

e. The device, as installed, voids material warranties.

f. The device was installed without prior approval by the Association

If installed on a roof maintained by the Association, a roofing company/consultant selected by the Association must certify (i) prior to installation, that the Installation is properly designed, and (ii) after installation, that the Installation was properly done. The owner must pay for the cost of the consultant. The owner must pay for fixing all roof leaks due to the roof-mounted device, and for paying to repair damage caused by the device.

The Association may withhold approval, even if the above standards are met or exceeded, if it determines in writing that placement of the device as proposed by the property owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities.

6. Roofing Materials

Roofing materials designed primarily to be wind and hail resistant, provide heating and cooling efficiencies greater than those provided by customary composite shingles, or provide solar generation capabilities are permissible if, when installed, the materials: (a) resemble in color and appearance shingles used or otherwise authorized for use in the subdivision, (b) are more durable than and are of equal or superior quality to the shingles that are used or authorized in the

subdivision, and (c) match the aesthetics of the surrounding property, as determined in the Association's discretion.

7. Religious Displays

An exterior display of a religious item is prohibited if the display (a) threatens public health or safety, (b) violates a law other than a law prohibiting the display of religious speech, (c) contains language, graphics, or any display that is patently offensive to a passerby for reasons other than its religious content, (d) is installed on property that is (i) owned or maintained by the Association or (ii) part of common elements administered by the Association, (e) violates any applicable building line, right of way, setback, or easement, or (f) is attached to a traffic control device, street lamp, fire hydrant, or utility sign, pole, or fixture.

Except for seasonal religious holiday displays (addressed in the following paragraph), all religious displays must be located within 15' of the dwelling's frontmost building line and be ground-mounted (not affixed to walls or windows or roofs). All displays must be kept in good repair. Displays may not exceed 5' in height x 3' in width x 3' in depth and must be either in a landscaped area solely owned by the owner or inside the home. No more than 3 displays are permissible per lot. All displays other than seasonal religious holiday displays must receive prior approval from the Association's architectural reviewing body prior to installation, except for displays on any exterior door or door frame of the home that are 25 square inches or smaller. For example, and without limitation, no prior permission is required from the Association to place a cross, mezuzah, or other similar religious symbol smaller than 25 square inches on the home's front door or door frame.

Seasonal religious holiday decorations are temporary decorations commonly associated with a seasonal holiday, such as Christmas or Diwali lighting, Christmas wreaths, and Hanukkah or Kwanzaa seasonal decorations. The Board has the sole discretion to determine what items qualify as seasonal religious holiday decorations. Seasonal religious holiday decorations may be displayed no more than 30 days before and no more than 21 days after the holiday in question.

8. Political Signs

The following restrictions apply to signs advertising a political candidate or ballot item for an election, as described in Chapter 259:

- a. The signs may be displayed only during the period beginning 90 days before the date of the election to which the sign relates and ending 10 days after that election date.
- b. Only one sign for each candidate or ballot item may be displayed at each residence, and no sign may be larger than four feet by six feet.
- c. Each sign must be ground-mounted, and no sign may (i) contain roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component, (ii) be attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object, (iii) include the painting of architectural surfaces, (iv) threaten the public health or safety, (v) violate a law, (vi) contain language, graphics, or any display that would be offensive to the ordinary person, or (vii) be accompanied by music or other sounds, by streamers, or otherwise be distracting to motorists.

d. The Association may remove a sign displayed in violation of these standards.

9. Flags and Flagpoles

The following additional restrictions apply to flags and flagpoles:

a. Only the following flags are permitted: United States of America, State of Texas, official or replica flags of any branch of the United States Armed Forces (including National Guard and Reserves).

b. The Association may require that flags be displayed in accordance with any or all of the provisions of United States (4 U.S.C. Sections 5-10) or Texas law (Chapter 3100, Government Code).

c. All flagpoles must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the residence.

d. All flags and flagpoles must be maintained in good condition, and any deteriorated flag or deteriorated or structurally unsafe flagpole must be promptly repaired, replaced, or removed. Each flagpole must be securely anchored at all times.

e. No more than 1 free-standing flagpole(s), not to exceed twenty feet (20') in height as measured from ground level, may be installed on each lot.

f. No more than 1 building-mounted flagpole(s), not to exceed six feet (6') in length, may be installed on each lot. A lot may contain both a free-standing flagpole and building-mounted flagpole, as long as the same comply with the requirements of this rule.

g. No more than 2 flags may be flown from any flagpole.

h. No flag may exceed 15 square feet in area, and all flags in aggregate shall not exceed 30 square feet in area.

i. Exterior illumination of the flag(s) must be submitted to the Association for approval.

j. The location of each free-standing flagpole must be submitted for approval in the same manner as any other improvement on the lot; provided that flagpoles may be prohibited in any front yard that has a building setback of less than 15 feet across the entire width of the lot.

k. The flagpole must be located on the owner's lot and not on a right of way, easement (whether for drainage, utility, conservation, or otherwise), or on property owned or maintained by the Association.

l. The flagpole must be setback from all property lines a distance that is 125% of the height of the pole above ground level. For example, a 12' pole has a 15' setback and a 20' pole has a 25' setback.

m. The owner must take reasonable measures to minimize noise from wind contact with the flagpole, rope, fittings, or flag; the noise should not be discernable more than 25 feet from the flagpole.

10. Satellite Dishes and Antennas

- a. Exterior devices designed to receive or transmit over-the-air signals should be placed in the least conspicuous location on the lot where an acceptable quality broadcast signal can be obtained. Usually, that means that the device should be located to the rear of the main residence. The device should be screened from view of other lots and subdivision streets to the maximum extent possible, without (i) precluding reception of an acceptable quality signal or (ii) unreasonably increasing the cost of installing, maintaining, or using the device.
- b. A reasonable time in advance of the proposed installation or relocation of such an exterior device, the Owner shall give written notice to the Association detailing the type of device, size, installed height, intended location, and type of screening to be used.
- c. If the Association believes that the proposed installation/relocation complies with this Rule, no further action by the Owner or Association is necessary. If the Association believes that the proposed installation/relocation does not comply with this Rule, the Association shall promptly advise the Owner of the reason for non-compliance.
- d. Notwithstanding the foregoing, satellite dishes that are more than one meter in diameter, and antennas that extend more than 12' above the roof line, are prohibited.

11. Standby Electric Generators

The Association adopts, by reference and incorporation, all requirements and restrictions on standby electric generators permitted by Section 202.019 of Chapter 202 (the Statute). These include:

- a. Specifications: The device must be a standby electric generator, as that term is defined by the Statute. The device must be permanently installed, and may not be used to generate all or substantially all of the electric power to the residence or any other structure on the property, except when utility-generated electric power is interrupted.
- b. Association Approval: The device must be approved, as to location and screening, by the Association in advance of installation. The Association shall not, however, impose any requirement as to location that increases the cost of installing the device by more than 10% or increases the cost of installing and connecting the fuel lines by more than 20%.
- c. Location and Screening: The preferable location of the device shall be the rear yard, at least 10' from the property line. The device must be screened by a fence, wall, or landscaping so that it is not visible from the street, a neighboring residence, or common area. The device shall be placed on property owned or controlled by the owner, and in no event shall it be placed in an area owned or maintained by the Association.
- d. Installation: Installation of the device and all connections (electrical, plumbing, and fuel sources) must be in compliance with the manufacturer's specifications and applicable governmental zoning, health, safety, electrical, and building codes, including rules and standards of the Railroad Commission of Texas. The connections must be done by licensed contractors.



e. Maintenance; The device and all fuel lines must be maintained in good condition, and any deteriorated or unsafe component must be removed, repaired, or replaced promptly. Any testing of the device shall be done no earlier than 8am, and no later than 8pm, Monday through Saturday.

## 12. Swimming Pool Enclosures

A swimming pool enclosure, as defined in Chapter 202 (which includes spas and other water features) must meet the following standards: (a) height shall not exceed 6 feet, (b) be of a design that is not climbable, (c) consist of transparent mesh or clear solid panels set in metal frames, and (d) metal frames and support posts must be painted black or other color approved by the Association.

## 13. Security Devices

Security devices, such as cameras, motion detectors, lighting, and fences, may be installed only on the owner's lot. All cameras and lighting should encompass primarily the owner's lot, and should not be directed at doors or windows of nearby homes, or other portions of nearby lots. Security fencing, burglar bars, and other improvements that are readily visible from the street or nearby lots must be submitted to the ACC for approval prior to installation, in the same manner as any other fence or exterior improvement.

“Security device” means any improvement designed to prevent intrusive or criminal acts. In the event of a question as to whether a requested installation is a security device, the answer will be determined by the Board in its sole reasonable discretion.

In order to be considered a security device within the meaning of this rule and Chapter 202, fencing (including all gates) must be ground-mounted, between 60” and 72” in height, and must create a closed enclosure. Fencing that is less than 60” in height will be deemed ornamental and not a security device. Front yard fencing is discouraged, and any fence proposed for the front yard will be subject to more stringent requirements as to appearance and materials than for fencing along the side or rear lot lines.

Prior to installation of any security device, the owner must submit to the ACC the plans and specifications including dimensions, colors, materials, and proposed location on the owner's lot, scaled in relation to all boundary lines and other improvements on the lot.

**EXHIBIT "D"**

**Section VIII. LEASING POLICY**

Within 10 days of entering into a lease for a Lot, the Owner must notify the Association of:

1. The commencement date and term of the lease, and
2. The following information for all adult residents:
  - Name and mailing address
  - Phone number
  - Email address

**EXHIBIT "E"**

**COLLECTION DIRECTIVE**

COLLECTION PROCESS	ACTION	LATE FEE	LATE INTEREST	LATE DATE	NOTES
Friendly Reminder	Mailed after late date with late fee/interest added	\$10/Month	10% per annum	15 <sup>th</sup> of each month	Send until paid in full or trigger is reached
CMA Demand	Trigger: \$500 or exceeds 3 months 45 Day Demand	\$10/Month	10% per annum	15 <sup>th</sup> of each month	Certified & Regular Mail Legal Action Pending

ASSOCIATION ATTORNEY: **Arnold & Associates or Niemann & Heyer**

PAYMENT PLAN: **Per policy approved by the Board and recorded with Travis County**

OTHER: **\$25 NSF**



**FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS**

*Dana DeBeauvoir*

**Dana DeBeauvoir, County Clerk  
Travis County, Texas**

**2021178473**

**Aug 11, 2021 10:37 AM**

**Fee: \$98.00**

**WELLINB**