

12781

**CERTIFICATE OF ADOPTION
OF
SECURITY MEASURES GUIDELINES
OF
LAKE LIVINGSTON VILLAGE IMPROVEMENT ASSOCIATION, INC.**

STATE OF TEXAS §
 § **KNOW ALL PERSONS BY THESE PRESENTS:**
COUNTY OF POLK §

WHEREAS, the Board of Directors (the "Board") of Lake Livingston Village Improvement Association, Inc., a Texas non-profit corporation (the "Association") is charged with administering and enforcing that certain Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section One recorded in the Office of the County Clerk of Polk County, Texas, under Volume 506, Page 453; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Two recorded in the Office of the County Clerk of Polk County, Texas, under Volume 560, Page 699; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Three recorded in the Office of the County Clerk of Polk County, Texas, under Volume 566, Page 636; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Four recorded in the Office of the County Clerk of Polk County, Texas, under Volume 571, Page 99; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Five recorded in the Office of the County Clerk of Polk County, Texas, under Volume 591, Page 404; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Six recorded in the Office of the County Clerk of Polk County, Texas, under Volume 560, Page 711; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Sections Seven, Eight, Nine, Ten and Eleven recorded in the Office of the County Clerk of Polk County, Texas, under Volume 599, Page 192; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Twelve recorded in the Office of the County Clerk of Polk County, Texas, under Volume 599, Page 181; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Thirteen recorded in the Office of the County Clerk of Polk County, Texas, under Volume 621, Page 428; Declaration of Covenants, Conditions and Restrictions of Lake Livingston Village, Section Fourteen recorded in the Office of the County Clerk of Polk County, Texas, under Volume 704, Page 568; as may be supplemented and amended from time to time encumbering the Lake Livingston Village community (the "Community"); and

WHEREAS, Chapter 202 of the Texas Property Code was amended effective September 1, 2021, to add Section 202.023 thereto ("Section 202.023"); and

WHEREAS, Section 202.023 requires a property owners' association to allow an owner the ability to build or install a security measure, such as a security camera, motion detector, or perimeter fence, subject to certain guidelines and restrictions; and

WHEREAS, the Board has determined that in connection with the adoption of guidelines and restrictions on security measures in the Community, it is appropriate for the Association to adopt the guidelines described herein below; and

WHEREAS, the Bylaws of the Association provide that a majority of the members of the Board shall constitute a quorum for the transaction of business and that the action of a majority of the members of the Board at a meeting at which a quorum is present is the action of the Board; and

WHEREAS, the Board held a meeting on the 20 day of NOVEMBER, 2021 (the "Adoption Meeting"), at which at least a majority of the members of the Board were present and duly passed the guidelines described herein below (the "Security Measures Guidelines").

NOW, THEREFORE, to give notice of the matters set forth herein, the undersigned, being the President of the Association, does hereby certify that at the Adoption Meeting, at least a majority of the members of the Board were present and the Board duly adopted the Security Measures Guidelines. The Security Measures Guidelines are effective upon recordation of this Certificate in the Official Public Records, and supplement any restrictive covenants, guidelines or policies regarding the types of security measures which may have previously been in effect for the Community, unless such restrictive covenants, guidelines or policies are in conflict with the Security Measures Guidelines here, in which case the terms in this Security Measures Guidelines will control. The Security Measures Guidelines are as follows:

1. **General.** Property owners may install or build security measures on their lot intended to promote security for their own lot and property while adhering to and promoting the design, harmony and aesthetics of the Community.
2. **Cameras/Motion Detectors.** Property owners may place cameras and motion detectors on their own lot as security measures. Cameras and motion detectors may not be placed on the lot of any other owner, or on any Association property.
3. **Perimeter Fencing.** Perimeter fencing is permitted by the Association as a security measure and must be ground-mounted on the boundary line of the property owner's lot and installed in a contiguous manner around the entirety of the lot boundaries but wholly upon the property owner's lot. Perimeter fencing shall be of a height that is reasonable in relation to its location on the lot and surrounding structures. A gate in a perimeter fence is for all purposes considered part of the perimeter fence. Perimeter fencing as a security measure shall not consist of any barbed wire, razor wire, chain link, or vinyl. Electrically charged fencing as a security measure or otherwise is prohibited.
4. **Plans and Specifications.** Prior to installation of any security measure, including but not limited to, cameras, motion detectors, and perimeter fencing, owners must submit to the Association's architectural reviewing body (the "Architectural Reviewing Body"), 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. Owners must receive prior written approval from the Architectural Reviewing Body prior to installation of any security measures. The Architectural Reviewing Body may require the use of, or prohibit, specific materials, colors, and designs and may require specific location(s) for the security measure. A property owner who builds or installs a security measure must ensure that it is in compliance with all laws, ordinances and codes. An approval of an application for a security measure by the Architectural Reviewing Body is not a guaranty of compliance with any laws, ordinances, codes, drainage requirements or otherwise, and the property owner assumes all risks, expenses and liabilities associated with safety and security measures built or installed, including, but not limited to, the city or county requiring the removal of perimeter fencing or security measure for any reason. Approval by the Architectural Reviewing Body is not a guarantee of safety or security. The Association does not provide security and is not responsible for the safety or security in the Community.

- 5. Maintenance. Any security measure built or installed shall be properly maintained, kept in good repair, and not go into a state of disrepair or become an eyesore.

EXECUTED on the date of the acknowledgment set forth herein below, to be effective as set forth above.

Lake Livingston Village Improvement Association, Inc.,
a Texas non-profit corporation

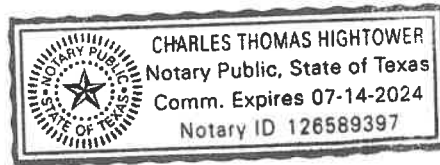
By: *Howard Vernon Moody*
Howard Vernon Moody, President

THE STATE OF TEXAS §
 §
COUNTY OF POLK §

This instrument was acknowledged before me on NOVEMBER 23, 2021, by Howard Vernon Moody, President of Lake Livingston Village Improvement Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Charles T. Hightower
Notary Public, State of Texas

WHEN RECORDED, RETURN TO:
Hoover Slovacek LLP
5051 Westheimer, Suite 1200
Houston, Texas 77056



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Schelana Hock
SCHELANA HOCK
POLK COUNTY CLERK

STATE OF TEXAS }
COUNTY OF POLK } *KIP*
I, SCHELANA HOCK hereby certify that the instrument was FILED in the file number sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records in Volume and Page of the named RECORDS OF Polk County, Texas as stamped hereon by me.

NOV 23 2021



Schelana Hock
COUNTY CLERK
POLK COUNTY, TEXAS