

ADDITIONAL DEDICATORY INSTRUMENT
For
CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Margaret R. Maddox who, being by me first duly sworn, states on oath the following:

My name is Margaret R. Maddox I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

I am the Attorney/Agent for **CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.** Pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

GENERAL POA GUIDELINES POLICIES

for

CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.
A TEXAS NON-PROFIT CORPORATION

DATED this 29th day of August, 2023.

**CLEAR LAKE CITY COMMUNITY
ASSOCIATION, INC.**

Margaret R. Maddox

BY:

Margaret R. Maddox, Attorney/Agent
(Printed Name)

RP-2023-333288

THE STATE OF TEXAS

§

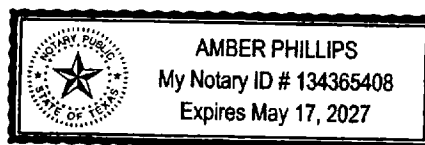
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COUNTY OF HARRIS

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THIS INSTRUMENT was **acknowledged** before me on this the 29th day of August, 2023 by the said Margaret R. Maddox, Attorney/Agent for **CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.** a Texas non-profit corporation, on behalf of said corporation.

Amber Phillips
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



After Recording Return To:
Daughtry & Farine, P.C.
17044 El Camino Real
Houston, Texas 77058
ATTN: MRM

RP-2023-333288

CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.

GENERAL POA GUIDELINE POLICIES

TRANSFER & REFINANCE FEES AND RESALE CERTIFICATE FEES

It is the policy of the Clear Lake City Community Association (CLCCA), Inc., Board of Trustees (BOT) that fees will be charged to the buyer whenever a property is sold, refinanced, and/or a new deed is created. (Ref: TPC 207.003)

The following are the schedule of fees that apply to all transactions of real property within the CLCCA:

- | | |
|---------------------------------|----------|
| • RESALE CERTIFICATE | \$325.00 |
| • RESALE CERTIFICATE UPDATE FEE | \$75.00 |
| • TRANSFER FEE / REFINANCE FEE | \$400.00 |
| • RUSH FEE | \$50.00 |

According to the Texas Association of Realtors (TAR 1405) and Texas Real Estate Commission Resale Certificate normal processing time for residential subdivision property is two (2) business days during normal business hours Monday thru Friday. If copies of paperwork are required less than two (2) business days for the Resale Certificate, an additional \$50 'Rush Fee' will be charged to process the paperwork.

According to the Texas Association of Realtors (TAR 1405) and Texas Real Estate Commission Resale Certificate normal processing time for condominiums is two (2) business days during normal business hours Monday thru Friday. If copies of paperwork are required less than two (2) business days for the Resale Certificate, an additional \$50 'Rush Fee' will be charged to process the paperwork.

For a Transfer Fee (CLCCA External Document Closing Quote Request) normal processing time is five (5) business days. If copies of paperwork are required less than five (5) business days for Transfer Fee, an additional \$50 'Rush Fee' will be charged to process the paperwork. Top portion filled out by Title Company; bottom part filled out by CLCCA Staff)

Upon completion of paperwork to transfer property ownership, CLCCA Internal Document will be used to record the property into the CLCCA Databases.

Resale certificate fees must be paid in advance by VISA/MC/DISCOVER (*processing fees apply*), money order or cashier's check, and are non-refundable. No Personal Checks. Resale certificates will be held until the company check clears.

CLCCA External Document:

Clear Lake City Community Association

16511 Diana Lane

Houston, Texas 77062

281-488-0360 / 281-480-3226 Fax

Closing - Quote Request

Top portion to be completed by the Title Company

Date _____

Closing Date: _____ RUSH: YES / NO

Check the appropriate box: ☐ Transfer (sale) & Processing ☐ Refinance & Processing ☐ Resale Certificate

Title Company: _____

Phone Number: _____ Fax number: _____

Closer's Name: _____ Closer's Email: _____

Property Address: _____

Number of Deeds Being Transferred/Refinanced: _____ Subdivision: _____ Section: _____

Seller/Current Owner: _____ Buyer: _____
 Buyer' Phone #: _____ Buyer email : _____
 Buyer's Address to mail future assessment invoices: _____

Resale Certificates:

To process the request, payment must be received prior to releasing the packet of information. Payment must be in the form of a cashiers check, money order, company check, MC/VISA/Discover (processing fees apply). We cannot accept personal checks.

All items below this line must be filled out by CLCCA staff member.

----- Assessment
 (Maintenance Fee) \$ _____ Due July 1st of each year. Payments received on or after August 1st will incur late fees. (Bylaw 9.6)
 Annual Assessment Current ☐ YES ☐ NO
 Past due Assessments \$ _____
 Late Fees \$ _____
 Other Past Due Fees \$ _____
 Transfer Fee & Processing Fee \$ _____ \$400
 Refinance Fee & Processing Fee \$ _____ \$400
 Resale Certificate-must be paid in advance before we process \$ _____ \$325
 Resale Certificate Update Fee \$ _____ \$75
 Rush Fee \$ _____ \$50
 *Total Amount Due at Closing to CLCCA \$ _____
 Open Deed Restriction Violations at this address: _____

Quote good thru _____ Quote prepared by _____, CLCCA Staff member.

Date prepared _____ returned to requestor by _____ Fax _____ Mail _____ E-mailed

BUR#: CL-

☐ If the box is checked this account has been turned over to our legal department. Please contact Daughtry & Farine for more information 281-480-6888.

****THE CLCCA ANNUAL ASSEMENT INVOICE WILL BE MAILED OUT TO THE PROPERTY ADDRESS PURCHASED. PLEASE PROVIDE CORRECT MAILING ADDRESS IF DIFFERENT FROM THE PROPERTY ADDRESS PURCHASED ALONG WITH A CONTACT NUMBER AND EMAIL.****

ALTERING EXTERNAL APPEARANCES OF PROPERTY

All Clear Lake City Community Association (CLCCA) Properties are within the boundaries of the City of Houston or City of Webster. The modifying, building, or rebuilding onto properties, may require permits issued by either of the two different city permitting offices. All final plans for additions or rebuilding must be approved by the permitting offices and a copy must be provided to the CLCCA ARC for final approval. The term Harmony within the existing deed restrictions refer to the appearance, and era of design to existing structures in the proposed property area surrounding the construction plan, with all the parts agreeably related, blend into.

1. Requests for Residential modifications to the exterior of the residential property will require the submission of an application form showing proposed changes in detail for review and approval by the Architectural Review Committee (ARC).
2. Standard form shall be used and must be submitted to the Clear Lake City Community Association principal office. All applications must be submitted by 5pm two days before the ARC scheduled meeting. The office will assign a number to the application, record and provide a receipt for the application. An application shall be officially received by the Association upon issuance of the receipt. The applicant must retain the receipt as proof of submission. The Architectural Review Committee must provide a response within thirty (30) days of issuance of the receipt.

3. Request for altering the appearance for Commercial exteriors involves filing the Commercial Signage and/or Exterior Modification forms. The office will assign a number to the application, record and provide a receipt for the application. An application shall be officially received by the Association upon issuance of the receipt. The applicant must retain the receipt as proof of submission. A response by the Architectural Review Committee must be made within thirty (30) days of issuance of the receipt.
4. Approvals by the Architectural Review Committee are valid for one (1) year and changes that have been requested must be completed in that time after which re-submission is required.
5. All dimensional drawings must be legible / readable.
6. There is a \$35 ARC application fee due upon submission.

ARCHITECTURAL CONTROL GUIDELINES
REGARDING EXTERIOR PAINT COLORS
FOR CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.

1. All homeowners desiring to paint the exterior of their homes in the Association must acquire Architectural Review Committee ("ARC") approval prior to painting by submitting an ARC Application and paint chip sample to the ARC Committee. All ARC rules and procedures must be followed in order to acquire such approval.
2. All homeowners desiring to paint the exterior of their homes must choose a paint color in neutral earth tones consistent with the neighborhood.

Clear Lake City Community Association

16511 Diana Lane, Houston, TX 77062

Home Improvement Request

\$35 application fee required upon submission.

All exterior modifications to your property must be approved in ADVANCE by the Architectural Review Committee (ARC). Please provide **as much detail as possible** so that the ARC can properly understand your request. An incomplete form or missing information will cause the request to be returned for more information. There is a \$35 application fee due at the time of submission.

Expansion or the addition to an existing structure, increasing the footprint, will require, the Plat identifying any setback requirements. Additionally, a drawing indicating the distances from the utilities right-of-way is required.

The ARC has up to 30 days after receipt of this application to make a decision. For your own protection, don't start the improvement until you have received approval. Depending on the nature of the modifications, a building permit from the City of Houston may be required. Approval by CLCCA ARC does not indicate approval by the City of Houston.

The Association and Committee cannot and shall not be held responsible for any loss or damages to any person arising out of the approval or disapproval of plans, designs, or construction errors. Nor shall Association or Committee be held responsible for loss or damage to any person arising out of non-compliance with any zoning law, ordinance or land use or building regulation.

Property Information (Required)

Property Address			
Core:			
<input type="checkbox"/> Camino South	<input type="checkbox"/> Meadowgreen	<input type="checkbox"/> Oakbrook	<input type="checkbox"/> Oakbrook West
Assessments paid in full: Y/N		If not, amount due: \$ _____	
Late fees (if any) paid in full: Y/N		If not, amount due: \$ _____	
Deed Violations (if any) are cured: Y/N			

Owner Information (Required)

Owner of Record	Owner Mailing Address
Owner Email Address	
Phone No.	Work No.

Contractor Information

Contact Person	Contact Phone No.
Contractor Name	Contractor Phone No.

Improvement Information (Required)

Check the appropriate box and describe the improvement in detail– BE SPECIFIC – attach sketch, drawing or photo <input type="checkbox"/> Fence <input type="checkbox"/> Paint <input type="checkbox"/> Patio Cover <input type="checkbox"/> Roof/Shingle Replacement <input type="checkbox"/> Home Addition <input type="checkbox"/> Windows <input type="checkbox"/> Pool <input type="checkbox"/> Gate <input type="checkbox"/> Siding/Brick <input type="checkbox"/> Storage Shed <input type="checkbox"/> Pergola <input type="checkbox"/> Flagpole <input type="checkbox"/> Tree Removal <input type="checkbox"/> Solar Panels Other _____ 			
Location of Improvement – must attach a plot or survey of property 			
Lumber (type/grade)	Brick (Type/color)	Shingles (color) <i>Attach Sample</i>	Other
Other Comments: <i>(Ex. Fences: List rot board and picket dimensions)</i> 			

Planned Start Date	Estimated Completion Date
--------------------	---------------------------

Upon completion of project, please contact the ARC Chair to verify compliance with projects parameters. The CLCCA Representative ensures compliance with all approved modifications in accordance with the Home Improvement Request.

Application must include all required information or it WILL be returned DENIED, pending information. All annual assessments and fees must be paid, and any recorded deed violations must be cured prior to approval.

I certify that the requested improvement(s) will be built / modified as presented in this application to the ARC. I understand that I will be responsible for any expenses caused by deviations from this original request.

\$35 FEE PAID BY:

☐ VISA / MC # _____ Exp. Date: _____ Security Code: _____
☐ CASH ☐ CHECK # _____

Signature of Owner: _____ Date: _____

**APPROVALS ARE VALID FOR ONE YEAR FROM DATE OF SUBMITTAL,
AFTER THIS TIME THE APPLICATION MUST BE RE-SUBMITTED.**

Clear Lake City Community Association

16511 Diana Lane, Houston, TX 77062

Commercial Improvement Request

\$35 application fee required upon submission.

All exterior modifications to your property must be approved in ADVANCE by the Architectural Review Committee (ARC). Please provide as much detail as possible so that the ARC can properly understand your request. An incomplete form will have to be returned for more information. There is a \$35 application fee due at the time of submission.

Expansion or the addition to an existing structure or increasing the footprint will require the plat showing any setbacks. Additionally, a drawing indicating the distances from the utilities right-of-way is required.

The ARC has up to 30 days after receipt of this application to make a decision. For your own protection, don't start the improvement until you have received approval. Depending on the nature of the modifications, a building permit from the City of Houston may be required. Approval by CLCCA ARC does not indicate approval by the City of Houston.

Property Information (Required)

Property Address
Intersection of:

Assessments paid in full: Y/N If not, amount due: \$ _____
 Late fees (if any) paid in full: Y/N If not, amount due: \$ _____
 Deed Violations (if any) are cured: Y/N

Owner Information (Required)

Owner of Record	Owner Mailing Address
Owner Email Address	
Phone No.	Fax No.

Other Information

Contact Person	Contact Phone No.
Contractor Name	Contractor Phone No.

Improvement Information (Required)

Check the appropriate box and describe the improvement in detail– BE SPECIFIC – attach sketch, drawing or photo

☐ Building Signage ☐ Paint ☐ Roof ☐ Windows ☐ Fence ☐ Remodel ☐ Driveway ☐ Parking Lot
☐ Monument Sign ☐ Solar Panels Other _____

Lumber (type/grade)	Brick (Type/color)	Shingles (color)	Other

Other Comments:

Planned Start Date	Estimated Completion Date

Upon completion of project, please contact the ARC Chair or General Manager to verify compliance with projects parameters. The CLCCA Representative ensures compliance with all approved modifications in accordance with the Commercial Improvement Request.

Application must include all required information or it WILL be returned DENIED, pending information. All annual assessments and fees must be paid, and any recorded deed violations must be cured prior to approval.

I certify that the requested improvement(s) will be built / modified as presented in this application to the ARC. I understand that I will be responsible for any expenses caused by deviations from this original request.

\$35 FEE PAID BY:

☐ VISA / MC # _____ Exp. Date: _____ Security Code: _____
☐ CASH ☐ CHECK # _____

Signature of Owner: _____ Date: _____

Clear Lake City Community Association

Commercial Signage/Promotional/Banner Request

\$35 application fee required upon submission.

Property Information (Required)

Property Address
Intersection of:

Owner Information (Required)

Owner of Record	Owner Mailing Address
Owner Email Address	
Phone No.	Fax No.

Other Information (Required)

Contact Person	Contact No.
Type Business	
Contractor Name	Contractor No.

Signage Information (Required)

Purpose and Type of Sign [] Identifier [] Directional [] Building Mounted [] Monument [] Promotional
Existing Signage Description
Please check one: [] Individual Pad Site [] Shopping Center [] Office Building / Complex [] Other

Application Must Include:

Photograph Site Plan Written Request Logo (if any) Light Source
Diagram (includes size, copy & letter size) Colors (limit 3 –Copy, Background, & Border)

FOR SPECIAL PROMOTIONS ONLY INCLUDE: Type, Dates, Promotional Banner, etc

There is a \$35 application fee due at the time of submission.

Signature of Owner: _____ Date: _____

RESIDENTIAL POA POLICIES

RESIDENTIAL DEED RESTRICTION ENFORCEMENT EXCEPTIONS

The Clear Lake City Community Association (CLCCA), Inc. is subject to certain Texas Property Codes (TPC) governing Property Owner Associations. At the will of the Texas State Legislature, those codes change from time to time.

In particular, the Texas Legislature regularly revises sections of the Texas Property Code that restrict what Property Owner Associations may regulate and how they may do so. A list of those restrictions in Chapter 202 of the Texas Property Code is available of the CLCCA website, and CLCCA updates the list after each legislative session.

If necessary, CLCCA updates policies to comply with the law. One example of such compliance is this policy on displaying flags. Another example is the Regulation of Solar Energy Devices (202.010)

FLAG DISPLAY (202.012)

The Clear Lake City Community Association (CLCCA), Inc. Board of Trustees (BOT) has approved the display of certain types of flags on the property of individual property owners.

If erecting a flagpole onto the property owner's property, property owners must submit an application to the Architectural Review Committee (ARC) and obtain approval for the flagpole before it is erected.

The following flags may be flown on a Property Owners Property which is documented within Texas Property Code 202.012. These are the only flags that are authorized to be display onto a Property Owners Property within the CLCCA jurisdiction, unless obtaining permission from the CLCCA BOT, prior to displaying a flag not documented in this policy.

- (1) The flag of the United States of America;
- (2) The flag of the State of Texas;
- (3) An official or replica flag of any branch of the United States armed forces.

CLCCA Property owners must submit an application to the Architecture Review Committee (ARC) for the placement of certain items on their property and or on their existing structures defined in this Policy Statement.

DEED RESTRICTION VARIANCES

It is the policy of the Board of Trustees that the following will prevail for the granting of deed restriction variances to property owners in both the residential and commercial sections of the Clear Lake City Community Association (CLCCA), Inc.

1. The Architectural Review Committee will provide a recommendation on a variance to the Board of Trustees.
2. A deed restriction variance can only be granted by a majority vote of the Board of Trustees quorum present.

ANTENNA STRUCTURE REGULATIONS

Antenna conditions and limitations of operations and service are described. As a minimum, the following criteria should be met.

1. Antenna structures will be permitted only for non-commercial operators licensed by the FCC.
2. Applicants requesting approval for an antenna structure installation must submit the following information to the Architectural Review Committee and agree to construct and operate per the antenna guidelines.
 - a. Copy of a valid F.C.C. radio license.
 - b. Present any applicable permits that may be needed.
 - c. Proof of liability insurance.
3. Guidelines:

An antenna structure is defined as any supporting structure exceeding twenty feet above ground level (AGL).

 - a. Structures will be limited in total height to sixty (60) feet from the immediate structure tower base to the highest point of the appendage supported by the structure. The structure itself will be limited to fifty (50) feet in height.
 - b. Structures will be of good commercial metal design. Structure mounts must meet manufacturer's specification for strength of concrete and size. If structure is guyed, then all guy wire tie points must fit within the resident's property and out of any easements. Structures must have adequate lightning protection. No structure may be erected on a residential roof and must not be located in the front yard.
4. Antennas: Antenna elements placed on the structure, or any other element will fit totally within the residential property lines and be of good commercial design.
5. Other antennas of smaller size will be located as inconspicuously as possible. Satellite communication antennas should be mounted out of view as much as possible. Simple wire antennas will be placed out of view consistent with communication needs.
6. All structure installations are subject to annual inspection by Clear Lake City Community Association by compliance.

DEED RESTRICTION ENFORCEMENT POLICY

1. It is the policy of the Clear Lake City Community Association (CLCCA), Inc. Board of Trustees (BOT), that all deed restrictions will be enforced to include taking legal action, if necessary, to effect compliance.
2. Routine tours of inspection of all Residential Cores & commercial businesses are performed. The BOT may vote to employ the services of a professional organization to report deed violations or elect to compensate the General Manager and assistant to perform this additional task. Each Trustee may also tour their respective areas for deed restriction violations and for the Commercial area the additional requirement for compliance to the Commercial Guidelines. A confidential monthly report can be prepared for each Trustee about his/her respective Core upon request.
3. If a violation is noticed, the format is "First Letter" allowing 30 days to cure the violation. If the violation continues with no response from the property owner, the General Manager may initiate a **FINAL** letter sent by certified mail in accordance with TPC 209.006 allowing an additional 30 days to cure the violation or respond to the General Manager with an expected completion date. **A \$30 DRV Processing Fee will be applied to property owner's account when the certified letter is mailed.**
4. If a violation continues after the final letter with no response from the property owner, the General Manager will inform both Trustees from the respective core who will observe the violation and recommend to the BOT the appropriate course of action at the next regular scheduled board meeting. All referrals to the attorney and decisions to file suit will be by majority vote of the BOT. **A \$50 Legal Enforcement Fee will be applied to the account once it is turned over to the attorney.**

Under exigent circumstances concerning issues of safety, the General Manager may initiate an immediate letter, or with the consent of two members of the Executive Committee, consisting of the four Board Officers defined in Bylaws 7.5 thru 7.8, refer to the Attorney. Both the General

Manager and the two Executive Committee members will inform the BOT of such actions and the reasons for them at the next general meeting.

5. If an owner is entitled to an opportunity to cure the deed restriction violation, the owner has the right to submit a written request for hearing to discuss and verify facts and resolve the matter in issue before the Board.
6. Complaints of deed violations by residents must be submitted using the online form or in writing and signed by the complainant giving the nature of the violation and the address before any action will be taken. Trustees can inform the General Manager regarding apparent deed violations which need to be investigated.
7. Names of persons originating the complaints must not be disclosed to anyone other than the BOT. No Trustee shall reveal the name of the complainant.
8. All complaints will be checked for validity.
9. The BOT may vote to employ the services of a professional organization to tour the commercial areas for deed violations and failure to comply with the Commercial Guidelines. The Commercial Trustee will also tour the areas as necessary. The professional organization will prepare a monthly report of the businesses which are in violation, the ongoing progress of compliance of those already notified and possible recommendations. The same two letter process will be used as stated above for residential.
10. The report will be given to the Commercial Trustee and General Manager. The Commercial Trustee will present the BOT with recommendations of possible further action.
11. In all cases, the BOT must vote to forward these cases to the Association attorney.

FIRST LETTER

(Letter Date)

Re: (Unit address)

Deed Restriction Violation(s) observed on (Letter Date)

Dear Homeowner(s):

Purchasing a home in a community association offers many advantages to the homeowner, but at the same time, imposes certain restrictions. These restrictions are not meant as an inconvenience or as an invasion of freedom, but rather as a means of maintaining the appearance and property values in the community which in turn benefits everyone.

During a recent drive through your subdivision, the following condition(s) requiring action was/were observed on your property:

DESCRIPTION OF VIOLATION(s): (Inspection Date)
(Deed Note)

You may have already corrected or have plans for correcting the condition(s); in which case please accept this as a reminder. If not, the association requests that you correct the noted condition(s) within 30 days of the inspection date noted on the letter. Please notify this office by phone or email when the condition(s) is or will be corrected. **If we do not hear from you and a final letter is sent to you by certified mail, a \$30 DRV Processing fee will be added to your account.**

Thank you for your cooperation. If you have any questions, please give me a call at 281-488-0360.

Sincerely,

Clear Lake City Community Association, Inc.

General Manager

FINAL LETTER

Letter Date

«mailing_name»
«mailing_address»
«mailing_city_st_zip»

CERTIFIED DEMAND LETTER
CM/RRR#
Copy by Regular First-Class Mail

RE: **FINAL NOTICE OF DEED RESTRICTION VIOLATION**
POA Address

Dear «mailing_name»:

The Clear Lake City Community Association, Inc., is charged with the responsibility of Deed Restriction enforcement within the community. A recent visit to your section revealed that the following item(s) remain(s) in non-compliance with the Deed Restrictions established for "Subdivision and Section".

<Cite the Violation and the Article/Section of the Declaration and Guidelines they are in violation of.>

You have been previously notified about the above-referenced violation(s). As of the most recent inspection tour, the violation(s) has still not been corrected. **Notice is hereby given under the Texas Property Code, Section 209, that you have thirty (30) days from the receipt of this letter to request a hearing before the Board of Trustees of the Association. This is your final notice letter. A \$30 DRV processing fee has been applied to your CLCCA account.** If you do not request a hearing and do not cure the violation(s) within thirty (30) days from the date of this letter, this matter will be referred to the Association attorney, and any attorney's fees incurred in enforcing the restrictions will become your responsibility. **A \$50 legal enforcement fee will be applied to your CLCCA account when the account is turned over to the attorney. This letter is being sent by both certified mail and regular first-class mail.**

You may have special rights or relief related to the enforcement action under federal law, including the Service Members Civil Relief Act (50 U.S.C. App. Section 501 et seq.), if the owner is serving on active military duty.

You must request the hearing, IN WRITING to the General Manager, on or before the 30th day after you receive this letter. If you request a hearing before the Board, you will be notified in writing of the date, time and place of the hearing. If there are reasons the noted items cannot be resolved expeditiously, please advise us immediately.

We make considerable effort to assure that our notices are based on valid observation and fact. However, if you find this notice to be incorrect, unjustified, unfair, or improper in any way, please do not hesitate to bring it to our immediate attention. Otherwise, we thank you for your cooperation and assistance in helping to keep our neighborhood one which we may be proud of.

If you have any questions or need additional information, feel free to give us a call at 281-488-0366. We would appreciate it if you would notify us of your intentions in this matter.

Sincerely,

General Manager
Clear Lake City Community Association, Inc.

**CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.
POLICY REGARDING DEED RESTRICTION VIOLATION HEARINGS**

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

WHEREAS, the **CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.** (“Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as “Declarations”); and

WHEREAS, Section 209.007 of the Texas Property Code was amended by the 87th Texas Legislature dealing with the regulation of deed restriction violation hearings; and

WHEREAS, the Board of Trustees of the Association (“Board”) desires to establish the procedure by which all hearings under Section 209.007 will be conducted.

NOW, THEREFORE, the Board has duly adopted the following *Policy Regarding Deed Restriction Violation Hearings*:

Deed Restriction Violation Hearings

After receiving a notice pursuant to Section 209.006 of the Texas Property Code regarding a curable violation, an Owner may request a hearing before the Association’s Board of Trustees. The request for a hearing must be submitted in writing on or before the 30th day after the date the notice was mailed to the Owner.

In response to an Owner’s written request, the Association shall hold a hearing not later than the 30th day from the date the request was received. The Board or the Owner may request a postponement, and, if requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties.

Not later than 10 days before the hearing, the Association shall notify the Owner of the date, time, and place of the hearing. Hearings may be conducted virtually or in person, according to the Texas Open Meetings Act. Additionally, the Association shall provide an Owner a packet containing all documents, photographs, and communications relating to the matter the Association intends to introduce at the hearing. The packet may be transmitted electronically. If the packet is not available within 10 days of the hearing, the hearing will be postponed for 15 days.

During a hearing, a member of the Board or the Association's designated representative shall first present the Association's case against the Owner. An Owner or the Owner's designated representative is entitled to present the Owner's information and issues relevant to the appeal or dispute.

Following a hearing, the Board shall provide a written decision to the Owner within 15 days.

RP-2023-333288

This policy is effective upon recordation in the Public Records of Harris County, and supersede any prior policies regarding deed restriction violation hearings which may have previously been in effect. Except as affected by Section 209.007 and/or by this policy, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

CITY OF HOUSTON PARKING ENFORCEMENT

The Clear Lake City Community Association (CLCCA), Inc. Board of Trustees (BOT) has a Plenipotentiary Agreement with the City of Houston (COH) to enforce specific deed restrictions about parking on the grass.

The City of Houston City Council voted on March 9, 2010, to approve the City's Yard Parking Prohibition Ordinance in Camino South, Oakbrook, Meadowgreen and Oakbrook West. The POA has had a long-standing policy against yard parking, but with budget restraints enforcement is sometimes delayed. With the new ordinance in place the City's Neighborhood Protection Department can issue citations to residents who violate the ordinance and save the association the cost associated with enforcement.

If you know of a home that has a car parked on an unimproved area of the lot (i.e., grass, dirt, paving stones, where grass used to be, etc.) please call the City of Houston's Help Line at 3-1-1 to report the violation. You may also report inoperable vehicles parked on the street to 3-1-1.

The following is a cut and paste from the COH Code of Ordinances

Parking of vehicles prohibited in certain residential areas, application, and procedures.

“Sec. 28-303. - *Offense*. It shall be an offense for any person to park or to cause, suffer or permit the parking of a vehicle or equipment on any surface that is not an improved surface as defined in this article, within any front or side yard of a single-family residence in a residential area subject to this section. It is presumed that the registered owner of the vehicle or equipment is the person who parked, caused, suffered or permitted the vehicle or equipment to be parked in violation of this article.”

“Sec. 28-302. - *Definitions - Improved surface* means an area, excluding a driveway, the surface of which is comprised of selected materials constructed to a depth sufficient to distribute the weight of a vehicle or equipment over such area to preclude deterioration and deflection of the area due to vehicle or equipment load, adverse weather, or other conditions. Examples of materials with which an improved surface might be constructed include asphalt, concrete, permeable pavement, or other materials approved by the director of the department of public works and engineering or his designee. “

Other Common Violations for Parking Vehicles in Residential Subdivisions

<http://www.houstontx.gov/parking/>

COMMON VIOLATIONS

- Not parked wholly within space
- Parked on wrong side of street
- Parked on street more than 24 hours
- Parked blocking private driveway
- Parked within 15 feet of fire hydrant
- Blocking or parking on sidewalk
- Parked within 20ft of a crosswalk intersection
- Parked more than 18" from right-hand curb
- Parking a large vehicle in residential district
- Trailer/semi-trailer parked on street over 2 hours
- Parked obstructing street
- Double parked

RESIDENTIAL EXTERIOR MAINTENANCE GUIDELINES

Texas Property Code (TPC) 204.010(a)(6) and (a)(18) is the statutory authority (the law) which allows the Clear Lake City Community Association (CLCCA), Inc. to adopt and enforce guidelines acting through their Board of Trustees (BOT) to regulate the use, maintenance, repair, replacement, modifications, and appearance of their Residential Subdivisions (Core). These rules are necessary to help maintain the attractiveness of the Core and thereby support property values of the Cores. The CLCCA BOT has revised

and updated their existing exterior maintenance guidelines to aide homeowners in Oakbrook, Oakbrook West, Meadowgreen and Camino South Cores.

1977 / 1978 the City of Houston (COH) annexed most of the CLCCA, except those properties that were within the boundaries of the City of Webster. Upon being annexed, some of the responsibilities of deed enforcement became the responsibility of the COH defined in the Code of Ordinances.

https://www.municode.com/library/tx/houston/codes/code_of_ordinances

Sidewalks Maintenance (COH Chapter 40-84)

Tree and Shrubbery Maintenance (COH Code 40-14-Clearance of tree limbs over sidewalks)

The CLCCA does have a plenipotentiary (power to enforce) agreement with the COH. However, when perceived or actual violations do occur; anyone may call 311 and report violators. These reports are then turned over to the COH Department of Neighborhoods for deed restriction evaluation and enforcement.

**RESOLUTION REGARDING EXTERIOR MAINTENANCE GUIDELINES
CLEARLAKE CITY COMMUNITY ASSOCIATION, INC
A TEXAS NON-PROFIT CORPORATION**

WHEREAS, Clear Lake City Community Association, Inc., hereinafter referred to as the “Association”), through its Board of Trustees has the authority under Texas Property Code Section 204.010(a)(6) to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision;

WHEREAS, the Association’s Board of Trustees has determined that the adoption, modification and/or extension of certain policies, procedures, rules and/or guidelines are necessary and desirable for the fair, efficient, consistent, uniform, and cost-effective management of the Association, and that such action would serve the best interest of the Association and the community governed thereby;

WHEREAS, the Association’s Board of Trustees has determined that certain policies, rules, and guidelines are necessary and desirable to enhance and protect the value and attractiveness of the Clear Lake City community and prevent nuisances and/or hazardous conditions within and/or adjacent to the Clear Lake City community; and which guidelines were adopted and ratified many years ago;

WHEREAS, the Policy Statement entitled “Exterior Maintenance Guidelines” was adopted by the Board of Trustees, and ratified and in all respects unopposed by the residents within the Clear Lake City Community many years ago; and,

WHEREAS, the Association’s Board of Trustees has determined that it is in the best interest of the Association, and in the best interest of the Clear Lake City Community to continue utilizing the policies and/or guidelines entitled “Exterior Maintenance Guidelines” with any necessary additions.

NOW THEREFORE, BE IT RESOLVED that the “Exterior Maintenance Guidelines, which are comprised of certain rules and guidelines regarding the upkeep, appearance, exterior condition, repair and maintenance, of houses and lots within the Clear Lake City Community, are hereby re-affirmed, extended, continued, adopted, and in all respects ratified on behalf of the Association, to continue in effect until such time as they are duly and properly modified.

1. All Improvements on a lot must be maintained in a state of good repair and shall not be allowed to deteriorate. Repairs \ maintenance shall include, but not be limited to, the following:
2. No bare wood or metal is to remain unpainted. Chipping, mismatched, streaked, peeling, or faded paint shall be eliminated, and surfaces repainted properly.
3. Neither physical damage to brick, siding, or deteriorated wood on the home shall remain unrepaired. Loose or buckled garage door panels must be repaired or replaced, and paint

applied to match color of home.

4. Gutters must be cleaned out and kept in good repair and not allowed to sag or hang down.
5. Roofs must be maintained in good repair with no missing or curling shingles.
6. All glass surfaces must be whole.
7. All vehicles are to be parked on paved surfaces, not on grass. Inoperable vehicles shall be stored off the premises or out of public view at all times. An "inoperable vehicle" shall be any vehicle not displaying a current registration sticker required by law for operation upon public streets. Inoperable vehicles are also defined as those on which the engine, wheels or other parts have been removed, altered, damaged, or allowed to deteriorate so that the vehicle cannot be driven.
8. Brick and wood surfaces must be cleaned of mold and/or mildew and shall not be allowed to discolor.
9. Fences and gates must be kept in good repair.
10. Sidewalks, driveways, driveway aprons and curbs should be maintained by the homeowner so they will not constitute a safety hazard. General condition of the entire driveway and walkways should not be allowed to deteriorate to an unsightly appearance. Driveway joints and seams must be kept free of grass and weeds.
11. Lawns must be kept mowed, edged, and weed free. Flower beds must be kept free of weeds, and shrubs and trees must be kept trimmed.
12. Trees extending over concrete walls/fences are to be cutback/trimmed by the property owner.
13. Owners are not allowed to plant trees or shrubs in cul-de-sacs without prior written permission from the Board of Trustees.
14. There shall be no storage of clutter, debris, or miscellaneous items in public view.
15. Mailboxes on private property must be maintained in good repair.
16. House numbers must be visible.

Approved and adopted by the Board on the date signed below.

UNATTACHED STRUCTURES IN OAKBROOK, CAMINO SOUTH, AND OAKBROOK WEST, SEC. 1, SEC. 2 & SEC. 3

It is the policy of the Board of Trustees that the following will apply in regard to its involvement in enforcing the Deed Restrictions as pertains to unattached structures in declarations for the Oakbrook and Camino South subdivisions, and sections 1, 2, & 3 of Oakbrook West subdivision.

1. It was agreed and accepted that the intent of the Grantor (Friendswood Development Company) when making the declarations was
 - A. To prevent the property owner from erecting a structure for a purpose other than that intended for proper residential use.
 - B. To preserve the appearance of the area from an aesthetic standpoint.
2. It was recognized that the Grantor did intend that certain unattached structures for proper residential use could be allowed in subdivisions, but with specific restrictions.
 - A. Deed Restrictions for the younger subdivisions of Meadowgreen and parts of Oakbrook West allow the placement of unattached structures for residential purposes. These structures include storage sheds, play structures including playhouses, and accessory buildings (e.g., gazebos, shade structures for decks or pools).
 - B. Specific restrictions were placed on the square footage, height, and placement of structures on a property. These were intended to preserve the appearance of an area from an aesthetic point of view.
3. That in the future unattached structures erected for the proper purpose of residential use will be allowed in all sections of Oakbrook, Camino South, and Oakbrook West subdivisions provided that erection of such structures meet the following specific requirements.

- A. The unattached structure cannot be used at any time for a residence.
- B. **The unattached structure shall not exceed nine (9) feet in height and the base dimensions do not exceed one hundred forty-four (144) square feet.**
- C. The unattached structure shall not be used for storage of equipment or other items which are used for business purposes.
- D. No structure may be erected without prior approval from the Board of Trustees' Architectural Review Committee.

Texas Property Code Section 204.010(a)(6) provides that the Association may "regulate the use, maintenance repair, replacement, modification, and appearance of the subdivision" Texas Property Code Section 204.010(a)(18) provides that the Association may "implement written architectural control guidelines" and modify them as needed.

Original: December 2, 1997; Amended: November 20, 2013; Amended: August 18, 2021

SHARED FENCES

Please be advised that fences that are shared between neighbors are typically the responsibility of both neighbors. If repair or maintenance is needed on such shared fences, it is up to the parties to determine how to split the costs of the repairs. If one party refuses to pay, then the other party may choose to make the repairs themselves and seek reimbursement from the other party, either personally or through small claims court, etc. This is typically a neighbor-to-neighbor issue which does not involve the HOA. *(Disclaimer: This is the general rule of thumb, so we encourage each homeowner to seek their own personal legal advice regarding their individual situation.)*

ENCROACHING TREE LIMBS:

In general, if a neighbor's tree limbs or branches extend over onto your property, you are typically allowed to trim the tree limbs which are encroaching/trespassing/hanging over your property. When trimming them, however, please be careful to stay on your own property and not go into your neighbor's yard for a better angle when cutting the limbs. This is typically a neighbor-to-neighbor issue which does not involve the HOA. *(Disclaimer: This is the general rule of thumb, so we encourage each homeowner to seek their own personal legal advice regarding their individual situation.)*

RESIDENTIAL FENCES WHICH BORDER COMMERCIAL PROPERTY

The Clear Lake City Community Association (CLCCA), Inc. Board of Trustees (BOT) has the responsibility in enforcing deed restrictions and to bring uniformity to those Deed Restrictions.

1. Friendswood Development Company (FDC). [Grantor] or its assignee is permitted to grant deviations in height, construction material and location of fences and walls which in its judgment will result in a more beneficial use.
2. Because of the reduced quality of life which has resulted to some of the residents whose homes adjoin the commercial areas from appearances, sports activities, general commercial type noises, etc., conditions which the Grantor suspected may arise, the Grantor did provide for relief by permitting, if needed, a variance in regard to fences.
3. Therefore, it is the policy of the Board of Trustees to permit residents who live in Oakbrook, Oakbrook West, Meadowgreen and Camino South and have property bordering on commercial property, to install wooden fences up to a **maximum height of eight (8) feet from ground level subject to prior approval by the Architectural Review Committee**. Only that fence which adjoins the commercial property may have this extended height and must be of wood, wrought iron, and or concrete, but must not be of chain link design.

FENCING GUIDELINES

It is the policy of the Clear Lake City Community Association (CLCCA), Inc. Board of Trustees (BOT) that fencing which borders individual Property Owners property and is visible to the street, be uniform in appearance. Reference CLCCA's Residential Exterior Maintenance Guidelines; Texas Property Code (TPC) 204.010(a)6 and (a)(18), provides the legal authority for the CLCCA to set forth guidelines regarding the use,

maintenance, repair, replacement, modification and appearance of the subdivision. All perimeter fencing shall remain the same type of material.

ALL FENCES

1. Fences must follow Deed Restrictions; therefore, no fence shall be higher than six (6) feet.
2. Variances must be approved by the BOT thru the CLCCA Architecture Review Committee.
3. All fences must be repaired or replaced when broken, warped, or curled.
4. All fences visible to the street shall be free of mildew.
5. Graffiti/markings on fences must be removed immediately.

WOODEN FENCES

1. Wooden fences should have the smooth side out when visible to the street.
2. Brick pillars must be connected to wood fence and standing upright. Broken or leaning bricks must be repaired or replaced.
3. Brick pillars may be removed with approval from the CLCCA Architecture Review Committee

CONCRETE FENCES (PROPERTY OWNERS RESPONSIBILITY)

1. There shall be no horizontal cracked or broken sections visible to the street.
2. Vertical columns shall be vertical, not leaning.
3. Horizontal sections shall be horizontal and not leaning or slanted to one side.
4. If fence painting is necessary, fence should be painted exterior latex DRY DOCK (SW7502) available at Sherwin Williams Paint Company.
5. Fence sections may be replaced with Hardi Board, installed on the horizontal, and is available at local Home Improvement stores. Wood is not an approved material for section replacement. Repaired fences should be painted immediately to prevent discoloration.

WROUGHT IRON / TUBULAR IRON FENCES ON THE SIDES AND BACK OF PROPERTY [Note Wrought iron fences in the FRONT of property is addressed in the security measures policy.]

1. Vertical and horizontal bars shall be painted black.
2. Fence shall be free of dented and bent bars.
3. Vertical bars shall be evenly spaced and not leaning or slanted to one side.
4. Fence shall be free from visible surface rust.
5. Any metal mesh fence must be black.
6. Iron fences shall be made of wrought iron and follow these guidelines:
 - a. Vertical pickets shall be three-fourths (3/4) inch square bar with caps spaced on four (4) inch centers.
 - b. Posts shall be three (3) inches square with caps spaced on eight (8) feet centers.
 - c. Top and bottom rails shall be one and a half (1 ½) inch square bar.
7. All fencing shall follow deed restrictions and shall be no higher than six (6) feet in height.
8. Replacement fences shall be the same height as the existing fence.
9. All wrought iron fencing as well as all other fencing requires PRIOR ARC approval prior to installation.

Exceptions: Policy residential fencing which border Commercial Property, and deed restrictions stipulating that permanent or semi-permanent storage of automobiles, boats, trailers, other vehicles, and equipment, must be completely screened from public view either in a garage or behind a solid fence as long as the equipment is beyond the building setback line. **Items must be fully screened from public view and not covered by a tarp. Fencing or gates greater than six (6) feet in height, must have approval from the Architectural Review Committee and the Board of Trustees as an approved variance.**

PRIVACY FENCING BORDERING EXPLORATION GREEN

The Resolution Regarding Fences on Private Residential Property Abutting Exploration Green and adopted on the 11th day of July 2019 by the President of the Clear Lake City Water Authority is filed separately with Harris County and available on the www.clcca.org website.

Wood & Metal (Wrought / Tubular Iron / Tubular Aluminum/Galvanized Welded Wire") [for fencing bordering Exploration Green ONLY]

It is the policy of the Clear Lake City Community Association (CLCCA), Inc. Board of Trustees (BOT) to have uniformity for fencing which borders Exploration Green (EG), the former Clear Lake Golf Course (CLGC), owned by the Clear Lake City Water Authority (CLCWA).

It is not required for the property owner to have a fence. However, if privacy fencing is desired, all application requests for fencing which border EG, (the former CLGC), must be submitted to the Architecture Review Committee (ARC) for consideration. Prior to start of construction, approval must be granted by the ARC or BOT before proceeding. The application shall have the Surveyor Plat, which identifies the Property Owner's lot size and any and all utility easements.

All fencing shall follow deed restrictions and shall be no higher than six (6) feet in height. Fencing must be made of two types of material, treated pine / cedar wood or black wrought or tubular iron / aluminum. No chain link or hurricane fencing is allowed. All fencing shall be a minimum of *two-inch set back from the Property Owner's Property line to ensure 'no encroachment' of the Property Owner's fence is erected onto the CLCWA Property.

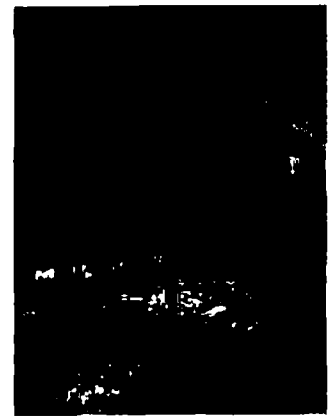
Wooden Fences

Wood fencing shall be allowed to have a six (6) inch rot board running horizontal at the bottom of the fence with five (5) foot six (6) inch tall by six (6) inch (5'6" x 6") wide pickets**. All pickets shall have the smooth surface of the pickets facing the CLCWA Property with the pickets located on the outside of the frame (CLCWA side).

No framing which faces or is parallel to the CLCWA Property shall be visible from the CLCWA Property.

Wrought Iron / Aluminum Fences/Galvanized Welded Wire [for fencing bordering Exploration Green ONLY]

Wrought or tubular iron / aluminum fencing along the back and sides of a property shall be no higher than six feet above ground level. Galvanized welded wire with treated fence posts. Topped with 2"x4" horizontal board and a 2"x4" at the bottom. Both 2"x4" boards are to be secured with a 2"x2" on the opposite side to secure the wire. The fence is also to be capped with a 1"x4" or 1"x6" treated board. Example:



* If the CLCCA determines that fencing has encroached upon the CLCWA Property, the Property Owner will remove the fencing at the Property Owner's expense. This encroachment will be deemed to be a deed restriction violation and must be corrected by the Property Owner.

** Maximum height of fencing shall be six feet, measuring from medium ground level. No fencing shall be built upon any artificially raised ground such as a berm, to increase the height of the fence.

**CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.
GUIDELINES FOR INSTALLATION AND USE OF
CERTAIN SECURITY MEASURES
(Amended & Restated, February 16, 2022)**

STATE OF TEXAS

§

KNOW ALL PERSONS BY THESE PRESENTS:

§

COUNTY OF HARRIS

§

WHEREAS, the **CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.** ("Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as "Declarations"); and

WHEREAS, Section 202.023 of the Texas Property Code was amended by the 87th Texas Legislature dealing with the regulation of certain security measures; and

WHEREAS, the Board of Trustees of the Association ("Board") has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the installation of certain security measures therein, it is appropriate for the Association to adopt guidelines regarding the installation and use of such security measures within the community.

NOW, THEREFORE, the Board has duly adopted the following *Guidelines for Installation and Use of Certain Security Measures* within the community:

Exterior Home Video Surveillance Cameras

Cameras should be compact in size and as obscured from view as possible so as not to detract from the appearance of the home.

Cameras must be placed only on an owner's private property, and not on any right-of-way, public sidewalk or street, common area or neighboring private property. Any camera lens should be angled such that the camera does not observe or record the private properties of others.

A property owner should not use exterior cameras to unreasonably intrude on the privacy of neighboring properties or their occupants.

Perimeter Security Fencing for Front Yard

Rear yard perimeter fencing is subject to the existing recorded dedicatory instruments for the Association and is not changed or altered by this Policy.

Any fencing installed for security purposes in front of the front building line of the owner's lot shall be approved in writing by the Architectural Review Committee prior to installation, to ensure harmony with the exterior of the residence and neighboring properties.
Any wood, vinyl, wire, or chain link fencing is strictly prohibited in front of the front building line of the lot.

Wrought iron-style fencing no higher than three feet (3') is acceptable; however, the design and layout of the fencing shall first be approved in writing by the ARC prior to installation to ensure harmony with the exterior of the residence and neighboring properties. Whenever possible, any such fencing should contain columns which match the exterior masonry of the residence.

Wrought iron fences must be made of wrought iron and typically follow these guidelines.

- a. Vertical pickets shall be three-fourths (3/4) inch square bar with caps spaced on four (4) inch centers.
- b. Posts shall be three (3) inches square with caps spaced on eight (8) feet centers.
- c. Top and bottom rails shall be one and a half (1 ½) inch square bar.

Any security fencing shall not block pedestrian access to rights-of-way and/or sidewalks. Driveway gates that block the sidewalk are prohibited.

All fencing must also be in compliance with all city, county, state, or federal guidelines, laws, or ordinances that regulate visibility, roadway sight line requirements, safety, structure, easements, and all other matters related to building codes, traffic codes, and other relevant regulations.

All fencing shall be kept in good condition and repair at all times, so as not to detract from the overall appearance of the property.

Other Security Measures

Any security measures or devices which are visible from the exterior of the residence or which alter the outward appearance of a residence must be approved in writing by the ARC prior to installation.

The guidelines are effective upon recordation in the Public Records of Harris County, and supersede any guidelines for the security measures outlined herein which may have previously been in effect. Except as affected by Section 202.023 and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC. GUIDELINES FOR DISPLAY OF CERTAIN RELIGIOUS ITEMS (Amended & Restated, February 16, 2021)

STATE OF TEXAS

§

KNOW ALL PERSONS BY THESE PRESENTS:

§

COUNTY OF HARRIS

§

WHEREAS, the **CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.** ("Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as "Declarations"); and

WHEREAS, Section 202.018 of the Texas Property Code was amended by the 87th Texas Legislature dealing with the regulation of display of certain religious items; and

WHEREAS, the Board of Trustees of the Association (“Board”) has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the display of certain religious items therein, it is appropriate for the Association to adopt guidelines regarding the display of certain religious items within the community.

NOW, THEREFORE, the Board has duly adopted the following *Guidelines for Display of Certain Religious Items* within the community:

I. DEFINITIONS

“Religious items” shall be defined as any items which may be construed to reflect an owner’s sincere religious belief.

II. POLICY

1. An owner or resident may display a religious item by displaying or affixing it to the owner’s or resident’s property or dwelling which is motivated by the owner’s or resident’s sincere religious belief.
2. The owner or resident shall **not** display or affix a religious item on the owner’s or resident’s property or dwelling that:
 - 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 owned or maintained by the Association;
 - e. violates any applicable building line, right-of-way, setback, or easement; or
 - f. is attached to a traffic control device, streetlamp, fire hydrant, or utility sign, pole or fixture.
3. The Association shall determine if the religious item is in violation of either section “2a” through “2f” above.

The guidelines are effective upon recordation in the Public Records of Harris County and supersede any guidelines for certain religious items which may have previously been in effect. Except as affected by Section 202.018 and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

RESOLUTION REGARDING REGULATION OF SOLAR ENERGY DEVICES

WHEREAS, Section 202.010 of the Texas Property Code provides for the regulation of solar collectors or solar energy devices by a property owners’ association;

WHEREAS, the Board of Trustees desires to amend its dedicatory instruments with the intent of regulating solar collectors or solar energy devices;

NOW, THEREFORE, BE IT RESOLVED THAT the following policy is hereby adopted by the Board of Trustees:

SOLAR ENERGY SYSTEMS GUIDELINES

While the Association recognizes these benefits of solar energy systems, it is important that these systems are installed in a manner that respects legitimate competing community interests. For purposes of these design guidelines, the phrase “solar energy system” includes both photovoltaic and solar heating and/or cooling technologies..¹

APPLICATION REQUIREMENTS

All solar energy systems require ARC (Architectural Review Committee) approval. The following documents must be included along with the required application or request form:

- Plans showing visibility of the system from areas open to common or public access (e.g., public streets, neighboring lots, or association properties or common areas);
- A rendering or drawing (with dimensions) showing the proposed location of the system and how the equipment will be mounted, as well as a description of any visible auxiliary equipment (including inverter boxes, meters, disconnects, conduits, and other appurtenances);
- Photographs, manufacturer literature, or descriptions for all proposed system components including specifications, color, materials, etc.
- Written support of all adjoining property owners, consisting of name(s) of owner(s), address, and short statement indicating that they have reviewed the preliminary design and feel it will not cause them loss of enjoyment of their property based on the information provided. Any subsequent design changes must also receive the same approval statement from adjoining lot owner(s).

Following submission of these materials, the ARC will either approve the application, request additional materials, recommend changes, or deny the system design and location as proposed or, if feasible, determine an alternate location for the system. The ARC shall not withhold approval if all below conditions are met, unless the ARC determines, in writing, that placement of the system 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 others. An applicant may overcome this determination by obtaining the written support of all adjoining property owners..²

¹ According to TEX. PROP. CODE ANN. § 202.010(2), the term “solar energy device” is defined in the Tax Code § 171.107 as “a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy.”

SYSTEM DESIGN AND PLACEMENT REQUIREMENTS

Any solar energy system is to be entirely contained on the land or structures owned by the property owner, and will not encroach on neighboring property or common areas..³

To the maximum extent possible, a roof-mounted solar energy system shall be installed so as to minimize its exposure when viewed from areas open to common or public access (e.g., public streets, neighboring lots, or association properties or common areas). The ARC reserves the right to designate a new location for a proposed system, unless the new location would *decrease* energy production of the system by more than 10%. **The difference in energy production by location shall be determined through the publicly available modeling tool provided by the National Renewable Energy Laboratory (www.nrel.gov)⁴ and it shall be the homeowner’s responsibility to calculate this number.**

For solar energy systems located in a fenced yard, no portion may extend above the fence.⁵ The ARC may consider installation of solar energy systems on properties without a fenced yard if there is adequate screening from public view from any street or common area.

Roof mounted solar panels (1) may not extend higher than or beyond the roofline⁶ and (2) must have a top edge that is parallel to the roofline.⁷ If solar panels are located on the front-facing or side-facing roof surfaces, visible from areas open to common or public areas, they must (3) conform to the slope of the roof minimizing stand-off distance from the roof surface.⁸

Efforts must be made to make the solar energy system a harmonious part of the Architectural design of the residence. Reasonable efforts should be taken to minimize the visibility of any plumbing, wiring, or auxiliary equipment. All system components that are not involved in the production of energy, such as a frame, support bracket, or visible piping or wiring, must be either (1) a silver, bronze, or black tone commonly available in the marketplace, or (2) a color that blends with the roof coloring.⁹

² This requirement is taken from the Texas solar rights statutory text which reads “[an ARC] may not withhold approval for installation of a solar energy device if the provision of the dedicatory instruments to the extent authorized by Subsection (d) are met or exceeded, unless the association or committee, as applicable, determines in writing the 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. For purposes of making a determination under this subsection, the written approval of the proposed placement of the device by all property owners of adjoining property constitutes prima facie evidence that such a condition does not exist.” Tex. Prop. Code Ann. § 202.010(e).

³ POA restrictions on solar installations are not dictated by the Texas state legislation if the solar device will be located on property owned by the POA or owned in common by the members. TEX. PROP. CODE ANN. § 202.010(d)(2)-(3).

⁴ This 10% decrease in efficiency, as well as the publicly available modeling tool through NREL, is explicitly laid out in Tex. Prop. Code Ann. § (d)(5)(B).

⁵ POAs must allow ground mounted solar energy systems but are allowed to restrict those that extend above the fenceline according to Tex. Prop. Code. Ann. § 202.010(d)(4)(B) and § 202.010(d)(6).

⁶ POA ability to limit explicitly protected in Tex. Prop. Code Ann. § 202.010(d)(5)(A). ⁷ POA ability to limit explicitly protected in Tex. Prop. Code Ann. § 202.010(d)(5)(C). ⁸ POA ability to limit explicitly protected in Tex. Prop. Code Ann. § 202.010(d)(5)(C). ⁹ POA ability to limit explicitly protected in Tex. Prop. Code Ann. § 202.010(d)(5)(D).

Because existing trees may reduce access to sunlight and thereby decrease system performance, the ARC will give special consideration to the limited removal of trees outside the normal tree removal requirements or processes. Removed trees shall be replaced to ensure no net loss of trees.

A homeowner may not install a solar energy system that, as adjudicated by a court, (1) threatens public health or safety, or (2) violates a law.¹⁰ All systems must be installed in compliance with manufacturer’s instructions and in a manner that does not void material warranties.¹¹ After installation, all systems must be maintained in good repair.

In short, no solar collectors or solar energy devices shall be installed without the prior written approval of the Architectural Review Committee. Such installation shall be in harmony with the design of the residence. Whenever reasonably possible, solar energy devices or solar collectors shall be installed in a location that is not visible from the public street in front or to the side of any residence, and preferably should be placed at the back of the residence. All solar collectors and solar energy devices must strictly comply with Section 202.010 of the Texas Property Code, as amended.

This administrative resolution supersedes all previously adopted policies regarding solar collectors or solar energy devices by the Association.

RENTAL AND LEASING POLICY
CLEAR LAKE CITY COMMUNITY ASSOCIATION, INC.

WHEREAS, the Board of Directors of Clear Lake City Community Association, Inc. (the "Association") desires to adopt the following policy in regard to "residential Leases or Rental Agreements" per Texas Property Code Section 209.016 which allows Property Owners Associations to request certain information in regard to rentals and leasing. This policy shall supersede any and all other Rental and Leasing Policies filed on behalf of the Association.

NOW THEREFORE, BE IT RESOLVED THAT the following Rental and Leasing Policy is hereby adopted:

RENTAL AND LEASING POLICY

I. Definitions for Purposes of this Policy:

- a. "Renter" or "Tenant" may be used interchangeably and shall mean any person or persons who may occupy a residence under contract for the purpose of occupying the premises as a residence regardless of the term of contract. Renters shall be subject to "Single Family" definition.
- b. "Lease" and "Leasing" shall refer to the regular, exclusive occupancy of a residence by any person other than the Owner, for which the Owner receives any consideration or benefit including, without limitation, a fee, service, or gratuity. Leasing includes, but is not limited to, short-term or vacation rentals, temporary housing, transient housing, or retreat lodging.
- c. "Landlord" or "Owner" may be used interchangeably and shall mean an owner with title to a residence who rents or leases his or her property. This same term may also apply to an owner's relative living in the home who leases the property.
- d. "Residence", "Property", "Properties" or "Premises" may be used interchangeably and shall mean the single-family residence or lot which is being rented.
- e. "Governing Documents" shall collectively mean the Association's Declarations, By-Laws, Rules and Regulations, ACC Guidelines, Board Policies, etc.
- f. "Single-Family" shall mean a husband and wife, two parents/partners, or an individual, with or without children or grandchildren (natural, adopted, or foster), Mother and/or Father, Mother-in-law and/or Father-in-law or the Legal Guardians of such children, etc.

II. Terms and Conditions.

- a. Written Lease. All leases for any property should preferably be in writing and provide that:
 - i. such lease is specifically subject to the provisions of the Association's Governing Documents;
 - ii. a failure of the Tenant to comply with the terms of the Governing Documents may be deemed to be a default under such lease;
 - iii. Tenant should use the Premises solely as a personal residence for single-family purposes only;
 - iv. the Premises should be occupied only by members of the Tenant's immediate family and others whose names are specified in the Lease Agreement. The Lease should be signed by all adult occupants of the premises.
 - v. Tenant should receive access to the Association's Governing Documents online or from Landlord and should agree to abide by all such documents.
- b. Subleases and Assignments. It is preferred but not required that the Property not be subleased nor the lease assigned during the lease term.
- c. Single Family Purpose Rentals Only. Per the Association's governing documents, the property is to be used for single family purposes only.
- d. Copy of Association Documents to Tenant: The Landlord should provide the Tenant with copies of the Declarations and all other Governing Documents and rules & regulations prior to the Tenant occupying the premises.

- e. **Notice to Association.** Per Texas Property Code Section 209.016(e), the Association “may request the following information to be submitted to the association regarding a lease or rental applicant:

1. “Contact information, including the name, mailing address, phone number, and email address of each person who will reside at a property in the subdivision under a lease; and
2. The commencement date and term of the lease.”

The Association requests that the Landlord provide this information to the Association within ten (10) days of signing a lease. In addition, Landlord should update the Association and provide his/her current mailing address, physical address, and telephone number to the Association in writing. It is the responsibility of the Landlord to keep such contact information current in the Association’s records.

III. **Violations.**

- a. The Owner (Landlord) is responsible for ensuring compliance with all Association’s Governing Documents.
- b. In the event of a violation by Tenant, the Association may send notice to both the Landlord and the Tenant.
- c. If a Tenant fails to correct a violation of the Governing Documents, the Owner (Landlord) may be held responsible for any costs incurred in the enforcement of any violation.

IV. **Additional Rules.**

The Association shall have the right to enforce all Governing Documents, and any additional Rules and Regulations, against the Owner and the Tenants, individually and collectively. This Policy, all Governing Documents, and any additional Rules and Regulations shall apply to the leased property whether or not the Owner gives notice to the Tenant of such.

Approved and adopted by the Board on the date signed below.

**CLEAR LAKE CITY COMMUNITY ASSOCIATION
RESOLUTION REGARDING
OPERATING A HOME BUSINESS WITHIN THE SUBDIVISION**

WHEREAS, CLEAR LAKE CITY COMMUNITY ASSOCIATION, a Texas non-profit corporation (hereinafter referred to as the “ASSOCIATION”), through its Board of Trustees has the authority under Texas Property Code Section 204.010(a)(6) to regulate the use, maintenance, repair, replacement, modification, and appearance of the single-family residences in the subdivision;

WHEREAS, Texas Property Code Section 204.010(a)(21) authorizes a property owners' association to exercise other powers necessary and proper for the governance and operation of the property owners' association;

WHEREAS, the residential Deed Restrictions for the subdivision recorded in the Official Public Records of Real Property of Harris County, Texas, provides that “lots shall be used only for single family residence purposes,” [Emphasis added.]

WHEREAS, pursuant to the Texas Property Code and the Association’s Governing Documents, the Board of Trustees (the “Board”) of the Association, hereby adopts this Policy in an effort to provide homeowners clarification regarding operating a home business within the subdivision;

WHEREAS, the Association’s Deed Restrictions are in place for the purpose of keeping the development of said real property for the mutual benefit and pleasure of the owners in said subdivision, and for the protection of such property values of the subdivision;

WHEREAS, property values in the subdivision are affected by the appearance of the subdivision and specifically, operation of businesses therein; and

WHEREAS, the Board of Trustees desires to clarify the Deed Restrictions regarding operating a business within the subdivision and adopting the following Home Business Policy in order to maintain the attractiveness of the subdivision and thereby support property values of the subdivision.

NOW THEREFORE, BE IT RESOLVED THAT in consideration of the above factors, the Board hereby resolves to adopt and publish the following Home Business Policy for CLEAR LAKE CITY COMMUNITY ASSOCIATION:

HOME BUSINESS POLICY

1. As used herein, the term “**Single Family Residence Purposes**” shall be construed to prohibit the use of said Lots for duplex houses, garage apartments, and/or apartment houses.
2. No Lot or residence shall be used for any of the following activities or purposes of any kind: trade, business, professional, commercial, manufacturing, or regular church or religious services.
3. The Association is aware and mindful that current Texas case law appears to indicate certain **non-visible and undetectable** business activities may potentially be conducted within the residence that in some instances as long as:
 - a. the existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from outside the residence;
 - b. the business activity conforms to all zoning and deed restriction requirements;
 - c. the business activity does not involve regular visitation to the residence by clients, customers, suppliers or other businesspersons, excluding regular mail delivery and recognized delivery companies, such as FedEx and UPS;
 - d. the business activity does not involve door-to-door solicitation of residents of the Subdivision;
 - e. the business activity is consistent with the residential character of the properties;
 - f. the Board and the neighbors do not consider the business activity to constitute a nuisance or annoyance;
 - g. the business activity does not result in increased traffic such that ingress or egress of everyday vehicular traffic or of emergency vehicles is hindered; and
 - h. no marketing or advertising of such use is permitted including but not limited to the placement of signs on the Lot.
4. Based on current Texas case law, owners/occupants may *potentially* keep personal business or professional records or handle personal business or professional telephone calls or correspondence which are **expressly incidental to the principal residential use and not in violation of said restrictions**, provided that such activity is **not apparent in sight, sound, smell or that such permitted use does not attract business traffic or invitees to the residence or allow business employees to work at the residence.**

The Board shall use the above referenced factors in order to determine whether a particular business activity violates this restriction.

The guidelines are effective upon recordation in the Public Records of Harris County, and supersede any guidelines for home businesses which may have previously been in effect. Except as affected by Section 209.016 and/or by these guidelines, all other provisions contained in the Declarations, or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Board on the date signed below.


This policy replaces the following policies: 402-2C, 402-3B, 402-4, 409-01H, 409-2E, 409-03A, 409-04A, 409-05, 409-2E, 411-1, 412-1A, 412-2D, 412-3, 500-1H

This policy replaces the policy filed with Harris County on August 23, 2016

Amended at the Board of Trustee Meeting on September 21, 2016, October 17, 2018, November 20, 2019, August 19, 2020, December 16, 2020, August 18, 2021, February 16, 2022, October 19, 2022, January 18, 2023, and on August 16, 2023

These General POA Guideline Policies were adopted this 16th day of August 2023, by at least a majority of the Board of Trustees of the Association.

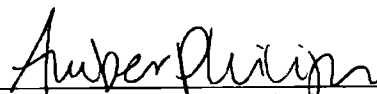
**CLEAR LAKE CITY COMMUNITY
ASSOCIATION**


Signature

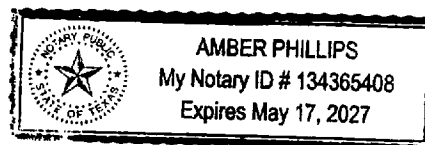
Printed Name: Leslie Eaton

Title: Secretary

This instrument was acknowledged before me on the 21st day of August, 2023, by Leslie Eaton, the Secretary of CLEAR LAKE CITY COMMUNITY ASSOCIATION, a Texas non-profit corporation, on behalf of said corporation.



Notary Public in and for the State of Texas



RP-2023-333288
Pages 30
08/30/2023 02:15 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$130.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically
and any blackouts, additions or changes were present
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or
use of the described real property because of color or
race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in
File Number Sequence on the date and at the time stamped
hereon by me; and was duly RECORDED in the Official
Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2023-333288