

Park Glen Neighborhood Association, Inc.
Architectural Control Committee
Published Bulletins
Covenants, Conditions and Restrictions
Covering Park Glen Phases I through XIII

According to Park Glen Deed Restrictions, the Association may publish and promulgate bulletins regarding architectural standards that are fair, reasonable, and uniformly applied and that carry forward the spirit and intentions of this Declaration. (CCR 2.4/2.5)

B1.01 Above-ground pools. Above-ground pools are temporary improvements not listed in the exceptions noted and are prohibited in all Phases/Villages. [Aug 1998, Aug 2002]

B1.02 Basketball goals.

- a) Permanent units must be approved, prior to installation, by the Architectural Control Committee. They must be installed on the outside edge of the driveway, facing the driveway, reasonably setback from the sidewalk. They may not be mounted on the home or garage. They must be kept in good repair and landscaping must be maintained around them.
- b) Portable goals are restricted by law. They cannot block the sidewalk, be in the street or the grass facing the street and they must face the driveway. They cannot block the "line of sight" for your neighbors backing out of their driveways. When not in use, they must remain in the upright position or be stored out of sight. [Nov 1998, Aug 2002]

B1.03 Building materials. All structures and exterior construction require written authorization, prior to construction, from the Architectural Control Committee. Materials and design for any building constructed on a lot must be similar to those used in construction of the home. This includes wood and vinyl siding and masonry products. Aluminum structures are not allowed. [Aug 1999, Aug 2002]

B1.04 Fences.

- a) Wood fence treatments require written authorization, prior to application, from the Architectural Control Committee. Wood fences shall be left to weather naturally or stained with a clear preservative, light wood-colored transparent stain or Olympic oil-based stain in the color Cape Cod (light gray). Colors not found typically in fence materials such as dark brown or dark red are prohibited. Only natural wood toned stains may be applied. Painting or whitewashing of any fence is prohibited.
- b) Standard screening fences between houses in Park Glen are 6 feet in board length. They may be increased to 8-foot height if decreased over the last 10 feet to match any adjoining 6-foot fence. Fences in side yards of corner lots, those next to schools and parks, and those encroaching on the right-of-way may be subject to the variance laws of the Fort Worth Board of Adjustments. Any change to fence placement or any fence addition requires the prior written approval of the Architectural Control Committee. Exposed horizontal support structures/fence posts cannot be visible from street or public right of way.
- c) Iron gates and fences are allowed, subject to the same height requirements as wood fences. All iron fences and gates must be painted black, unless specifically approved by the Architectural Control Committee.
- d) Where elevation changes or retaining walls exist at the intersection of two adjoining segments of fence, the transition shall be made smoothly by installing taller pickets on the lower section of fence so that there is not a noticeable gap or change in height at the intersection.
- e) Holes, gaps, windows or screens may not be cut from the wooden fence pickets for the purpose of allowing pets visibility out of the fenced area. Any pickets with holes, gaps or missing segments will need to be replaced as part of normal fence maintenance.
- f) Fences may not be constructed in whole or in part from lattice of any type or material. This includes primary 6' back yard fences or any other screening fence designed to hide outdoor AC units or any other portion of the property. Other than as a support structure for climbing plants as a part of a landscaping design, lattice is prohibited for all uses. [Nov 1997, Oct 1998, Aug 2002, Apr 2011]

B1.05 Flag displays. Patriotic and decorative/seasonal flags in sizes not to exceed 4' by 6' may be displayed on poles in house-mounted brackets. All flags must be maintained in good condition and removed when no longer appropriate to the season. [Aug 2002]

B1.06 Garage Use. In all Phases, no garage shall be converted to living space or used in any manner so as to preclude the parking of two automobiles therein. [Aug 2002]

B1.07 Landscaping Requirements for the front and side yard areas (includes the parkway area between the curb and sidewalk) visible from the street: Trees, shrubs, living plant ground covers, flowerbed plantings, and any other material used must be kept neat, tidy, and well maintained (free of weeds, trimmed appropriately, and in good condition). A minimum of ten (10) percent of the yard area must be shrubs/flower beds within 6 feet of the foundation of the house. The remaining 90 percent of the yard area may be lawn grass, plants and shrubs, and/or living plant ground covers; and a limited amount of hardscape (see below).

A recommended plant list and guidelines for the spacing of trees, shrubs, and living plant ground covers can be found at ParkGlen.org. Properties should feature plants with light requirements that match the environment and be planted according to their mature size and with appropriate spacing (i.e. spaced 8-12 inches for most ground covers). Ground cover zones need to be planted so as to be filled in by the end of the second growing season (growing season is March 15-November 15). Artificial turf is prohibited.

No more than 30 percent of the yard area may be of hardscape materials. Hardscape is defined as flagstone, brick, concrete, pavers, large cobblestones, boulders, and cut stone; decorative aggregate rocks/stone (i.e. river rock) if they are 1 inch in diameter or greater in size (less likely to move with heavy rains); and decomposed granite, provided it is compacted. Lava rock or shells are not permitted. Poured concrete is permitted for walkways and seating areas, as well as curbs and edging if approved by the Architectural Control Committee. Any addition of hardscape material shall not be used for the purpose of parking or driving vehicles, widening a driveway, or adding driveway unless specifically approved by the Architectural Control Committee. Earth tone colors are required for hardscape materials. The standard of this bulletin is to have more plants and/or living ground cover than hardscape material.

Changes involving the addition of hardscape material for the front and side yard areas (includes the parkway area between the curb and sidewalk) visible from the street require written authorization from the Architectural Control Committee prior to making changes. See also Bulletins B1.08 Lawn Decorations and B1.21 Trees, Stumps, and Tree Rings. [Jan 2024]

B1.08 Lawn decorations. Lawn decorations visible from the street must be in the shrub/flowerbed areas immediately adjacent to the house and must be unobtrusive in relation to surroundings and must maintain the harmony and conformity of the neighborhood appearance. Placement of any large object and/or objects outside the above stated beds require prior written authorization by the Architectural Control Committee. [Aug 1999, Aug 2002]

B1.09 Paint colors. In order to maintain the original harmony of color schemes in Park Glen, prior written approval must be obtained before painting any part of the house including trim and doors (front entry or garage). Colors generally deemed acceptable are light-medium neutrals for siding, trim and doors. Dark neutral colors compatible with the brick may be acceptable for accents such as doors and shutters. Entry doors may be painted black or other dark colors complementary to the existing color palette of the home. Garage doors should match the wood paneling on the main surface of the house and may not be painted black. Special treatments or ornate replacement doors must be approved prior to installation. Bold, very dark, or pastel colors are prohibited. Dark earth tones and neutral tones may be used on trim, shutters or entry doors with approval from the Architectural Control Committee. [May 1996, Nov 1997, Apr 1998, Jul 1999, Aug 2002, Apr 2011]

B1.10 Parking. No boat, trailer, marine craft, hovercraft, aircraft, recreational vehicle, pick-up camper, travel trailer, motor home, camper body or similar vehicle may be stored, parked or kept on any driveway, in any front yard, or in the street in front of a Lot for more than 48 hours nor more frequently than two (2) times per month, nor shall any such vehicle or equipment be parked for storage in the side or rear yard of any residence. [Aug 2002]

B1.11 Patio Covers. Materials, colors and structural lines must match those of the home. Solid roofs must have a minimum of 5”/12” pitch and be shingled to match the house. Open slat roof structures need not meet the pitch and shingle requirements above. All structures, including but not limited to patio covers, pergolas, arbors and gazebos, require written approval by the Architectural Control Committee prior to construction. Pursuant to Bulletin B1.03, above, aluminum or metal structures are prohibited. [Aug 1999, Aug 2002, Apr 2011]

B1.12 Pet holes in fences or doors. Pet observation holes/windows in fences and pet doors of any kind that are visible from the street are prohibited. [Feb 1999, Aug 2002]

B1.13 Political signs. In accordance with Texas Election Code 259.002, Park Glen homeowners and residents are permitted to display one or more signs advertising a political candidate or ballot item for an election between the 90th day before the date of the election to which the sign relates and the 10th day after that election date. Signs must be ground-mounted. A property owner or resident is limited to displaying only one sign for each candidate or ballot item. This bulletin does not permit a sign that:

1. contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component
2. is attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object;
3. includes the painting of architectural surfaces;
4. threatens the public health or safety;
5. is larger than four feet by six feet;
6. violates a law;
7. contains language, graphics, or any display that would be offensive to the ordinary person; or
8. is accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.

The Association may remove a sign displayed in violation of this bulletin or other covenants. [Feb 2020]

B1.14 Retaining walls. Retaining walls were installed by builders on the backs and sides of some sloping lots and cannot be extended into the right-of-way in front. Replacement of retaining walls must be approved by the Architectural Control Committee and may require a city permit and an engineering study. Retaining walls across the front are considered outside the harmony and conformity of the neighborhood. This paragraph does not include tree-wells and flower/shrub beds. (See B1.07 and B1.21). [Aug 2002]

B1.15 Roofing. Unless otherwise approved in writing by the Architectural Control Committee, no roof on any structure or any house shall have less than a 5”/12’ roof slope. All roofs must be covered with lightweight 20-year composition shingles (meaning having a manufacturer’s warranty of at least 20 years) or architectural style shingles all in a color of charcoal gray or the approximate color of weather cedar shingles. [Aug 2002]

B1.16 Storage buildings. Sheds may not exceed 100 square feet in floor space. Height of either size may not exceed 8 feet defined as the distance from the ground level to the highest point of the structure. The roof style must be gable (upside-down V). Gambrel (barn-style) roofs are prohibited. Roof materials must be shingles to match the type and color of those on the house. Building materials must be similar to those on the house such as construction with wood, vinyl or masonry siding. Shed colors must match the color(s) of the house. Sheds must have an appropriate building permit and are not permitted in utility easements. Sheds require written approval, prior to construction, from the Architectural Control Committee. Sheds may not be made of aluminum, plastic, vinyl or any other synthetic resin. Plastic “deck bins” or storage closets may not exceed six (6) feet in height and may not be visible from any street or public right of way. [May 2000, Aug 2002, Apr 2011]

B1.17 Vinyl siding. Siding installations must conform in appearance and color to those originally offered by the builders. Two-toned or non-traditional installations such as starbursts, stripes, etc. are not allowed. Siding installations require written approval from the Architectural Control Committee prior to beginning the application. [Aug 2002]

B1.18 Pool Equipment. All above-ground pool equipment such as pumps, filters and associated plumbing must be installed behind the backyard fence and may not be visible from any street or public right of way. At the time of installation of the pool and/or equipment, fences may be extended towards the front of the house subject to existing fence regulations. Any necessary modification to existing fences should be included in the

modification request submitted to the Architectural Control Committee at the time of installation of the pool and/or equipment. [Apr 2011]

B1.19 Driveways and Entry Walkways. All paved surfaces on the residence, including the driveway and paved walkways to the front entry, including front porch, but not including the city-owned community sidewalk near the street, shall be maintained by the resident. Surface cracks are acceptable, but structural faults and settling that cause the surface to be hazardous for pedestrians are sufficient cause for repair. This includes but is not limited to cratering and crushed areas, raised or settled segments that cause a step or notch in the previously smooth surface larger than one inch in height, or otherwise crumbling or failing pavement. [Apr 2011]

B1.20 Storage of Garbage, Recycling, and Yard Waste Containers; Partial Screening Fences: Garbage, recycling, and yard waste containers must be stored in the backyard or garage where they will not be visible from any street, public right-of-way or adjacent neighbor's front entryway, driveway, or front lawn. Partial screening fences of any sort are prohibited. A partial screening fence is a segment where one or both ends are not connected to the home or the main fence. In accordance with city code, garbage carts, recycling carts, and yard waste may be placed on the curb next to the street no earlier than 6:00 p.m. on the day preceding the scheduled collection day, and carts shall be removed from the curb and from public sight by the end of the scheduled collection day unless there has been a missed collection reported to the city. [Dec 2019]

B1.21 Trees, Stumps, and Tree Rings: The Association will enforce a requirement that every lot contain at least one prominent tree (diameter of 2 inches or greater) in the main part of the front yard OR at least two trees (diameter of 2 inches or greater) in the parkway (between the back of the curb and the sidewalk) in front of the home. Approval of the Architectural Control Committee is required before removing any required tree. Any required tree currently missing or removed in the future must be replaced. Trees must be healthy, attractive, and well-maintained. Branches and other parts of trees must not be an obstacle for vehicles in the street, pedestrians on the sidewalk, or residents of neighboring lots. Any stump visible from the street or any common area must be removed or ground down below ground level so that grass can grow above it. Any tree ring visible from any street or common area must contain an appropriately-sized healthy tree or be removed with the yard restored in that place. Any variance or exception to the standards of this bulletin for any lot must be specifically granted by the Architectural Control Committee or PGNA Board to provide a temporary waiver to be in effect for no more than two years or until change of ownership, whichever occurs first. [Dec 2019]

B1.22 Electric Generators: The Association has adopted a detailed policy regarding electric generators, incorporated into these bulletins by reference and purpose. [Feb 2020]

Approved Park Glen Shingle List

This is not an exhaustive list of acceptable shingle colors and is subject to change without notice. Please remember to submit a property modification request for approval prior to replacing shingles, even if your selection is on this list. On your request, please include the full description of the brand / style / grade of your shingle, with an Internet link.

<u>Brand</u>	<u>Colors</u>	<u>Brand</u>	<u>Colors</u>
Owens Corning	Teak Brownwood Onyx Black Estate Gray Driftwood Quarry Gray Desert Tan	Atlas	Heatherwood Black Shadow Weathered Wood Hearthstone Gray Desert Shake
Certain Teed	Weathered Wood Colonial Slate Burnt Sienna Georgetown Gray Moire Black Heather Blend Resawn Shake	Elk	Weathered Wood Shakewood Sablewood Hickory Barkwood Balsam Forest Antique Slate Weathered Sage
GAF	Charcoal Slate Weathered Gray Mission Brown Ash Brown Heather Slate Cedar Weathered Wood Pewter Gray Burnt Sienna	Tamko	Rustic Black Rustic Hickory Weathered Wood Oxford Gray Black Walnut Autumn Brown Rustic Slate Natural Timber Painted Desert Harvest Gold Mountain Slate Thunderstorm Gray Rustic Cedar

Display of Religious Items Policy

(a transcription of the Policy dated 9/20/2021 that was included in a dedicatory instrument filed with the County Clerk 11/4/2021 as Instrument D221324363)

Owners and residents are generally permitted to display or affix one or more religious items on the owner's or resident's property or dwelling, the display of which is motivated by the owner's or resident's sincere religious belief.

Committee Application Required. Before a religious display contemplated by the Code is displayed or affixed on an owner's or resident's property, an Architectural Control Committee (the "**Committee**") application must be submitted to the Association and approved in writing in accordance with the Declaration. The following information must be included with the application:

- a. Type and description of religious display;
- b. Site plan indicating the location of the proposed religious display with respect to any applicable building line, right-of-way, setback or easement on the owner's or resident's property.

Notwithstanding the foregoing, the following displays shall not require Committee approval. All other religious displays shall require Committee approval as set forth above.

- a. One or more religious items displayed or affixed on the entry of an owner's or resident's dwelling, not exceeding twenty-five (25) square inches, shall not require Committee approval.
- b. Seasonal religious holiday decorations which are temporary and commonly associated with a seasonal holiday may be displayed no more than 60 days before and 30 days after the seasonal holiday in question. The Board has the sole discretion to determine what constitutes a seasonal holiday decoration. Should an owner or resident desire to permanently display a religious display, a Committee application is required as set forth above.

The display or affixing of a religious item on the owner's or resident's property or dwelling is prohibited under the following circumstances:

1. The item threatens the public health or safety;
2. The item violates a law other than a law prohibiting the display of religious speech;
3. The item contains language, graphics or any display that is patently offensive to a passerby for reasons other than its religious content;
4. The item is installed on property:
 - a. owned or maintained by the Association; or
 - b. owned in common by members of the Association.
5. The item violates any building line, right-of-way, setback or easement that applies to the religious item pursuant to a law or the Association's dedicatory instruments; or
6. The item is attached to a traffic control device, street lamp, fire hydrant or utility sign, pole or fixture.

Any installation not in compliance with this Policy will be considered a violation of the dedicatory instruments governing the community.

SOLAR ENERGY DEVICE GUIDELINES

(a transcription of guidelines dated 12/30/2011 that were included in a dedicatory instrument filed with the County Clerk 3/20/2012 as Instrument D212067329)

In order to comply with the procedures set forth by Chapter 202.010 of the Texas Property Code which precludes Associations from adopting or enforcing a complete prohibition on solar energy devices, the Association has adopted certain limitations on solar energy devices. It is the intent of the Association to comply with the law to the extent it is valid and effective. It is not the intent of the Association to change the governing documents of the Association that were not legally affected by the statute.

1. For purposes of the Association, the term "solar energy device" means 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. The term includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power.
2. Solar energy devices may not be installed without prior written approval of the Architectural Control Cominitfee (ACC), or its equivalent.
3. An Owner may not install a solar energy device that:
 - A. As adjudicated by a Court, threatens the public health or safety; or violates a law;
 - B. Is located on property owned or maintained by the Association;
 - C. Is located on property owned in common by the members of the Association;
 - D. Is located in an area on Owner's property other than on the roof of the home or of another structure allowed under a dedicatory instrument; or in a fenced yard or patio owned and maintained by the Owner;
 - E. If mounted on the roof of the home:
 - i. Extends higher than or beyond the roofline;
 - ii. Is located in an area other than an area designated by the Association, unless the alternate 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 ten percent (10%) above the energy production of the device if located in an area designated by the Association;
 - iii. Does not conform to the slope of the roof and has a top edge that is not parallel to the roofline; or
 - iv. 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;
 - F. If located in a fenced yard or patio, is taller than the fence line;
 - G. As installed, voids material warranties; or
 - H. Was installed without prior approval by the Association or by a committee created in a dedicatory instrument for such purposes that provides decisions within a reasonable period or within a period specified in the dedicatory instrument.
 - I. Substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. The written approval of the proposed placement of the device by all Owners of adjoining property constitutes prima facie evidence that such a condition does not exist.
4. During the development period, if applicable, Declarant can prohibit all solar energy devices.

ROOFING MATERIAL GUIDELINES

In order to comply with the procedures set forth by Chapter 202.011 of the Texas Property Code which precludes Associations from adopting or enforcing a complete prohibition on certain roofing Materials, the Association has adopted certain limitations on certain roofing materials. It is the intent of the Association to comply with the law to the extent it is valid and effective. It is not the intent of the Association to change the governing documents of the Association that were not legally affected by the statute.

1. The roofing materials described below may not be installed without prior written approval of the Architectural Control Committee (ACC) or its equivalent.

2. The Association shall not prohibit an Owner who is otherwise authorized to install shingles on the roof of the Owner's property from installing shingles that;

A. Are designed to:

- i. Be wind and hail resistant; or
- ii. Provide heating and cooling efficiencies greater than those provided by customary composite shingles; or
- iii. Provide solar generation capabilities;

and

B. When installed:

- i. Resemble the shingles used or otherwise authorized for use on property in the subdivision; and
- ii. Are more durable than and are of equal or superior quality to the shingles described by above; and
- iii. Match the aesthetics of the property surrounding the Owner's property.

RAINWATER COLLECTION DEVICE GUIDELINES

(a transcription of guidelines dated 12/30/2011 that were included in a dedicatory instrument filed with the County Clerk 3/20/2012 as Instrument D212067329)

In order to comply with the procedures set forth by Chapter 202.007 of the Texas Property Code which precludes Associations from adopting or enforcing certain prohibitions or restrictions on rain barrels and rain harvesting systems, the Association has adopted certain limitations on rain barrels and rain harvesting systems. It is the intent of the Association to comply with the law to the extent it is valid and effective. It is not the intent of the Association to change the governing documents or the Association that were not legally affected by the statute.

1. Rain barrels and rain harvesting systems may not be installed without prior written approval of the Architectural Control Committee (ACC), or its equivalent.
2. An Owner may not install a rain barrel or rainwater harvesting system if:
 - A. The property is: (1) Owned by the Association; (ii) Owned in common by the members of the Association; or (iii) Located between the front of the Owner's home and an adjoining or adjacent street; or
 - B. The barrel or system: (i) Is of a color other than a color consistent with the color scheme of the Owner's home; or (ii) Displays any language or other content that is not typically displayed by such a barrel or system as it is manufactured.
3. The Association may regulate the size, type, and shielding of, and the materials used in the construction of, a rain barrel, rainwater harvesting device, or other appurtenance that is located on the side of a house or at any other location that is visible from a street, another lot, or a common area if:
 - A. The restriction does not prohibit the economic installation of the device or appurtenance on the Owner's property;, and
 - B. There is a reasonably sufficient area on the Owner's property in which to install the device or appurtenance.
4. In order to enforce these regulations, an Owner must receive written approval from the Board or the architectural control or review committee (if one exists) prior to installing any rain barrel or rainwater harvesting system. Accordingly, prior to installation, an Owner must submit plans and specifications to and receive the written approval of the Board or architectural control/ review committee. The plans and specifications must show the proposed location, color, material, shielding devices, size and type of such system or device (and all parts thereof). The plans should also identify whether the device or any part thereof will be visible from any street, other lot or common area.
5. Rain barrels or rainwater harvesting systems should generally be designed to be unobtrusive in location and appearance and must not cause drainage problems to the property or its neighbors.

FLAG DISPLAY GUIDELINES

(a transcription of guidelines dated 12/30/2011 that were included in a dedicatory instrument filed with the County Clerk 3/20/2012 as Instrument D212067329)

In order to comply with the procedures set forth by Chapter 202.011 of the Texas Property Code which precludes Associations from adopting or enforcing certain prohibitions or restrictions on certain flag displays, the Association has adopted certain limitations on flag displays. It is the intent of the Association to comply with the law to the extent it is valid and effective. It is not the intent of the Association to change the governing documents of the Association that were not legally affected by the statute.

1. An Owner or resident may display:
 - A. The flag of the United States of America;
 - B. The flag of the State of Texas; or
 - C. An official or replica flag of any branch of the United States armed forces.
2. An Owner may only display a flag described above if such display meets the following criteria:
 - A. A flag of the United States must be displayed in accordance with 4 U.S.C. Sections 5-10;
 - B. A flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code;
 - C. A flagpole attached to a dwelling or a freestanding flagpole 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 dwelling;
 - D. The display of a flag or the location and construction of the supporting flagpole must comply with applicable zoning ordinances, easements and setbacks of record;
 - E. A display flag and the flagpole on which it is flown must be maintained in good condition and any deteriorated flag or deteriorated or structurally unsafe flagpole must be repaired, replaced or removed;
3. The Association hereby adopts the following additional restrictions on the display of flags on an Owner's lot:
 - A. An Owner may not install a flagpole which is greater than twenty feet (20') in height, and must be equipped to minimize halyard noise;
 - B. An Owner may not install more than one flagpole on the Owner's property. A flagpole can either be securely attached to the face of the dwelling or be a freestanding flagpole;
 - C. Any flag displayed must not be greater than 4 x 6 in size;
 - D. An Owner may not install lights to illuminate a displayed flag which, due to their size; location or intensity, constitute a nuisance;
 - E. An Owner may not locate a displayed flag or flagpole on property that is:
 - i. Owned or maintained by the Association; or
 - ii. Owned in common by the members of the Association.
4. Prior to erecting or installing a flag and/or flag pole, an Owner must first submit plans and specifications to and receive the written approval of the Board or Architectural Control Committee (ACC). The plans and specifications must show the proposed location, material, size and type of such flag and flagpole (and all parts thereof, including any lights to illuminate the displayed flag).

Guidelines Regarding Electric Generators, in accordance with Texas Property Code 202.019

Generators Other Than "Standby Electric Generators"

Any generator that is not considered a "standby electric generator" as defined below (e.g. a portable electric generator or a generator not continually wired-in to the home's electrical system and that does not require installation) may:

1. not be located on property not owned by the homeowner nor on common areas, property owned or maintained by the property owners' association, property owned in common by the property owners' association members, nor property owned or maintained by the city and/or Public Improvement District.
2. not be in any location visible from any street, sidewalk, common area, or neighbor's property, unless specifically approved by the ACC.
3. not create a nuisance or noise problem.

Standby Electric Generators

A "standby electric generator" means a device that converts mechanical energy to electrical energy and is:

1. powered by natural gas, liquefied petroleum gas, diesel fuel, biodiesel fuel, or hydrogen;
2. fully enclosed in an integral manufacturer-supplied sound attenuating enclosure;
3. connected to the main electrical panel of a residence by a manual or automatic transfer switch; and
4. rated for a generating capacity of not less than seven kilowatts.

A standby electric generator may not be located on property not owned by the homeowner nor on common areas, property owned or maintained by the property owners' association, property owned in common by the property owners' association members, nor property owned or maintained by the city and/or Public Improvement District. Standby Electric Generators may generally be installed only in a location not visible from any street, sidewalk, common area, or neighbor's property. The location of a standby electric generator must be approved by the ACC prior to installation, with the condition that a restriction on location may not increase the cost of installing the standby electric generator by more than 10 percent or increase the cost of installing and connecting the electrical and fuel lines for the standby electric generator by more than 20 percent. An owner is required to effectively screen a standby electric generator in a manner directed or approved by the ACC if the standby electric generator is visible from any street, sidewalk, common area, or neighbor's property (e.g. located in an unfenced side or rear yard of a residence and visible either from an adjoining residence or from adjoining common areas; located in a side or rear yard fenced by a wrought iron or residential aluminum fence and visible through the fence either from an adjoining residence or from adjoining common area).

A standby electric generator must be installed and maintained in compliance with the manufacturer's specifications and applicable governmental health, safety, electrical, and building codes. All electrical, plumbing, and fuel line connections to be installed only by licensed contractors. All electrical connections to be installed in accordance with applicable governmental health, safety, electrical, and building codes. If a permit is required by the city or any other government, the permit must be obtained before installation. All natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections must be installed in accordance with applicable governmental health, safety, electrical, and building codes. All liquefied petroleum gas fuel line connections to be installed in accordance with rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health, safety, electrical, and building codes. Nonintegral standby electric generator fuel tanks must be installed and maintained to comply with applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes.

A standby electric generator and its electrical lines and fuel lines must be maintained in good condition. An owner is required to repair, replace, or remove any deteriorated or unsafe component of a standby electric generator, including electrical or fuel lines.

Times for the periodic testing of a standby electric generator, consistent with the manufacturer's recommendations, must be reasonable and not create a nuisance to neighbors or the community.

The use of a standby electric generator to generate all or substantially all of the electrical power to a residence is prohibited, except when utility-generated electrical power to the residence is not available or is intermittent due to causes other than nonpayment for utility service to the residence.

Feb 2020

Security Measures Policy

(a transcription of the Policy dated 9/20/2021 that was included in a dedicatory instrument filed with the County Clerk 11/4/2021 as Instrument D221324363)

1. **Committee Application Required.** Before any security measure contemplated by Section 202.023(a) of the Texas Property Code (“**Code**”) is constructed or otherwise erected on a Lot, a Committee application must be submitted to the Association and approved in writing in accordance with the Declaration. The following information must be included with the application:

- a. Type of security measure;
- b. Location of proposed security measure;
- c. General purpose of proposed security measure; and
- d. Proposed construction plans and/or site plan.

2. **Other Applicable Requirements.** Owners are encouraged to be aware of the following issues when seeking approval for and installing a security measure:

- a. The location of property lines for the Lot. Each Owner should consider obtaining a survey before installing a security measure;
- b. Easements in the area in which the security measure is to be installed;
- c. Underground utilities in the area in which the security measure is to be installed.

The Association is not obligated to and will not review an Owner’s Committee security measure application for the above-referenced issues. Owners should be aware that a security measure may have to be removed if a person or entity with superior rights to the location of a security measure objects to the placement of the security measure.

3. **Type of Fencing.** The Code authorizes the Association to regulate the type of security measure fencing that an Owner may install on a Lot.

- a. Security measure fencing generally
 - (i) Security measure fencing cannot contain Decorative elements and embellishments (whether part of the fence construction or are add-on decorative elements/embellishments). This prohibition includes, but is not limited to, prohibiting finials (of any shape or design), fleur de lis, points, spears (of any shape or design), and gate toppers of any type.
 - (ii) Unless otherwise provided by the Association’s dedicatory instruments, chain link, brick, concrete, barbed wire, electrified, vinyl, and stone security measure fencing is expressly prohibited and will not be approved by the Committee.
 - (iii) No vines or vegetation shall be allowed to grow on security measure fencing.
- b. Security measure fencing forward of the residential structure on a Lot as depicted on the applicable Lot survey:

- (i) Must be metal fencing (either steel, wrought iron, or aluminum) measuring no more than six feet (6') in height. The Committee shall have the discretion to approve any other type of metal security measure fencing, however, the follow types of metal fencing are prohibited and will not be approved: (1) stamped metal fencing (including gates); (2) metal panel fencing; and (3) solid metal fencing. It is the intent of this Policy that all security measure fencing forward of the front building line on a Lot have the appearance of what is commonly called "wrought iron fencing";
 - (ii) Must consist of straight horizontal rails and straight vertical pickets and/or posts;
 - (iii) Must be black or any color approved by the Committee (including gates);
 - (iv) Security measure fencing pickets shall be 3/4", 4" on center with 1-1/4" top and bottom rails. All framing must be on the inside (i.e., the residence side) of the security measure fencing;
 - (v) Any driveway or pedestrian gates on security measure fencing must be of the same material as the fencing and swing inward and related fence motors/equipment must be kept screened from view with evergreen shrubs or in such other manner approved in writing by the Committee;
 - (vi) When security measure fencing meets a wood fence, the security measure fencing may not be attached to the wood fence. The security measure fencing shall be terminated with a three-inch (3") metal post (either steel, wrought iron, or aluminum) adjacent to the wood post/wood fencing; and
 - (vii) Chain link, brick, concrete, barbed wire, electrified, vinyl, wood and stone security measure fencing is expressly prohibited and will not be approved by the Committee.
- c. All security measure fencing must be installed per the manufacturer's specifications and all electric gates must be installed by a licensed electrician in accordance with all applicable codes and applicable governmental regulations.
 - d. Placement of fencing and/or security measures of any type must comply with Texas, City of Fort Worth and/or Tarrant County Regulations and Ordinances, if any.
 - e. The Committee shall have the discretion to determine any additional types of approvable or prohibited security measure fencing.
 - f. If the proposed security measure fencing is located on one or more shared Lot lines with adjacent Lot(s) ("Affected Lots"), all Owners of record of the Affected Lots must sign the Committee application evidencing their consent to the security measure fencing before the requesting Owner ("Requesting Owner") submits the Committee application to the Committee. In the event that the Affected Lot Owner(s) refuse to sign the Committee application as required by this section, the Affected Lot Owner(s) and Requesting Owner hereby acknowledge and agree that the Association shall have no obligation to participate in the resolution of any resulting dispute in accordance with this Policy.

4. **Burglar Bars, Security Screens, Front Door Entryway Enclosures.** All burglar bars, security screens, and front door entryway enclosure shall be black or any color approved by the Committee. Notwithstanding the foregoing, the Committee shall have the discretion to approve another color for burglar bars, security screens and front door entryway enclosure if, in the sole and absolute discretion of the Committee (subject to an appeal to the Board of Directors in the event of a Committee denial), the proposed color of the burglar bars, security screens, and front door entryway enclosures complements the exterior color of the dwelling. All burglar bars and front door entryway enclosures must be comprised of straight horizontal cross-rails and straight vertical pickets. Decorative elements and embellishments (whether part of the original construction of the burglar bar or security screen or are add-on decorative elements/embellishments) of any type are prohibited on burglar bars, security screens, and front door entryway enclosures.

5. **Location.** A security measure may be installed only on an Owner's Lot, and may not be located on, nor encroach on, another Lot, street right-of-way, Association Common Area, or any other property owned or maintained by the Association. No fence shall be installed in any manner that would prevent someone from accessing property that they have a right to use/access such as a sidewalk.

6. **Disputes; Disclaimer; Indemnity.** Security measures, including but not limited to, security cameras and security lights shall not be permitted to be installed in a manner that the security measure is aimed/directed at an adjacent property which would result in an invasion of privacy, or cause a nuisance to a neighboring Owner or resident. **In the event of a dispute between Owners or residents regarding security measure fencing, or a dispute between Owners or residents regarding the aim or direction of a security camera or security light, the Association shall have no obligation to participate in the resolution of the dispute. The dispute shall be resolved solely by and between the Owners or residents.**

EACH OWNER AND OCCUPANT OF A LOT WITHIN THE PROPERTY ACKNOWLEDGES AND UNDERSTANDS THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE COMMITTEE, ARE NOT INSURERS AND THAT EACH OWNER AND OCCUPANT OF ANY DWELLING AND/OR LOT THAT HAS A SECURITY MEASURE THAT HAS BEEN OR WILL BE INSTALLED PURSUANT TO THIS POLICY ASSUMES ALL RISKS FOR LOSS OR DAMAGE TO PERSONS, TO DWELLINGS AND IMPROVEMENTS AND TO THE CONTENTS OF DWELLINGS AND IMPROVEMENTS, AND FURTHER ACKNOWLEDGES THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE COMMITTEE, HAVE MADE NO REPRESENTATIONS OR WARRANTIES NOR HAS ANY OWNER OR OCCUPANT RELIED UPON ANY REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE, RELATIVE TO ANY SECURITY MEASURE THAT MAY BE APPROVED BY THE COMMITTEE PURSUANT TO THIS POLICY.

OWNERS OF LOTS WITHIN THE PROPERTY HEREBY AGREE TO INDEMNIFY, PROTECT, HOLD HARMLESS, AND DEFEND (ON DEMAND) THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND COMMITTEE MEMBERS COMPRISING THE COMMITTEE (COLLECTIVELY REFERRED TO AS THE "INDEMNIFIED PARTIES") FROM AND AGAINST ALL CLAIMS (INCLUDING WITHOUT LIMITATION CLAIMS BROUGHT BY AN OWNER OR OCCUPANT) IF SUCH CLAIMS ARISE OUT OF OR RELATE TO A SECURITY MEASURE GOVERNED BY THIS POLICY. THIS COVENANT TO INDEMNIFY, HOLD HARMLESS, AND DEFEND INCLUDES (WITHOUT LIMITATION) CLAIMS CAUSED, OR ALLEGED TO BE CAUSED, IN WHOLE OR IN PART BY THE INDEMNIFIED PARTIES' OWN NEGLIGENCE, REGARDLESS OF WHETHER SUCH NEGLIGENCE IS THE SOLE, JOINT, COMPARATIVE OR CONTRIBUTORY CAUSE OF ANY CLAIM.

Any installation not in compliance with this Policy will be considered a violation of the dedicatory instruments governing the subdivision.

209 Hearing Policy

(a transcription of the Policy dated 9/20/2021 that was included in a dedicatory instrument filed with the County Clerk 11/4/2021 as Instrument D221324363)

Definitions

- A. "Committee" means the Association's architectural review authority, as defined by Section 209.00505 of the Code. A person may not be appointed or elected to serve on the Committee if the person is:
- a. A current board member;
 - b. A current board member's spouse; or
 - c. A person residing in a current board member's household.

- B. "Committee Notice" means the notice of Committee denial sent to the Owner by the Association pursuant to Section III(A) of this Policy.
- C. "Board Hearing" means any hearing before the Board pursuant to this Policy.
- D. "Code" means the Texas Property Code.
- E. "Dedictory Instrument" has the meaning as defined by Section 209.002(4) of the Code.
- F. "Hearing Notice" means the notice of hearing sent to the Owner by the Association pursuant to Section II(B) of this Policy.
- G. "Hearing Packet" means the packet provided to the Owner by the Association pursuant to Section IV(B) of this Policy.

II.

Rules Applicable to All Hearings

- A. The Board Hearing shall be held no later than the thirtieth (30th) day after the date the Board receives the Owner's request for a Board Hearing. The Board or the Owner may request a postponement and, if requested, a postponement shall be granted for a period of not more than ten (10) days. Notwithstanding the foregoing, the Board Hearing may be scheduled outside of these parameters by agreement of the parties.
- B. The Board shall provide a Hearing Notice setting forth the date, time, and place of the Board Hearing, to the Owner not later than ten (10) days before the date of the Board Hearing. The Board Hearing may be held by virtual or telephonic means, in which case the access information for the virtual or telephonic Board Hearing shall be the "place" of the Board Hearing for purposes of the Notice.
- C. Owners are expected to provide copies of any documentary evidence the Owner intends to introduce at the Board Hearing to the Board no later than five (5) days before the Board Hearing.
- D. The Board is not required to deliberate or reach a determination during the Board Hearing. Rather, all information gleaned from the Board Hearing may be taken under advisement by the Board. The Association or its managing agent may inform the Owner of the Board's decision in writing within thirty (30) days of the date of the hearing. If there is no written communication from the Association or the managing agent within this timeframe, the violation will remain standing.
- E. The Board may set a time limit for the Board Hearing, to be determined at the Board's sole and absolute discretion, taking into account factors including but not limited to the complexity of the issues and the number of exhibits. The Board may communicate the time limitation in any manner to the Owner and will make every effort to communicate the time limitation to the Owner in advance of the date of the hearing. The time limitation will be strictly adhered to and is intended to strike a balance between: (i) allowing the Association ample time to present its case; (ii) allowing the Owner ample time to present the Owner's response; (iii) the Board's finite amount of time available to consider such issues.
- F. All parties participating in the Board Hearing are expected to treat each other professionally and respectfully. The Board reserves the right to terminate a Board Hearing if the Board, in its sole and absolute discretion, determines the Board Hearing has become unproductive and/or contentious. The Board, in its sole and absolute discretion, reserves the right to reconvene any Board Hearing that is terminated pursuant to this Section II(F).
- G. Either party may make an audio recording of the Board Hearing.
- H. This Policy does not apply to instances where the Association files a suit seeking a temporary restraining order, or temporary injunctive relief, or files a suit that includes foreclosure as a cause of action. Further, this Policy does not apply to a temporary suspension of a person's right to use Common Areas that is the result of a violation that occurred in a Common Area and involved a significant and immediate risk of harm to others in the subdivision. The temporary suspension is effective until the Board makes a final determination on the suspension action after following the procedures prescribed by this Policy.
- I. Owners are entitled to one hearing, unless the Board in its sole and absolute discretion agrees to allow additional hearings.

- J. In accordance with Section 209.007(e) of the Code, an Owner or the Board may use alternative dispute resolution services.

III.

Additional Rules Applicable to Hearings in Connection with Denial of a Committee Application

- A. In accordance with Section 209.00505(d) of the Code, a decision by the Committee denying an application or request by an Owner for the construction of improvements in the subdivision may be appealed to the Board. A Committee Notice of the denial must be provided to the Owner by certified mail, hand delivery, or electronic delivery. The Committee Notice must:
- a. describe the basis for the denial in reasonable detail and changes, if any, to the application or improvements required as a condition to approval; and
 - b. inform the Owner that the Owner may request a hearing on or before the thirtieth (30th) day after the date the notice was mailed to the Owner.
- B. During the Board Hearing, the Board (or a designated representative of the Association) and the Owner (or the Owner's designated representative) will each be provided the opportunity to verify facts and discuss the resolution of the denial of the Owner's application or request for the construction of improvements, and the changes, if any, requested by the Committee in the notice provided to the Owner under Section 209.004(d) of the Code.
- C. Following the Board Hearing, the Board may affirm, modify, or reverse, in whole or in part, any decision of the Committee as consistent with the Association's Dedicatory Instruments.

IV.

Additional Rules Applicable to Other Hearings

- A. Subject to the exceptions set forth in Section II(H) of this Policy, this Section IV shall apply to Board Hearings in connection with:
- a. the levying of fines for violations of the Dedicatory Instruments;
 - b. suspension of an Owner's right to use the Common Areas;
 - c. the filing of a lawsuit against an Owner other than a suit to collect regular or special assessments or foreclosure under the Association's lien;
 - d. charging an Owner for property damage; or
 - e. reporting of any delinquency of an Owner to a credit reporting service.
- B. The Board shall include with the Notice, a Hearing Packet containing all documents, photographs, and communications relating to the matter which the Board intends to introduce at the Board Hearing.
- C. If the Board fails to provide the Hearing Packet to the Owner at least ten (10) days before the Board Hearing, the Owner is entitled to an automatic fifteen (15) day postponement of the Board Hearing.
- D. During the Board 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 an Owner's designated representative is then entitled to present the Owner's information and issues relevant to the dispute. The Board may ask questions of the Owner or designated representative.

Bid Solicitation Policy

(a transcription of the Policy dated 9/20/2021 that was included in a dedicatory instrument filed with the County Clerk 11/4/2021 as Instrument D221324363)

For purposes of this Policy, "Services" include, by way of illustration and not limitation, pool maintenance and management services, fitness center management services, gate system management services, access system maintenance services, lighting and light inspection services, janitorial services, landscaping services, pest control services, accounting and legal services and any other service which the Association may deem to be necessary to or desirable for the administration and maintenance of the community.

1. **Applicability.** This Policy shall only apply to contracts for Services to be performed by third-party service providers (hereinafter referred to as "**Contractors**") in exchange for payment by the Association of an amount greater than fifty-thousand dollars (\$50,000.00) over the term of the contract. This Policy shall not apply to any contract for the performance of Services in exchange for payment by the Association of an amount less than or equal to fifty-thousand dollars (\$50,000.00) over the term of the contract, regardless of whether such contract automatically renews resulting in total payment by the Association of an amount greater than fifty-thousand dollars (\$50,000.00).

2. **Bid Solicitation.** In the event the Association proposes to contract for Services that are subject to this Policy, the Board shall solicit bids or proposals using the bid process established below.

3. **Bid Process.**

a. **Solicitation.** The Board shall notify potential bidders of an opportunity to submit a bid for Services. Such notification may consist of an invitation to bid, a request for proposals, the submission of a master services agreement, or such other method that the Board, in its sole discretion, may deem appropriate for the solicitation of the Services sought (the "**Solicitation**").

The Board shall obtain multiple bids for the Services sought, provided there are multiple Contractors who offer the Services available. Notwithstanding the foregoing, the Board shall determine, in its sole discretion, the number of bids to seek for the Services. If there is only one qualified bidder for the Services sought, there shall be no requirement to solicit multiple bids.

The Board may implement deadlines by which Contractors must respond to a Solicitation for a bid, which deadlines, if implemented, will be stated in the Solicitation. The Board has the right, but not the obligation, to remove from consideration any Contractor who fails to respond to the Solicitation by the deadline, if implemented.

b. **Evaluation.** The Board shall determine the method and criteria by which each bid received will be evaluated. In conducting its evaluation, the Board may rely on factors such as, by way of illustration and not limitation, the scope of services, pricing and payment terms, insurance available to the Contractor, Contractor warranties and indemnification obligations, references obtained and past experiences with the Contractor. The Board shall have the sole discretion to determine which bid to select, and the Board shall not be obligated to select the lowest bid if the Board determines that a higher bid will better meet the needs of the Association.

c. **Selection and Notification.** The Board shall notify the Contractor whose bid was successful of its selection within a reasonable time period after the date of the Board's decision, which time period shall be determined in the sole discretion of the Board. Such notification may be sent by certified mail, via email, or by any other method that the Board determines that the notification may be received by the selected Contractor. The Board may, but is not obligated to, notify Contractors whose bids were not selected of the rejection of their bid.

d. **Frequency of Solicitation.** Regarding Services subject to this Policy that are an ongoing need in the community (by way of illustration, landscaping services), at least three (3) months prior to the expiration of the term of a contract for such Services, the Association shall follow the bid process set forth in this Policy. The Board, in its sole discretion, may determine which Services constitute an ongoing need within the community.

e. **Board Discretion.** Notwithstanding anything contained in this Policy to the contrary, the Board has the authority to suspend the Solicitation requirements herein for any particular contract for Services as it deems necessary in its sole discretion.